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S E N A T E
State of Florida
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JOURNAL OF THE SENATE

R. Philip Twogood
Secretary of the Senate

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Journal
of the
S E N A T E
State of Florida



ORGANIZATION SESSION

November 16, 2010

**At an Organization Session of the Florida Legislature convened
under the Constitution of the State, as revised in 1968**

MEMBERS OF THE SENATE

(28 Republicans, 12 Democrats)

ORGANIZATION SESSION

November 16, 2010

- District 1: Anthony C. "Tony" Hill, Sr. (D), Jacksonville***
Parts of Duval, Flagler, Putnam, St. Johns and Volusia
- District 2: Greg Evers (R), Baker****
Holmes, Washington, and parts of Bay, Escambia, Okaloosa, Santa Rosa and Walton
- District 3: Charles S. "Charlie" Dean, Sr. (R), Inverness***
Baker, Dixie, Hamilton, Lafayette, Suwannee, Taylor and parts of Citrus, Columbia, Jefferson, Leon, Levy, Madison and Marion
- District 4: Don Gaetz (R), Niceville****
Parts of Bay, Escambia, Okaloosa, Santa Rosa and Walton
- District 5: Stephen R. Wise (R), Jacksonville***
Parts of Clay, Duval, Nassau and St. Johns
- District 6: Bill Montford (D), Tallahassee****
Calhoun, Franklin, Gadsden, Gulf, Jackson, Liberty, Wakulla and parts of Bay, Jefferson, Leon and Madison
- District 7: Evelyn J. Lynn (R), Ormond Beach***
Parts of Clay, Marion, Putnam and Volusia
- District 8: John Thrasher (R), St. Augustine****
Parts of Duval, Flagler, Nassau, St. Johns and Volusia
- District 9: Andy Gardiner (R), Orlando***
Parts of Orange, Osceola and Seminole
- District 10: Ronda Storms (R), Valrico****
Parts of Hillsborough, Pasco and Polk
- District 11: Mike Fasano (R), New Port Richey***
Parts of Citrus, Hernando, Pasco and Pinellas
- District 12: Jim Norman (R), Tampa****
Parts of Hillsborough and Pasco
- District 13: Dennis L. Jones, D.C. (R), Seminole***
Part of Pinellas
- District 14: Steve Oelrich (R), Gainesville****
Alachua, Bradford, Gilchrist, Union and parts of Columbia, Levy, Marion and Putnam
- District 15: Paula Dockery (R), Lakeland***
Parts of Hernando, Lake, Osceola, Polk and Sumter
- District 16: Jack Latvala (R), Clearwater****
Parts of Hillsborough and Pinellas
- District 17: JD Alexander (R), Lake Wales***
Hardee, Highlands, and parts of DeSoto, Glades, Okeechobee, Polk and St. Lucie
- District 18: Arthenia L. Joyner (D), Tampa****
Parts of Hillsborough, Manatee and Pinellas
- District 19: Gary Siplin (D), Orlando***
Parts of Orange and Osceola
- District 20: Alan Hays (R), Umatilla****
Parts of Lake, Marion, Seminole, Sumter and Volusia
- District 21: Michael S. "Mike" Bennett (R), Bradenton***
Parts of Charlotte, DeSoto, Lee, Manatee and Sarasota
- District 22: David Simmons (R), Maitland****
Parts of Orange and Seminole
- District 23: Nancy C. Detert (R), Venice***
Parts of Charlotte, Manatee and Sarasota
- District 24: Thad Altman (R), Viera****
Parts of Brevard, Orange and Seminole
- District 25: Ellyn Setnor Bogdanoff (R), Fort Lauderdale****
Parts of Broward and Palm Beach
- District 26: Mike Haridopolos (R), Melbourne****
Parts of Brevard, Indian River, Osceola and St. Lucie
- District 27: Lizbeth Benacquisto (R), Wellington****
Parts of Charlotte, Glades, Hendry, Lee and Palm Beach
- District 28: Joe Negron (R), Stuart****
Martin and parts of Indian River, Okeechobee, Palm Beach and St. Lucie
- District 29: Christopher L. "Chris" Smith (D), Ft. Lauderdale***
Parts of Broward and Palm Beach
- District 30: Maria Lorts Sachs (D), Boca Raton****
Parts of Broward and Palm Beach
- District 31: Eleanor Sobel (D), Hollywood***
Part of Broward
- District 32: Jeremy Ring (D), Margate****
Part of Broward
- District 33: Frederica S. Wilson (D), Miami***
Part of Miami-Dade
- District 34: Nan H. Rich (D), Weston****
Parts of Broward and Miami-Dade
- District 35: Gwen Margolis (D), Coconut Grove****
Parts of Broward and Miami-Dade
- District 36: Miguel Diaz de la Portilla (R), Coral Gables****
Part of Miami-Dade
- District 37: Garrett Richter (R), Naples***
Parts of Collier and Lee
- District 38: Anitere Flores (R), Miami****
Part of Miami-Dade
- District 39: Larcenia J. Bullard (D), Miami***
Monroe and parts of Broward, Collier, Hendry, Miami-Dade and Palm Beach
- District 40: Rene Garcia (R), Hialeah****
Part of Miami-Dade

* Holdovers

** Elected General Election November 2, 2010, for a term of 2 years

OFFICERS OF THE SENATE

Mike Haridopolos, *President*
Michael S. "Mike" Bennett, *President Pro Tempore*
Andy Gardiner, *Majority (Republican) Leader*
Nan H. Rich, *Minority (Democratic) Leader*

Non-member Elected Officer

R. Philip Twogood, *Secretary of the Senate*

**MEMBERS AND OFFICERS OF THE SENATE
THE 2010-2012 FLORIDA SENATE**

President



Mike Haridopolos (R)
Melbourne
District 26

**President Pro
Tempore**



Michael S. "Mike" Bennett (R)
Bradenton
District 21

**Majority
(Republican)
Leader**



Andy Gardiner (R)
Orlando
District 9

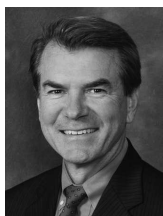
**Minority
(Democratic)
Leader**



Nan H. Rich (D)
Weston
District 34



JD Alexander (R)
Lake Wales
District 17



Thad Altman (R)
Viera
District 24



Lizbeth Benacquisto (R)
Wellington
District 27



Ellyn Setnor Bogdanoff
(R)
Fort Lauderdale
District 25



Larcenia J. Bullard (D)
Miami
District 39



Charles S. "Charlie"
Dean, Sr. (R)
Inverness
District 3



Nancy C. Detert (R)
Venice
District 23



Miguel Diaz de la Portilla
(R)
Coral Gables
District 36



Paula Dockery (R)
Lakeland
District 15



Greg Evers (R)
Baker
District 2



Mike Fasano (R)
New Port Richey
District 11



Anitere Flores (R)
Miami
District 38



Don Gaetz (R)
Niceville
District 4



Rene Garcia (R)
Hialeah
District 40



Alan Hays (R)
Umatilla
District 20



Anthony C. "Tony" Hill,
Sr. (D)
Jacksonville
District 1



Dennis L. Jones, D.C. (R)
Seminole
District 13



Arthenia L. Joyner (D)
Tampa
District 18



Jack Latvala (R)
Clearwater
District 16



Evelyn J. Lynn (R)
Ormond Beach
District 7

**MEMBERS AND OFFICERS OF THE SENATE
THE 2010-2012 FLORIDA SENATE**



Gwen Margolis (D)
Coconut Grove
District 35



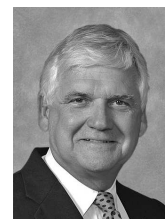
Bill Montford (D)
Tallahassee
District 6



Joe Negron (R)
Stuart
District 28



Jim Norman (R)
Tampa
District 12



Steve Oelrich (R)
Gainesville
District 14



Garrett Richter (R)
Naples
District 37



Jeremy Ring (D)
Margate
District 32



Maria Lorts Sachs (D)
Boca Raton
District 30



David Simmons (R)
Maitland
District 22



Gary Siplin (D)
Orlando
District 19



Christopher L. "Chris"
Smith (D)
Ft. Lauderdale
District 29



Eleanor Sobel (D)
Hollywood
District 31



Ronda Storms (R)
Valrico
District 10



John Thrasher (R)
St. Augustine
District 8



Frederica S. Wilson (D)
Miami
District 33



Stephen R. Wise (R)
Jacksonville
District 5

Non-member Elected Officer



R. Philip Twogood
Secretary of the Senate

Sergeant at Arms



Donald Severance



Journal of the Senate

ORGANIZATION SESSION

Tuesday, November 16, 2010

Journal of the Senate for the Organization Session of the Legislature to be convened under the Constitution of Florida, as revised in 1968, and subsequently amended, begun and held at the Capitol in the City of Tallahassee, in the State of Florida, on Tuesday, November 16, 2010, being the day fixed by the Constitution for the purpose.

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CALL TO ORDER

The Senate was called to order by Senator Fasano at 10:00 a.m. Senator Fasano turned the gavel over to outgoing Senate President and Chief Financial Officer-Elect Jeff Atwater.

PRAYER

The following prayer was offered by Pastor Marc Rhodes, First Baptist Church of South Brevard, Melbourne:

Our gracious heavenly Father, I come to you today asking your blessing upon the members of this body. May they labor with honesty, humility and honor. May their leadership cause the people they represent to rejoice in wisdom, guidance, and their selfless service.

May each member of this ordained body purpose in their hearts to serve in an ethical and praiseworthy fashion, and may they sow in such a manner that the reaping of their labors will be beneficial to all. May God grant that each member serves with devotion and distinction, laboring as though it depends upon their vowing before providence, realizing that without God, their labor is in vain.

This I pray in the name of Jesus to the glory and benefit of Almighty God. Amen.

PLEDGE

Alexis, Hayden, and Reagan Haridopolos of Melbourne, Senator Haridopolos' children, led the Senate in the pledge of allegiance to the flag of the United States of America.

SPECIAL PERFORMANCE

President Atwater introduced Olivia Butler, a guest of Senator Haridopolos, from Tampa Preparatory School, who began singing at the age of five and has been awarded many state titles. She plans to attend Wake Forest University after graduation to continue her musical training and pursue a degree as a medical doctor. Olivia sang *The National Anthem* for the Senate.

DOCTOR OF THE DAY

The President recognized Dr. Craig Deligdish of Melbourne, sponsored by Senator Haridopolos, as doctor of the day. Dr. Deligdish specializes in Oncology and Hematology.

CERTIFICATE RECEIVED

The Secretary announced that The Honorable Dawn K. Roberts, Interim Secretary of State, had certified to the election of 23 Senators as follows:

STATE OF FLORIDA DEPARTMENT OF STATE DIVISION OF ELECTIONS

I, **DAWN K. ROBERTS**, Interim Secretary of State of the State of Florida, do hereby certify that the following candidates were duly elected at the General Election held on the Second day of November, A.D., 2010, to the office of Member, State Senate, as shown by the records of this office:

SENATE DISTRICT	ELECTED SENATOR
2	Greg Evers
4	Don Gaetz
6	Bill Montford
8	John Thrasher
10	Ronda R. Storms
12	Jim Norman
14	Steve Oelrich
16	Jack Latvala
18	Arthenia L. Joyner
20	Alan Hays
22	David Simmons
24	Thad Altman
25	Ellyn Bogdanoff
26	Mike Haridopolos
27	Lizbeth Benacquisto
28	Joe Negron
30	Maria Lorts Sachs
32	Jeremy Ring
34	Nan H. Rich
35	Gwen Margolis
36	Miguel Diaz de la Portilla
38	Anitere Flores
40	Rene Garcia



GIVEN under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capitol, this the 16th day of November, A.D., 2010.

Dawn K. Roberts
INTERIM SECRETARY OF STATE

OATH OF OFFICE ADMINISTERED

The oath of office was administered by the Secretary to the recently elected Senators.

ROLL CALL

The roll of the Senate, as then constituted by the 23 newly elected members and the 17 holdover members, was called by the Secretary, in alphabetical order and the following members of the Senate were recorded as present:

Alexander	Gaetz	Norman
Altman	Garcia	Oelrich
Benacquisto	Gardiner	Rich
Bennett	Haridopolos	Richter
Bogdanoff	Hays	Ring
Bullard	Hill	Sachs
Dean	Jones	Simmons
Detert	Joyner	Siplin
Diaz de la Portilla	Latvala	Smith
Dockery	Lynn	Sobel
Evers	Margolis	Storms
Fasano	Montford	Thrasher
Flores	Negron	Wise

Excused: Senator Wilson

SPECIAL GUESTS

President Atwater introduced the following guests: Governor Charlie Crist, former Senator; Commissioner of Agriculture, Charles Bronson, former Senator; and Chief Financial Officer Alex Sink.

President Atwater announced that in addition to former Senate President Gwen Margolis, who still serves in the Senate, the Senate was honored by the presence of the following former Senate Presidents: John Vogt and Jim Scott.

President Atwater also recognized former Senators Steve Geller, Carey Baker, Burt Saunders, Fred Dudley and Al Lawson.

ORGANIZATION

The Senate proceeded to the organization of the body.

NOMINATIONS FOR PRESIDENT

The President announced that nominations would be received for President of the Senate, pursuant to Article III, Section 2 of the Constitution, for a term of two years.

The President recognized Senator Thrasher who placed in nomination the name of Senator Mike Haridopolos of the 26th Senatorial District.

Senator Thrasher: Mr. President, ladies and gentlemen, Governor Crist, distinguished guests, past Presidents and friends of the Haridopolos family that are here. Ladies and gentlemen, there have been times in the history of our nation and our state when a leader emerges who is so uniquely suited to confront the challenges we face that we sense greater forces are at work. Rather than resolve to compromise or random luck, we find purpose and meaning in the delivery of a person who can confront and master these challenges for the benefit of all.

Today, Florida finds itself in one of those uniquely challenging times. Our unemployment rate has hit a high not seen in generations. Florida families are suffering as rarely before, and some of our politicians have offered little more than platitudes to ease the pain. An entire segment of our economy, development, has been cut to a fraction of its former size, yet government has continued to add regulations to this beleaguered industry. At a time when we should be focusing on better educating our school children to compete in an ever more advanced marketplace, there have been cries to relax education standards and return to the mediocrity that plagued our schools less than a generation ago. Were it not for the presence of one man, I would be concerned that these challenges

could overwhelm Florida and put us in a status of a minority state in comparison to our sister states. But, because of the presence of one man, that will not happen.

Ladies and gentlemen, that one man is Mike Haridopolos, the next President of the Florida Senate. Mike is an accomplished leader who understands that principle and not political gain should form our agenda. Mike believes in personal responsibility, less government, and the power of the free market. He believes that people, rather than bureaucracies, are best suited to chart our individual paths, and much more importantly, he doesn't just believe in these things, he lives them every single day. So, we can see the success that Mike has enjoyed in his private life reflects the same principles he will apply to his public life. Mike Haridopolos will be a great steward of the power and the responsibility that he accepts today, and we in this chamber and those Floridians outside will be the beneficiaries of his intellect, his self-discipline, and his ferocious energy that he devotes to every aspect of his work. There is no greater honor I could have today, or pleasure, than to nominate a leader who spans the chasm history has created for our paths. Ladies and gentlemen, it is a high personal honor and privilege to nominate my friend, my leader, and the next President of the Florida Senate, Senator Mike Haridopolos.

The President recognized Senator Flores who seconded the nomination of Senator Haridopolos.

Senator Flores: Thank you Mr. President. It is a true honor and privilege to second the nomination of Senator Mike Haridopolos for the position of Senate President for the 2010 - 2012 term.

I know I am not the first in this chamber to wonder, "What exactly is a Haridopolos?" Is it an animal? A beachy island escape off the coast of a Greek island? Or, is a Haridopolos just the type of man we need to lead Florida in a time that will define what our Florida becomes for the next generation? I can tell you that a Mike Haridopolos is a man that will make us all proud to call him Senate President.

I first met Mike when he began his career in the Florida House of Representatives. At the time, I was a Fellow for the Speaker's office, and was given a chance to work with the then Representative Haridopolos on a piece of legislation relating to education funding. Now in a year that welcomed more House freshmen than any other class combined, it may have been a challenge to stand out amongst that large crowd, but Mike found a way. This particular legislation proposed to allow school districts to sell advertising space on school buses—not exactly the idea that the establishment had in mind when they requested more funding for education. Ultimately, the legislation did not pass, but Mike immediately made a name for himself as someone who certainly understood the meaning of "thinking outside the box."

Senator Haridopolos continued to make a name for himself by co-founding the Freedom Caucus, that group the status quo may call stubborn elected officials who simply refuse to add to Floridians' financial burdens. Mike understands that throwing more funding at the problem or issue will not solve it. The public pledge Mike has taken to reduce the financial burden on Florida's families should put us all at ease that he is at the helm of the Florida Senate.

Over the years, Mike has continuously resisted the temptation to become a politician or a bureaucrat. He remains loyal to the principles that led him to public service: a desire to make positive change, to be a voice for all Floridians, and a commitment to ensuring Florida's future remains positive and bright. We all understand that we have difficult times ahead, but with Mike as our Senate President we can rest assured that all of our voices will be taken into account.

I don't think that Mike has ever really stopped campaigning since that first election in 2000. We all know that he is an ever present face on the Internet, his Facebook page keeps everyone informed of his latest moves, and many of you have received a handwritten note for your birthday or congratulating you on your latest achievement. How do you have time for all those notes? But we also know that Mike is not necessarily campaigning for himself. Rather he is campaigning for our state, constantly seeking input on what the next big idea can be for the state of Florida. Mike Haridopolos has to be the most accessible Senate President in recent history. It is that unselfish notion that it doesn't matter where the idea came from, as long as it is a productive one, that makes

me proud to be a member of the Florida Senate even in these challenging times.

Today as Mike Haridopolos takes on his latest role as leader of the Florida Senate—under the watchful eye of his wife, Stephanie, and children Alexis, Hayden and Reagan—we all know what a “Haridopolos” is. A Haridopolos is a genuine leader, a doting husband, a proud father, a good listener, an innovative thinker, a hard worker who does his homework on issues, someone who certainly thinks outside the box, and, most importantly, for each of us who just took our oath as Senators, Mike Haridopolos is our Senate President, and I know that he will make us all proud.

Thank you!

MOTION

On motion by Senator Gardiner, nominations for President were closed.

ELECTION OF PRESIDENT

The roll was called on the election of the President and each Senator voted in the affirmative by saying “Mike Haridopolos.”

The vote was:

Yeas—38

Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

OATH OF OFFICE ADMINISTERED

On motion by Senator Siplin that a committee be appointed to escort Senator Haridopolos and his wife, Dr. Stephanie Haridopolos, to the rostrum of the Senate, the President appointed Senators Siplin, Bullard, Negron, Oelrich, Altman and Ring. Senator Haridopolos was escorted to the rostrum where the oath of office was administered by outgoing President Atwater. Dr. Haridopolos was received by the President, presented to the Senate and seated.

INTRODUCTION OF THE PRESIDENT'S FAMILY AND GUESTS

President Atwater introduced the following members of Senator Haridopolos' family: his wife, Dr. Stephanie Haridopolos; his children, Alexis, Hayden and Reagan; and his parents, Ernie and Georgia Haridopolos.

President Atwater presented the gavel to President Haridopolos, the 84th President of the Florida Senate since statehood.

PRESIDENT HARIDOPOLOS PRESIDING

ADDRESS BY PRESIDENT

President Haridopolos: Thank you, I'm honored to be your next Senate President.

This is a real challenge for our entire state. Before I start my speech, I want to say that I'm thankful to God. I'm thankful to my wife, my chil-

dren, and my parents. My children, when taking the oath today, my heart got heavy because that's what it's all about, our kids. I didn't think that I would get emotional today, but I saw them up here and it really struck me just how important it is that we pass around these opportunities to our kids and our grandkids. You give me an incredible honor and opportunity. I cherish it and make sure every single day I'll go to work for you and the entire State of Florida. This is what America is all about.

Each one of us has a unique story of how we arrived here at the State Capitol. We are all unified in what our goal is, to leave a legacy for the very people in this room. Please look around. Look at our kids and grandkids. This is what it's all about, not just in rhetoric, but in action. We've been given an incredible gift that we can never take for granted. Our legacy is to leave this opportunity for them. That's why we're here. It's not about the TV. It's not about politics. It's about people. My father was not even born in this country. His son is sitting here today. That's what America is all about. I want to be a part of that.

Our legacy will be their success. Let us recognize that this legacy is in jeopardy. It is being challenged like never before. One out of eight Floridians is out of work. We're facing a budget shortfall. I will say this now and I'll say it for the next few years, we face a 2 1/2 billion dollar shortfall. We have two options, to raise taxes or spend less. We will spend less.

Right now, in Washington D.C., they're not giving us much flexibility. Today with Medicaid, we are going to ask for that flexibility. Their heavy handed ways are not serving our state well. Regardless of what they do in Washington D.C., this Florida Senate will lead by example. That's how you lead. We'll do more with less. We'll tighten our own belt and we will not raise taxes a single dime.

As many of you know, I teach. I've been teaching at the college level since 1993. I love what I do, it's a gift from God. One of the things that I teach about is the Constitution. A lot of people think that the Constitution is an empowering document for government. It's not. Those who study the Constitution well know that the Constitution limits the power of government over the individual. We believe in people, not government first. When we think of the Constitution, let us think of limited government, not one that reigns over us. We lead by example: I'm proud to say that this Florida Senate, this Florida House, and this government has cut its own pay over the last few years. Just this summer, right here in the Florida Senate, we realized that if we're going to lead, we're going to lead by example. We cut over a million dollars in our own expenses by rightsizing the Senate, by asking people to do more with less, which every business and family is doing right now.

To gain the trust of the people of Florida we have to have an open, transparent government. I'm proud to call our state the Sunshine State. I'm even more proud of, not only do we have government in the sunshine, we now have spending in the sunshine. That's what we need to do. It's not our money. It's their money, and if we think of that every day, we're going to be a lot better off.

I want to make sure that everyone in this room and everyone across the state of Florida has a voice. Every single piece of legislation in this chamber will go through at least three committees. The public deserves not the hyperbolic, not the politics, not rhetoric, not innuendo, but fact-based decisions. That's what adults do, and this is the time that calls for adults to lead.

As legislation goes through these three committees, let me just say this, “If your piece of legislation raises taxes, makes it easier to file a lawsuit against a fellow Floridian, or increases red tape and bureaucracy, I don't like your chances.” Some people call that rhetoric; I call that reality. Each one of those things that I just listed—higher taxes, more bureaucracy, more lawsuits—that stops opportunity, and that stops job growth. Our business should be to create opportunities, jobs and more and more opportunities for everyone.

Just think about it, our new Governor, Rick Scott, who I can't wait to work with, said it well. He said, “Think about it, we're a state without an income tax. We're a right-to-work state.” As Senator Thrasher said quite well, “Our schools are dramatically improved.” We can do more. We can break down those barriers to opportunities. Not just break them down, but smash those barriers. When one out of eight Floridians is out of work, that is unacceptable to every single person in this room. When we

think about it, we've been empowered by the people of our home district. They have lifted us up to help solve those problems. This is a time that calls for leadership. This is a time when Republicans and Democrats need to work together. This is a time to set politics aside, look at people like my kids—Reagan, Alexis and Hayden—and not forget why we're doing this. The reason why we had the oath given with your family members is because I want you to look into the eyes of your family members and make that solemn pledge to them. It is that important. You look into their eyes and you think about the votes you're making, the dollars you're spending, and you think of them first.

I'll close with this. When we pray to God, my Lord and Savior, Jesus Christ, I pray to my God for leadership. God does not simply grant us leadership. God provides us an opportunity to lead. We have been given and are blessed with this incredible opportunity at a trying time in our nation. This is a test. I truly believe this, because I know every Senator in this room. This test will be a testimony. A testimony that when Floridians come together, not only is anything possible, but the best days are still ahead.

In the end, as I mentioned earlier, our legacy is what we leave for our children. My parents, and my wife's parents, have blessed us with that opportunity. A test that can be a testimony at the end is a testament to what this nation, families, and we are all about as the State of Florida. We are the land of opportunity. It is our obligation to lead the people because they have given us their heart and soul. They want us to succeed. Senators, I can't wait to get started today. We have an incredible path ahead of us. Like the most amazing story ever told, the story of America, it begins today and I am grateful. Thank you very much.

NOMINATIONS FOR PRESIDENT PRO TEMPORE

The President announced that nominations would be received for President Pro Tempore of the Senate for a term of two years.

The President recognized Senator Richter who placed in nomination the name of Senator Michael S. "Mike" Bennett of the 21st Senatorial District.

Senator Richter: I rise to place into nomination for President Pro Tempore our colleague from the 21st Senatorial District, Senator Mike Bennett. It is a great honor for me to nominate Mike.

Members, Pro Tempore is a Latin phrase which, in English, best translates to "For the time being." I submit to you that this interpretation is misleading. "For the time being" conjures up a short term image. "For the time being" would lead one to believe that soon, it will be different. Nothing could be more off the mark about Senator Mike Bennett. Mike is not short term! Yes, Mike certainly can be "different," but in a very positive way—a way in which we would all like to be called "different." In this chamber and in our committee rooms, Mike always speaks his mind. If you want to know where Mike stands on an issue, you don't have to beat around the bush, you don't have to speculate, you don't have to guess. All you have to do is ask him. He'll tell you. And when he does, you can "take it to the bank."

We all know that the number one issue, challenge and priority for Florida is the revitalization of Florida's economy. Said differently, "jobs!" Well, when it comes to signing paychecks, Senator Bennett has signed the front side of more paychecks than he has the back. He understands businesses create jobs!

An entrepreneur is a risk taker. Entrepreneurs put their values on the line. Entrepreneurs make commitments! Senator Bennett is an entrepreneurial businessman and an entrepreneurial politician. He always was a risk taker as a young man, and he's a risk taker today.

At 13 years old, he hitchhiked from Florida to Washington State, that's about the longest hitchhike you can do in this country! A few years later, after lettering in "circus," he became a "human cannonball" when he was shot out of a cannon at the "Sailor Circus." Yes, Mike Bennett flies high. He always travels the "high road." Senator Bennett is a risk taker in the finest sense of the term.

He is a "patriot." Not one tour of duty in Vietnam—not two tours of duty in Vietnam—not three tours of duty in Vietnam—but four tours of duty in Vietnam. He was proud to serve his country by performing air-to-sea rescue missions. Many don't know that while he was performing air-

to-sea rescues, he actually delivered a baby in a helicopter, not once but twice!

A major decision that he made in his life that wasn't risky was when he met Dee. Ten days after meeting Dee he proposed to her and Dee accepted! That's when she became the risk taker! That was 44 years ago! Senator Bennett will tell you without any reservation whatsoever, Dee is the rock in his life. She is his foundation, his motivator, his confidant, lover and friend. She is his compass and his passion.

Honest, loyal, thoughtful, effective, and passionate describe my tremendous friend Senator Mike Bennett. Senator Bennett is committed to his community, he is committed to our state and he is committed to our country. He is committed to his values! Senator Bennett will fulfill his responsibility as your President Pro Tempore by leveraging his experience, his entrepreneurial spirit, his political talent, his energy and his unique style for the betterment of this great State of Florida.

Abraham Lincoln pretty much described Mike Bennett when he said, "in the end, it's not the years in your life that count, it's the life in your years." Mr. President, I am proud and honored to nominate my treasured friend, Senator Mike Bennett, for President Pro Tempore!

The President recognized Senator Smith who seconded the nomination of Senator Bennett.

Senator Smith: Thank you, Mr. President. I stand here today to second the nomination of Dee Bennett's husband.

Dee Bennett is a beautiful, regal, intellectual woman who was born in Des Moines, Iowa, and matriculated college at the prestigious Drake University where she graduated. So her husband can't be half-bad. She went into the noble profession of teaching, and she taught all over this country. She taught in Huntington Beach, California. She taught school in Iowa. She then came here and began shaping the minds and teaching the students of Florida, shaping our future leaders of this state, so her husband can't be half-bad. She also, while teaching in Iowa, helped her husband financially by supporting him through Drake University.

Later in Florida, she became an elected official, serving on the Cedar Hammock Fire Rescue Board. Dee also volunteers in many organizations and charities within our community. She volunteers at hospitals, soup kitchens, homeless shelters, the Southeast Guide Dogs, the Hope Family Center for battered women and many more. I hear she plays a mean hand of bridge and loves to fish, so her husband can't be half-bad.

Dee Bennett is a woman of great intellect, a woman of great compassion. Dee Bennett is probably dying a little bit right now, because she is a woman of great humility. She prefers to sit in the background and work hard with the spouses' wives and other charities. She prefers to sit in the background and support her husband and get her own hands dirty while helping him and helping our state. So Dee Bennett can stay married for forty-four years and love and support Mike Bennett. I am proud to stand here and support Mike Bennett, and second his nomination for President Pro Tempore.

MOTION

On motion by Senator Alexander, nominations for President Pro Tempore were closed.

ELECTION OF PRESIDENT PRO TEMPORE

The roll was called on the election of the President Pro Tempore and each Senator voted in the affirmative by saying "Mike Bennett."

The vote was:

Yeas—37

Mr. President	Detert	Garcia
Alexander	Diaz de la Portilla	Gardiner
Altman	Dockery	Hays
Benacquisto	Evers	Hill
Bogdanoff	Fasano	Jones
Bullard	Flores	Joyner
Dean	Gaetz	Latvala

Lynn	Rich	Smith
Margolis	Richter	Sobel
Montford	Ring	Thrasher
Negron	Sachs	Wise
Norman	Simmons	
Oelrich	Siplin	

Nays—None

OATH OF OFFICE ADMINISTERED

On motion by Senator Dean that a committee be appointed to escort Senator Bennett and his wife, Dee, to the rostrum of the Senate, the President appointed Senators Dean, Wise, Sobel, Hill and Fasano. Senator Bennett was escorted to the rostrum where the oath of office was administered by the outgoing President Pro Tempore, Senator Fasano. Mrs. Bennett was received by the President, presented to the Senate and seated.

ADDRESS BY PRESIDENT PRO TEMPORE

Senator Bennett: I am so highly honored that President Haridopolos has provided me with the opportunity and trust to serve with him as President Pro Tempore. Senator Richter and Senator Smith, I want to thank you for those wonderful words. My father would have been proud, and my mother would have actually believed them.

To the best staff any Senator could ask for, Cheryl Ennis, Jacquie Connell, Crystal Fitzgerald and Valda Cook. They are a wonderful team that has the dual qualifications and abilities to be both great legislative aides and to act as adult supervisors to their Senator. For you new members, when I am gone, my advice to you is to grab them, they will make you look good.

I want to send out a thank you and a prayer for my good friend and mentor, Jim King. I am proud to have known him and was fortunate to serve with him.

I want to say thank you to the Greater Sertoma Club of Sarasota. Sertoma is an acronym for “SERvice To MAnkind.” A group that has always supported me and more importantly, service to others has always been their mission.

I also want to thank every veteran of every war, who has fought to protect what we are here to celebrate and enjoy every day—the right of the free vote, and for all of our freedoms that so many take for granted, and so many paid the ultimate price to protect and pass down to us. To paraphrase Ronald Reagan: Many of us ask ourselves will or has our life made a difference? A veteran never has to ask that question.

Dee, you and I will be married 44 years in just 10 days. You took a gamble and married a crazy sailor, one who had never dreamed of going to college, who never dreamed of what a wonderful life we would grow to share. There are no words that I could ever say that would allow me to fully express my love for you and all you have allowed us to become because you never gave up. You truly are the wind beneath my wings.

With this team and you, my fellow Senators, I have reached a position that my mother, father, brothers and sisters would all agree was well beyond anything any of us ever even dreamed of. I thank you for that and I promise not to disappoint you.

As we go forward the next two years, we are charged with an awesome opportunity to do right for the people who elected us. This opportunity only comes about because of challenges to our economy; the great opportunities in life only come about because there are great challenges.

My good friend, Senator Richter, is fond of saying that in the banking world, bad loans are made in good times and good loans are made in bad times. When I relate that statement to the area of legislation, I believe it applies here also. Bad government is created in good times, and good government and laws will be created in bad times.

When the economy was booming we did not hold back. We created entitlement slavery for our constitutions, we expanded many social programs because we had the money to do it. We allowed the cost of

health care, education, government construction projects, government land purchases, and duplicate government regulations to fly in the face of common sense and financial responsibility. We allowed government interference and government to grow beyond our needs. We entered an era of overreaching government, excessive permitting and wasteful spending. We allowed our taxpayers’ money to be spent on monuments instead of buildings, on land purchases that made no sense, while ignoring the real conservation piece next door. We voted for expensive trains and ignored the costs, all the while needing money for education.

I have observed with my own eyes where people were cited and, in some cases, fined for trying to replace the roof on their home after a hurricane blew it off because they did not have a permit. I recently saw in Sarasota where they wanted to have a contest to build sand castles on the beach and were held up because they didn’t have a permit—a permit from the State of Florida. I think DEP has better things to do than worry about building sand castles at the beach. When a permit to replace a water heater costs just about as much as the water heater; a government that takes two to three million dollars and three to four years to get a development permit—a development permit that would create jobs—we are far overreaching.

As we go into these next 24 months of opportunity, let us act as Senators and have the courage to bring down the cost of Medicaid, but let’s not do it by cutting reimbursements to the doctors. Let’s have the courage to let the other providers of health care practice to the full extent of their training.

As we try to expedite building and development and job creation, let’s not do it by trampling on all of the environmental laws we have enacted to protect the wonderful state we live in. Let’s do it by getting rid of duplication, redundancy, multiple inspections, and overhead driven by bad laws and overreaching government agencies.

As we try to continue to improve education and still bring down costs, let’s not do it on the backs of our teachers. Let’s do it by reining in construction costs, out of control engineering, and architect fees that are mandated. Let’s bring down the costs by getting rid of purchasing requirements that force our schools to buy new books, whether they want or need them or not.

Allow the teachers to teach, set up rules where teachers can control the classrooms and students, instead of the other way around. We look to bring control to our social programs, but are afraid to attack the real problems brought about by those who want to replace parenting with Ritalin and video games. There are those who believe the land of opportunity should be the land of handout. We cannot solve these problems if we are always worried about saying something that someone will claim was not politically correct.

Let us work on the illegal immigration problem, not by racial profiling, but by common sense applications that allow us to throw out the criminal element, but keep those who want to assimilate, who want to work, learn English, educate their children and become productive citizens. Let us be careful and mindful that we don’t throw out the productive along with the unproductive.

Let’s solve the pension problem not by taking away what has been earned, but change it for the future as we look to manage responsibly. Let’s look at cutting property taxes in a way that doesn’t kill local government. Let’s look at the surplus lands that the state owns. Can we give it or sell it to private companies that would use it to create jobs and get that property back on the tax rolls which would help our local governments?

Let us stay focused on all of the people of the State of Florida, stay focused on jobs and economy and avoid the temptation to stray into areas of our individual social agendas. We must support an agenda of common sense. We cannot operate if we are worried about criticism; we cannot solve the problems in Florida if we are worried about the next election or campaign contribution.

We can only show the people of the State of Florida that they elected the right people to serve them if we are truly willing to serve. I know as do you, that we don’t have all the answers. In fact, sometimes I think the only people with all the answers are busy writing editorials. We have an

economy that has been knocked down but not out. All over the world, we read of protests and riots because governments everywhere are trying to correct for their over generous social subsidies and now they have to take them back.

Yes, we have problems and yes, we have needs, and we have perceived loyalties to those who gave us campaign contributions. We have perceived loyalties to our parties, and perceived loyalties to lobbyists. But the only ones we truly owe and should be loyal to is ourselves. You must know at the end of the day you had the courage to do the right thing, you had the courage to say no, the courage to fight for the people of the great State of Florida.

When the President and I talked about this position, I looked up the Latin meaning of pro tem. Loosely interpreted, it means for a moment in time or a short time. We are only Senators for a short time; let's make the best of it.

CERTIFICATE RECEIVED

By direction of the President, the Secretary read a certificate from the Minority (Democratic) Party certifying the name of Senator Nan H. Rich as Minority Leader and Senator Arthenia L. Joyner as the Minority Leader Pro Tempore for the 2010-2012 term.

COMMITTEE RECEIVED

A committee from the House of Representatives composed of Representatives Grimsley, Porter, Brandes, Ahern, Pilon, Harrell, Julien and Perman was received and informed the Senate that the House of Representatives was convened for the purpose of organization. The committee then withdrew from the chamber.

ELECTION OF SECRETARY

The President announced that nominations would be received for Secretary of the Senate for a term of two years and recognized Senator Jones who placed in nomination the name of Robert Philip Twogood.

Senator Jones: Thank you, Mr. President. Senators, it gives me a great pleasure to nominate Secretary Robert Philip Twogood to return as our Secretary of the Florida Senate for the 2010-2012 term. I have known and worked with Phil for 19 years. In the beginning, we were in the House Minority together. He came over to the Senate before I did, but I was glad to have him here when I arrived in 2002. Phil was always available to answer questions, provide valuable information and to be a friend. Phil and his dedicated staff serve the entire Senate and do a wonderful job. During session, they're here early, and they stay late. I move that Dr. Twogood be elected by acclamation by the membership of the Senate.

By unanimous consent of the membership, Robert Philip Twogood was elected Secretary of the Senate for the 2010-2012 term.

COMMITTEE APPOINTED

On motion by Senator Detert that a committee be appointed to notify the House of Representatives that the Senate was convened for the purpose of organization, the President appointed Senators Detert, Lynn, Storms, Joyner and Dockery. The committee was excused.

COMMITTEE DISCHARGED

The committee appointed to notify the House of Representatives appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

ADOPTION OF RULES

On motion by Senator Thrasher, the Rules, as printed and distributed to each Senator were adopted to govern the Senate for the ensuing two years.

On motion by Senator Thrasher, the Secretary was authorized to make any technical and conforming changes to the 2010-2012 Senate Rules that may be necessary.

SUMMARY OF CHANGES AND FULL TEXT OF SENATE RULES AS ADOPTED

[See Page 11]

DOCUMENT title—Technical changes.

PART ONE title—Technical changes.

Rule 1.1—Election of the President, President Pro Tempore, President Designate, President Pro Tempore Designate, Minority Leader, and Minority Leader Pro Tempore; designation of Majority Leader

Removes restriction that the designation of a President Designate and a President Pro Tempore Designate shall be made in a caucus during a regular session. Also makes technical changes.

Rule 1.2—The President calls the Senate to order

Clarifies that the President may “informally” recess the Senate for as long as thirty (30) minutes. Also makes technical changes.

Rule 1.4—The President’s authority and signature; questions of order; travel

Technical changes.

Rule 1.5—The President’s appointment to committees (*amended summary line*)

Technical changes.

Rule 1.7—The President’s absence from the chair; duties of President Pro Tempore

Provides that a vacancy in the office of the President shall be filled within seven (7) days during a legislative session or within thirty (30) days if the Senate is not in session. If the President has designated a Senator to assume the duties of the chair, that Senator must convene the Senate for the purpose of electing a new presiding officer. If no designation is made, the President Pro Tempore is responsible for convening the Senate. The President’s designee under this Rule is to be of the President’s party, a change from the requirement that the designee be of the Majority Party. Also makes technical changes.

Rule 1.8—Election of the Senate Secretary (*amended summary line*)

Provides for filling a vacancy in the Secretary of the Senate’s position by allowing the President to appoint someone to perform the duties of the office until the Senate votes to fill the vacancy. Also makes technical changes.

Rule 1.10—Duties of the Secretary generally; keeps Journal

Requires that the Secretary make the Senate Journal available instead of requiring that the Journal be distributed. Also makes technical changes.

Rule 1.11—The Secretary prepares daily calendar (*amended summary line*)

Requires that the Secretary make the Senate daily calendar available instead of requiring that it be distributed. Also makes technical changes.

Rule 1.12—The Secretary reads papers; calls roll; records votes (*amended summary line*)

Technical changes.

Rule 1.13—The Secretary attests to warrants, subpoenas, and the passage of all measures (*amended summary line*)

Technical changes to summary line.

Rule 1.14—The Secretary prepares forms (*amended summary line*)

Deletes “printed” from the language requiring the Secretary to prepare all forms, thus recognizing the move toward electronic forms.

Rule 1.15—The Secretary examines legal form of bills for introduction (*amended summary line*)

Technical changes to summary line.

Rule 1.16—The Secretary indexes bills (*amended summary line*)

Technical changes to summary line.

Rule 1.17—The Secretary transmits bills to the House of Representatives (*amended summary line*)

Technical changes to summary line.

Rule 1.18—The Secretary receives and delivers for reading messages from the House of Representatives; summaries of House amendments to Senate bills (*amended summary line*)

Clarifies that all reports involving House messages referred to committee are “made available” to the full Senate, instead of “given” to each Senator. Provides that when the President refers to committee certain messages from the House of Representatives, all committee reports are returned to the Senate. Also makes technical changes.

Rule 1.20—Attendance and voting

Requires that all Senators arrive for each daily session “prepared to discuss that day’s scheduled Senate business.”

Rule 1.21—Excused absence

Clarifies that only an excused absence from a session of the Senate is recorded in the Journal. Also makes technical changes.

Rule 1.22—Senate papers left with Secretary

Technical changes.

Rule 1.23—Senators deemed present unless excused (*amended summary line*)

Technical changes.

Rule 1.25—Facilities for Senators (*amended summary line*)

Technical changes to summary line.

Rule 1.27—Transition from office

Repeals this Rule providing for a transition period when a Senator’s term has expired.

PART THREE title—Technical changes.**Rule 1.28—Dismissal of employees; services of spouse**

Technical and conforming changes.

Rule 1.29—Employees forbidden to lobby

Replaces “measure” with the broader term “matter” in regard to restrictions against Senate employees lobbying for passage or consideration of legislative issues.

Rule 1.30—Duties and hours

Clarifies that Senate employees perform duties required of them by Senate “policy” instead of “custom.”

Rule 1.33—Repealed

Removes the reference to a previously repealed Rule.

Rule 1.361—Solicitation or acceptance of contributions; registration and disclosure requirements

Technical changes.

Rule 1.37—Conflicting employment

Technical changes.

Rule 1.38—Undue influence

Replaces “matter” with “issue” so the meaning of this Rule is not altered by the new definition of “matter” contained in Rule 11.6. Also makes technical changes.

Rule 1.39—Disclosure and disqualification

Expands the application of this Rule by removing the word “measure” and replacing “bill” with “matter.” Also makes technical changes.

Rule 1.40—Senate employees and conflicts

Conforming changes.

Rule 1.41—Advisory opinions

Technical changes.

Rule 1.42—Violations; investigations, penalties

Reorders the language in this Rule in order to provide for a more logical sequence. Also makes technical and conforming changes.

Rule 1.43—Open meetings

Technical changes.

Rule 1.44—Notice required for certain meetings

Requires that notices received by the Secretary under this Rule shall be made available instead of posted in the corridor leading to the Senate Chamber. Also makes technical and conforming changes.

Rule 1.441—Constitutional requirements concerning open meetings

Technical changes.

Rule 1.443—Reapportionment information

Technical changes.

Rule 1.444—Legislative records; maintenance, control, destruction, disposal, and disposition

Technical and conforming changes.

Rule 1.45—Violations of Rules on open meetings and notice

Technical changes.

Rule 2.1—Standing committees; standing subcommittees; select subcommittees (*amended summary line*)^f

Removes references to policy and steering committees and provides the list of standing committees and subcommittees. In subsection (3), allows the President to extend the existence of a select subcommittee. Also makes conforming changes.

Rule 2.2—Powers and responsibilities of committees

Authorizes committees to complete interim “work” assignments by the President rather than only interim “projects.”

Rule 2.3—Committee reports

Clarifies that the session summary information provided by committees is for bills that have passed both houses. Also makes technical changes.

Rule 2.5—Committee utilization of federal funds

Technical changes.

Rule 2.6—Notice of committee meetings

Requires that committee notices be made available in the corridor leading to the Senate Chamber rather than be posted in that corridor. Also makes technical changes.

Rule 2.7—Bills recommitted

Allows the President to return a bill to a committee or subcommittee if the bill is reported out but not properly noticed. Also makes technical changes.

Rule 2.9—Committee meetings; committee meetings after fiftieth (50th) day

Removes the requirement that committee meetings be scheduled so as not to conflict with other committee meetings. Adds select committees to list of committees required to conduct their public business as expeditiously as possible and proper. Makes changes to conform to the new committee structure.

Rule 2.10—When, where committees meet

Requires that committee schedules be made available in the corridor leading to the Senate Chamber rather than be posted in that corridor. Also makes technical changes and changes to conform to the new committee structure.

Rule 2.11—Attendance by introducer of bill

Replaces “representative” with “designee,” consistent with changes throughout the Rules to use the term “Representative” only when referring to a member of the House of Representatives.

Rule 2.12—Order of business

Technical changes.

Rule 2.13—Open meetings

Technical changes.

Rule 2.14—Repealed

Removes the reference to a previously repealed Rule.

Rule 2.15—Standing committee in deliberation; reports

Due to the new definition of “matter,” clarifies that two (2) members of a committee may request a recorded vote on any motion. Also makes technical and conforming changes.

Rule 2.16—Standing subcommittee in deliberation; reports

Provides that committee substitutes and other favorable reports by standing subcommittees will have the status of committee substitutes and favorable reports by a full standing committee when they are reported to the full committee or withdrawn from the full committee. Replaces “measures” with “matters” in regard to what may be reported by a subcommittee. Changes the requirement from a two-thirds (2/3) vote to a majority vote of a full committee in order for the committee to hear additional testimony on a bill reported by a subcommittee. Also makes technical and conforming changes.

Rule 2.17—Quorum of committee

Changes “bill or resolution” to “matter,” thus extending to appointments what can be recommitted to a committee when an action is taken without the presence of a quorum. Also makes technical and conforming changes.

Rule 2.18—Repealed

Removes the reference to a previously repealed Rule.

Rule 2.19—Conference committee in deliberation; reports

Clarifies that conference committees may meet at any time as long as they are properly noticed. Sets the notice requirement for conference committee meetings and other specified conference-related meetings at one (1) hour throughout all regular and special sessions (instead of two (2) hours for the first fifty days). Also makes technical and conforming changes.

Rule 2.20—Appointment of chair and vice chair

Removes language stating that the appointment of a chair and vice chair shall be prior to the regular session of an odd numbered year.

Rule 2.21—Chair’s calling of committee to order (*amended summary line*)

Technical changes.

Rule 2.22—Chair’s control

Removes unnecessary language because the language already includes anyone who is currently in the role of the chair.

Rule 2.23—Chair’s authority; appeals

Technical changes.

Rule 2.25—Temporary alternate to chair

Reworded for clarity. No substantive change.

Rule 2.27—Members’ attendance, voting, proxy

Allows the President to designate either the President Pro Tempore or the Majority Leader to vote in any committee. The President must provide a specific notification to the chair of any affected committee and the Secretary. The designee shall not count for quorum purposes unless otherwise stated by the President in the notification. Also makes technical and conforming changes.

Rule 2.28—Taking the vote

Changes “measure” to “matter” thus clarifying that a vote on an appointment or an amendment shall not be valid if it is received after a committee roll call and it would alter the result of the vote. Also makes technical and clarifying changes.

Rule 2.29—Pair voting prohibited (*amended summary line*)

Technical changes.

Rule 2.31—Explanation of vote

Technical changes.

Rule 2.32—Motions; how made, withdrawn

Technical changes.

Rule 2.33—Motions; precedence

Removes “postpone to a day certain” from the list of motions available in committee. Also makes technical changes.

Rule 2.34—Division of question

Clarifies that a request for a division of the question is by motion. Also makes technical changes.

Rule 2.35—Reconsideration generally

Specifies that a motion to reconsider a measure or appointment may be made prior to or pending a motion to rise. Also makes technical changes.

Rule 2.39—Amendments, proposed committee substitutes, and proposed committee bills; form, notice, manner of consideration

Clarifies that in committee an amendment to a late-filed main amendment is timely filed when filed before the two-hour deadline. Also makes technical and other clarifying changes.

Rule 2.40—Sequence of amendments to amendments

Specifies that a substitute amendment for an amendment to an amendment or a substitute amendment for an amendment to a substitute is now out of order.

Rule 2.41—Deleting everything after enacting clause

Makes a change to be consistent with the new definition of “matter.”

Rule 2.42—Amendment by section

Technical changes.

Rule 2.44—Amendments by another committee

Technical clarifying language.

Rule 2.45—Decorum and debate

Technical changes.

Rule 2.46—Chair’s power to recognize

Technical changes.

Rule 2.50—Limitation on debate

By changing “measure” to “matter,” clarifies that a motion to limit debate may be applied to consideration of amendments and appointments. Permits members of a committee by majority vote to extend the time of debate once that time has been limited.

Rule 2.52—Questioning decision not to abstain

Repeals this Rule providing for when a point of order may be raised regarding the decision of a member not to abstain from voting on account of a conflict of interest.

Rule 3.2—Bills for introduction

Technical changes.

Rule 3.3—Form of local bills

Technical changes.

Rule 3.6—Form of resolutions; Senate and concurrent

Technical changes.

Rule 3.7—Bill filing deadline during regular session; bill filing between regular sessions

Exempts appropriations conforming bills and committee bills from the bill filing deadline. Also makes technical changes.

Rule 3.8—Filed bills; consideration between regular sessions

Provides that the Secretary “make available” certain documents consistent with promoting electronic document distribution. Makes other technical and clarifying changes.

Rule 3.9—Copies of bills

Technical and conforming changes.

Rule 3.12—Introducers of bills; introducers no longer Senators

Provides that Senators who will not be Senators at the next regular session may not file bills for that session. Provides that once a Senator is no longer in office, that Senator’s bills are automatically withdrawn from further consideration unless a bill co-sponsor agrees to become the introducer within seven (7) days. Also makes technical changes.

Rule 3.13—Fiscal notes

Technical and conforming changes.

Rule 4.1—Sessions of the Senate

Technical and conforming changes.

Rule 4.3—Daily Order of Business

Specifies that Messages from the House of Representatives may be taken up at a time as directed by the President. Also makes technical changes.

Rule 4.4—Committee of the Whole

Technical changes.

Rule 4.5—Conference committee report

Clarifies that a conference report is read only once during the extension of a regular session.

Rule 4.6—Reference generally

Adds appropriations conforming bills to the categories of bills that may be introduced by the Budget Committee and placed on calendar without reference. Allows the chair of a committee to retrieve a bill from a subcommittee if the committee chair had referred the bill to the subcommittee. Clarifies that the Rules Committee reviews, but does not analyze, local bills as part of the referencing process. Also makes technical and conforming changes.

Rule 4.7—Reference to more than one committee; effect

Provides that the President’s reference review is not triggered by a subcommittee’s committee substitute or adoption of substantive amendment unless the bill is withdrawn from the full standing committee. Also makes technical and conforming changes.

Rule 4.8—Review and reference of bills affecting appropriations, revenue, retirement, or county or municipal spending (amended summary line)

Conforming changes.

Rule 4.81—Claim bills

Increases by two (2) days the time available for a newly elected Senator to file a claim bill. Clarifies that a Senator elected during a special general election has the same window of filing opportunity as a Senator elected in a general election. Also makes technical changes.

Rule 4.9—Reference of resolutions

Consistent with existing language regarding concurrent resolutions, specifies that a joint resolution setting an effective date for a bill passed over the Governor’s veto may be considered on motion and introduced without reference. Also makes technical changes.

Rule 4.10—Reference to different committee or removal

Alters the bill withdrawal process to insert the Rules Chair and remove policy and steering committee chairs from the process.

Rule 4.13—Reading of concurrent resolutions and memorials

Specifies that each reading of a concurrent resolution or a memorial is by title only. Also makes technical changes.

Rule 4.14—Reading of Senate resolutions

Specifies that each reading of a Senate resolution is by title only.

Rule 4.16—Consideration out of regular order

Technical changes.

Rule 4.17—Special Order Calendar; Consent Calendar

Specifies that Calendar Group is responsible for submitting the Special Order Calendar. Identifies the membership of the Group. Deletes the involvement of policy and steering committees in the Special Order Calendar process. Clarifies that the actual sequence order of the bills on the Special Order Calendar is set by the President. Also makes technical changes.

Rule 4.18—Local Bill Calendar

Permits a member of a local legislative delegation to remove a bill from the Local Bill Calendar if the bill addresses that delegation's county. Also makes technical changes.

Rule 4.19—Order after second (2nd) reading

Technical changes.

Rule 4.20—Enrolling

Technical changes.

Rule 4.21—Veto messages

Technical changes.

Rule 5.1—Taking the yeas and nays

Replaces “machine” with “board” in statements used by the President when Senators are voting electronically. Also makes technical and clarifying changes.

Rule 5.2—Change of vote

Replaces “measure” with “matter” in regard to the process of providing a vote after roll call. Authorizes the Secretary to accept and publish in the Journal “an indication of vote preference” from a Senator who was not present during a daily session or who was present but did not provide a vote after roll call by the close of business that day. Specifies when “an indication of vote preference” may not be accepted by the Secretary.

Rule 5.4—Pairing

Clarifies that a pair vote is permitted for a “matter” and not only for a bill. Clarifies that the pair vote must be announced prior to the vote. Also makes conforming changes.

Rule 6.2—Motions; precedence

Adds the motion to “recess to a later day” to the list of floor motions. Also makes technical changes.

Rule 6.3—Division of question

Clarifies that a request for a division of the question is by motion.

Rule 6.4—Reconsideration generally

Specifies that a floor motion to reconsider may be made “prior to or pending a motion to recess to a later day or adjourn.”

Rule 6.6—Reconsideration; debate

Technical changes.

Rule 6.10—Committee substitute; withdrawn

This new Rule allows a committee substitute to be withdrawn from further consideration with unanimous consent of the Senate.

Rule 7.1—General form; notice; manner of consideration

Makes technical changes and changes to clarify existing language.

Rule 7.2—Adoption

Clarifies that on third (3rd) reading, substitute amendments and amendments to the substitute also require a two-thirds (2/3) vote for adoption.

Rule 7.3—Sequence of amendments to amendments

Specifies that a substitute amendment for an amendment to an amendment or a substitute amendment for an amendment to a substitute is now out of order on the floor of the Senate. This is consistent with the change made in committee Rules.

Rule 7.4—Deleting everything after enacting clause

Replaces “matter” with “language” as part of the overall effort to replace “matter” when it is not used in the context of its new definition.

Rule 7.7—Senate amendments to House bills

Technical changes.

Rule 8.1—Decorum and debate

Changes “deliver” to “present” to conform to a change made in committee Rules. Also makes technical changes.

Rule 8.2—Presiding officer's power of recognition

Conforms to a change made in committee Rules.

Rule 8.6—Limitation on debate

Changes “measure” to “matter” to be consistent with committee Rule changes involving what debate is subject to limitation.

Rule 8.11—Questions of privilege

Removes a limitation on being recognized for a question of privilege in order to be consistent with Rule 8.3. Also makes technical and conforming changes.

Rule 9.35—Contributions during sessions

Technical changes.

Rule 9.4—Advisory opinions

Technical changes.

Rule 9.5—Compilation of opinions

Technical changes.

Rule 9.6—Violations; investigations, penalties

Technical changes.

Rule 9.8—Lobbyist expenditures and compensation

Technical changes.

Rule 10.1—Persons entitled to admission

Technical changes.

Rule 10.3—Admission of press by President

Conforming changes.

Rule 11.2—Waiver and suspension of Rules

Technical changes.

Rule 11.3—Changes in Rules

Technical changes.

Rule 11.6—General

Defines “matter” to include bills (measures), amendments, appointments, and suspensions.

Rule 12.2—Executive session; purpose

Technical changes.

Rule 12.7—Procedure

Conforms this Rule to the creation of a Subcommittee on Ethics and Elections in Rule 2.1. Also makes technical changes.

Rule 12.10—Issuance of subpoenas and process

Technical and conforming changes.

Rule 13.1—Applicability of Senate Rules

Clarifies that the Rules in effect during special sessions are the current Senate Rules.

Rule 13.3—Committee meetings; schedule, notice

Permits a special session committee meeting to begin earlier than two (2) hours after the convening of the session if the meeting is noticed by 5:00 p.m. of the day before the meeting. Conforms this Rule to other changes made in regular session committee notice requirements. Also makes technical changes.

Rule 13.4—Delivery for introduction

Technical changes.

Rule 13.6—Conference committee reports

Conforms this Rule to changes made in Rule 2.19.

Rule 13.8—Special Order Calendar

Specifies that the Calendar Group, as also provided for in Rule 4.17, is responsible for submitting a Special Order Calendar during a special session.

Rule 14.1—Seal and insignia

Technical changes.

SENATE RULES OF THE SENATE**RULE ONE****OFFICERS, SENATORS, EMPLOYEES, AND ETHICS****PART ONE—SENATE OFFICERS OF THE SENATE****1.1—Election of the President, President Pro Tempore, President Designate, President Pro Tempore Designate, Minority Leader, and Minority Leader Pro Tempore; designation of Majority Leader**

A President and a President Pro Tempore ~~of the Senate~~ shall be elected for a term of two (2) years at the organization session preceding the regular session of each odd-numbered year. They shall take an oath to support the *Constitution of the United States* and the *Constitution of the State of Florida*, and for the true and faithful discharge of the duties of office. ~~At a regular session~~ The Majority Party may, by caucus called by the President, elect a President Designate and a President Pro Tempore Designate, and their names shall be certified to the Secretary ~~of the Senate~~. The President may designate a Majority Leader whose name shall be certified to the Secretary ~~of the Senate~~. The Minority Party may, by caucus, elect a Minority Leader and a Minority Leader Pro Tempore, and their names shall be certified to the Secretary ~~of the Senate~~ at the organization session. All elected officers are to hold office until their successors are chosen and qualified or until the expiration of their term, whichever shall first occur.

1.2—The President calls the Senate to order

The President shall call the Senate to order at the hour provided by these Rules or at the hour established by the Senate at the last session. A quorum being present ~~On the appearance of a quorum~~, the President shall direct ~~cause~~ the Senate to proceed with the Daily Order of Business. The President may informally recess the Senate for periods of time not to exceed thirty (30) minutes.

1.3—The President's control of Chamber, corridors, and rooms

The President shall preserve order and decorum and shall have general control of the Chamber, corridors, passages, and rooms of the Senate whether in the Capitol or elsewhere. If there is a disturbance, the President may order the area cleared.

1.4—The President's authority and signature; questions of order; travel

(1) The President shall sign all acts, joint resolutions, resolutions, and memorials. No writ, warrant, subpoena, contract binding the Senate, authorization for payment, or other papers shall issue without the signature of the President. The President may delegate signing authority for the authorization of payments. The President shall approve vouchers.

(2) The President shall decide all questions of order, subject to an appeal by any Senator.

(3) As necessary, the President is authorized to incur travel and per diem expenses for the next session of the Legislature. The President shall have the power to assign duties and sign requisitions pertaining to legislative expenses incurred in transacting Senate ~~the business of the Senate~~ as authorized. The President shall have responsibility for Senate ~~the property of the Senate~~ and may delegate specific duties or authority pertaining thereto.

~~(4)~~(3) The President may authorize counsel to initiate, defend, intervene in, or otherwise participate in any suit on behalf of the Senate, a Senate ~~committee of the Senate~~, a Senator ~~member of the Senate~~ (whether in the legal capacity of Senator or taxpayer), a former Senator ~~member of the Senate~~, or a Senate ~~an~~ officer or employee ~~of the Senate~~ when such suit is determined by the President to be of significant interest to the Senate and when it is determined by the President that the interests of the Senate would not otherwise be adequately represented. Expenses incurred for legal services in such proceedings may be paid upon approval of the President.

1.5—The President's appointment to ~~of~~ committees

(1) The President shall appoint members to all standing committees, standing subcommittees, and select committees. The President shall also appoint, ~~and~~ the Senate members of conference committees, joint committees, and joint select committees.

(2) Any member removed from a committee without his or her consent shall have the right to appeal such removal to the Rules ~~on Rules~~ Committee.

1.6—The President's vote

The President shall not be required to vote in legislative proceedings. In all yea and nay votes, the President's name shall be called last.

1.7—The President's absence from the chair; duties of President Pro Tempore

(1) The President may name any Senator to perform the duties of the chair.

(2) If for any reason the President is absent and fails to name a Senator, the President Pro Tempore shall assume the duties of the chair.

(3) If the President resigns, he or she may, prior to resignation, designate a member of his or her party to assume the duties of the chair until a permanent successor is elected.

~~(4)~~(3) In the event the chair is vacated permanently, nothing herein shall preclude the Senate from electing ~~designating~~ a presiding officer. If the chair is vacated permanently during a session of the Legislature, a new presiding officer must be elected within seven (7) days of the vacancy. If the chair is vacated permanently while the Legislature is not in session, the President's designee shall convene the Senate no later than thirty (30) days after the vacancy for the purpose of electing a new presiding officer. The election shall be the Senate's first order of business. In the event that a designation is not made pursuant to subsection (3) of this Rule, the President Pro Tempore shall assume the duties of the designee in convening the Senate to elect a new presiding officer.

~~(4) Should the President resign, he or she may, prior to resignation, designate a member of the Majority Party to assume the duties of the chair until a permanent successor is elected.~~

1.8—Election of the Senate Secretary of the Senate

(1) The Senate shall elect a Secretary to serve at its pleasure. A staff of assistants shall be employed to regularly transact such business as required by law, as required by Senate Rules of the Senate, or as assigned by the President. The Secretary shall take an oath to support the *Constitution of the United States* and the *Constitution of the State of Florida*, and for the true and faithful discharge of the duties of office.

(2) The Secretary shall be under the supervision of the President ~~of the Senate~~, who may assign additional duties to the Secretary. In the event of a vacancy in the position of Secretary, the President may appoint someone to perform the duties of the office until the Senate, by its vote, fills the vacancy.

(3) The Secretary shall be the Senate enrolling and engrossing clerk ~~of the Senate~~ and may designate an assistant enrolling and engrossing clerk.

1.9—Duties of the Secretary at organization session

In the absence of the President and the President Pro Tempore of the preceding session, the Secretary shall, at the organization session of the Legislature, call the Senate to order. Pending the election of a President or a President Pro Tempore, the Secretary shall preserve order and decorum, and decide all questions of order subject to appeal by any Senator. The duties prescribed by this section may be delegated by the Secretary to any Senator.

1.10—Duties of the Secretary generally; keeps Journal

The Secretary shall keep a correct daily Journal of Senate ~~the~~ proceedings ~~of the Senate~~. The Senate Journal shall be numbered serially from the first (1st) day of each session of the Legislature and shall be made available distributed by the Secretary for the information of the Legislature and the public. The Secretary shall superintend the engrossing, enrolling, and transmitting of bills, resolutions, and memorials. The Secretary shall not permit any records or papers belonging to the Senate to be removed from the custody of the Secretary other than in the regular course of business and with proper receipt. The Secretary shall keep a separate Journal of the proceedings of the executive sessions of the Senate.

1.11—The Secretary prepares daily calendar

- (1) The Secretary shall prepare a daily calendar that shall set forth:
 - (a) The order of business;
 - (b) The committee report on each bill, i.e., whether favorable, favorable with committee amendments, or favorable with committee substitute;
 - (c) The status of each bill, i.e., whether on second (2nd) or third (3rd) reading;
 - (d) Notices of committee meetings; and
 - (e) Notices of meetings required pursuant to Rule 1.44.
- (2) The Secretary shall make available distribute the daily calendar for the information of the Legislature and the public.

1.12—The Secretary reads papers; calls roll; records votes

The Secretary shall have read to the Senate all papers ordered to be read; note responses of Senators when the roll is called to determine the presence of a quorum; call the roll and record the votes ~~note the answers of Senators~~ when a question is taken by yeas and nays; and assist, under the direction of the President, in taking the count when any Senate vote ~~of the Senate~~ is taken by a show of hands or otherwise.

1.13—The Secretary attests to warrants, and subpoenas, and the passage of all measures; certifies passage

The Secretary shall attest to all writs, warrants, and subpoenas issued by order of the Senate and shall attest to the passage of all bills, resolutions, and memorials.

1.14—The Secretary prepares printed forms

The Secretary shall prepare ~~the copy for~~ all printed forms used by the Senate.

1.15—The Secretary examines legal form of bills for introduction

The Secretary shall examine bills on their tender for introduction, but prior to their receiving a number, he or she shall determine whether they meet the requirements of law and of these Rules. The Secretary shall direct the attention of the introducer to apparent defects, but the introducer shall be exclusively responsible for the constitutional and legal correctness of the bill.

1.16—The Secretary indexes bills

The Secretary shall maintain a numerical index of bills and a cumulative index by introducers.

1.17—The Secretary transmits bills to the House of Representatives

The Secretary shall transmit all bills, joint resolutions, concurrent resolutions, and appropriate memorials to the House of Representatives without delay. Each measure shall be accompanied by a message stating the title to the measure being transmitted and requesting the concurrence of the House.

1.18—The Secretary receives and delivers for reading messages from the House of Representatives; summaries of House amendments to Senate bills

(1) The Secretary shall receive all messages from the House of Representatives and shall be responsible for their security. The Secretary shall have them available for reading to the Senate during the appropriate order of business. All messages reflecting House amendments to Senate bills shall be promptly delivered to the appropriate committees for research and summary. Special notice of the summaries shall be made available given to each Senator.

(2) The Secretary shall advise the President when a House amendment to a Senate bill substantially changes or materially alters the bill as passed by the Senate. The President may refer such bill and House amendments to an appropriate committee or committees for hearing and further report to the Senate. Upon such reference by the President, committee or committees of reference shall meet on a date and at a time set by the President and shall make a report as defined in Rule 2.15. ~~Favorable~~ Committee reports and accompanying measures shall be placed on the calendar.

PART TWO—SENATORS**1.20—Attendance and voting**

(1) Unless excused for just cause or necessarily prevented, every Senator shall be within the Senate Chamber during its sessions and in attendance at all assigned committee meetings.

(2) A Senator who is in the Chamber or in a committee meeting shall vote on each question. However, a Senator may abstain from voting if, in the Senator's judgment, a vote on a question would constitute a conflict of interest as defined in section 112.312(8), *Florida Statutes*. A Senator who abstains from voting shall file the disclosure required by Rule 1.39.

(3) All Senators shall arrive for each daily session prepared to discuss that day's scheduled Senate business.

1.21—Excused absence

The President may excuse ~~a any~~ Senator from attending a session of attendance in the Senate or any meetings of Senate and its committees for any stated period. An ~~and the~~ excused absence from a session of the Senate shall be noted in the Journal.

1.22—Senate papers left with Secretary

A Senator necessarily absent from a session of the Senate or its committees and having in his or her possession papers relating to Senate ~~the business of the Senate~~ shall leave such papers with the Secretary before leaving the Capitol.

1.23—~~Senators Members~~ deemed present unless excused

A Senator who answers the quorum roll call at the opening of a session or who enters after such roll call and announces his or her presence to the Senate shall thereafter be considered present unless excused by leave of absence is obtained from the President.

1.24—Contested seat

If a seat in the Senate is contested, notice stating the grounds of such contest shall be given by the contestant to the Senate prior to the day of the organization session of the Legislature; and the contest shall be determined by majority vote as soon as reasonably possible. The President shall appoint a Credentials Committee to be composed of not more than ten (10) members who shall consider the question and report their recommendations to the President, who shall inform the Senate.

1.25—Facilities for Senators members

Each Senator shall be entitled to facilities and expenses that are necessary and expedient to the fulfillment of the duties of the office, the location and sufficiency of which shall be determined by the President.

1.26—Nonlegislative activities

No Senator shall accept appointments to nonlegislative committees, commissions, or task forces without prior approval of the President if travel and per diem expenses are to be taken from Senate funds.

1.27—Repealed Transition from office

~~A Senator who will not be a Senator at the next ensuing regular session of the Legislature shall be entitled to an amicable transition period not to exceed one (1) month in which to close out the affairs of his or her office. The transition period shall begin at the expiration of a Senator's term. A former Senator shall not be entitled to salary during the transition period, but shall receive a pro rata portion of the monthly allowance for office rental and expenses during such period. A former Senator's staff shall be entitled to a pro rata salary during such period, provided said staff performs all transitional duties assigned by the former Senator. A former Senator shall apply for transitional funds provided pursuant to this Rule, the expenditure of which shall be from Senate funds and which shall be considered for a public purpose. In the event of a vacancy in office, and until that vacancy is filled, a transitional period with pro rata salary for staff may be approved by the President to close out the vacant Senate office affairs.~~

PART THREE—SENATE EMPLOYEES OF THE SENATE**1.28—Dismissal of employees; services of spouse**

The President shall resolve disputes involving the competency or decorum of a Senate employee, and may terminate the services of an employee. At the President's discretion, the issue ~~matter~~ may be referred to the Rules Committee ~~on Rules~~ for its recommendation. The pay of an employee so terminated shall stop on the termination date. A Senator's spouse or immediate relatives may serve in any authorized position, however, they shall not receive compensation for services performed.

1.29—Employees forbidden to lobby

No employee of the Senate shall directly or indirectly interest or concern himself or herself with the passage or consideration of any matter ~~measure~~ whatsoever. Violation of this Rule by an employee shall be grounds for summary dismissal. This Rule shall not preclude the performance of duties that may be properly delegated to a Senator's legislative assistant.

1.30—Duties and hours

Employees shall perform the duties assigned to them by the President and required of them by Rule and policy ~~custom~~ of the Senate. When the Senate is in session, employees shall remain on duty as required. When the Senate is not in session, permanent staff of the Senate shall observe the hours of employment set by the President. Part-time employees and Senators' district staff shall observe hours that are prescribed by their department heads.

1.31—Absence without permission

If employees are absent without prior permission except for just cause, their employment shall be terminated or their compensation forfeited for the period of absence as determined by the President.

1.32—Political activity

Senate employees shall be regulated concerning their political activity pursuant to section 110.233, *Florida Statutes*.

~~1.33—Repealed~~**PART FOUR—LEGISLATIVE CONDUCT AND ETHICS****1.35—Legislative conduct**

Every Senator shall conduct himself or herself to justify the confidence placed in him or her by the people and, by personal example and admonition to colleagues, shall maintain the integrity and responsibility of his or her office.

1.36—Improper influence

A Senator shall not accept anything that will improperly influence his or her official act, decision, or vote.

1.361—Solicitation or acceptance of contributions; registration and disclosure requirements

(1) During any regular legislative session, extended session, or special session, a Senator may not directly or indirectly solicit, cause to be solicited, or accept any contribution on behalf of either the Senator's own campaign, any organization described under section 527 or section 501(c)(4) of the Internal Revenue Code, any political committee, any committee of continuous existence, any political party, or the campaign of any candidate for the Senate; however, a Senator may contribute to his or her ~~the Senator's~~ own campaign.

(2) Any fundraising activity otherwise prohibited during an extended or special session by subsection (1) shall not be considered a violation of this rule and may take place provided that it can be shown that the event was already scheduled prior to the issuance of the proclamation, resolution, or other communiqué; extending the session or convening a special session.

(3) Any Senator who directly or indirectly solicits, causes to be solicited, or accepts any contribution on behalf of any organization described under section 527 or section 501(c)(4) of the Internal Revenue Code, any political committee, or any committee of continuous existence must immediately disclose such activity to, and register with, the Rules Committee ~~on Rules~~. However, no registration is required as a result of a Senator's solicitation or acceptance of contributions on behalf of his or her own campaign, a campaign for any other office, or a political party. When required by law, the Senator shall promptly create a public website that contains a mission statement for such organization, the names of the Senators associated with that organization, and disclosure of contributions received by and expenditures made by the organization.

(4) Upon a determination that a Senator has violated this Rule, the President shall remove such Senator from all assigned committees subject to the right of appeal under Rule 1.5(2).

1.37—Conflicting employment

~~A Senator member of the Senate~~ shall not allow his or her personal employment to impair his or her independence of judgment in the exercise of his or her official duties.

1.38—Undue influence

~~A Senator member of the Senate~~ shall not use his or her influence as a Senator in any issue ~~matter~~ that involves substantial conflict between his or her personal interest and his or her duties in the public interest.

1.39—Disclosure and disqualification

A Senator is not disqualified from voting ~~on a measure~~ when, in the Senator's judgment, a conflict of interest is present. However, a Senator

shall disclose any personal, private, or professional interest in a ~~matter bill~~ that would inure to that Senator's special private gain or the special gain of any principal to whom the Senator is obligated. Such disclosure concerning a vote during a session shall be filed with the Secretary of the Senate for reporting in the Journal immediately following the record of the vote ~~on the measure~~. Such disclosure may explain the logic of voting or of his or her disqualification. Disclosure concerning a vote that was not cast during a session should be filed pursuant to section 112.3143(2), *Florida Statutes*.

1.40—Senate employees and conflicts

Senate employees shall be accountable to the intent of these Rules regulating legislative conduct and ethics.

1.41—Advisory opinions

All questions relating to the interpretation and enforcement of these Rules ~~regulating concerning~~ legislative conduct and ethics shall be referred to the Rules Committee ~~on Rules~~ or shall emanate therefrom. A Senator ~~member of the Senate~~ may submit a factual situation to the Rules Committee ~~on Rules~~ with a request for an advisory opinion establishing the standard of public duty. The committee shall enter its opinion responding to each inquiry. All opinions shall, after hearing, be numbered, dated, and published in the Journal of the Senate. No opinion shall identify the requesting Senator without the Senator's consent.

1.42—Violations; investigations, penalties

(1) Any person may file a sworn complaint with the Rules Chair ~~of the Committee on Rules~~, or the President when the complaint is against the Rules Chair, alleging a violation by a Senator of the Rules regulating legislative conduct and ethics. The complaint shall be based on personal knowledge, shall state detailed facts, shall specify the actions of the named Senator which form the basis for the complaint, and shall identify the specific Rule Rule(s) alleged by the complainant to have been violated by the Senator.

(a) Upon a determination by the Rules Chair, or the President when the complaint is against the Rules Chair, that the complaint fails to state facts supporting a finding of probable cause, the complaint shall be dismissed.

(b) Upon a determination by the Rules Chair, or the President when the complaint is against the Rules Chair, that the complaint states facts supporting a finding of probable cause, the complaint shall be referred to a special master. ~~Upon a determination by the Chair of the Committee on Rules, or the President, that the complaint fails to state facts supporting a finding of probable cause, the complaint shall be dismissed.~~ The special master shall conduct an investigation, shall give reasonable notice to the Senator who is alleged to have violated the Rules and shall grant the Senator an opportunity to be heard unless the investigation fails to reveal facts supporting a finding of probable cause. A special master's report and recommendation is advisory only and shall be presented to the Rules Chair, or the President when the complaint is against the Rules Chair, as soon as practicable after the close of the investigation. If the special master's report and recommendation conclude that the facts do not support a finding of probable cause, the complaint shall be dismissed by the Rules Chair, or the President when the complaint is against the Rules Chair. If the complaint is not dismissed, the Rules Committee ~~on Rules~~ shall consider the special master's report and recommendation, shall grant the Senator an opportunity to be heard, and shall develop its own recommendation. If the complaint is against the Rules Chair ~~of the Committee on Rules~~, the chair is excused and the vice chair shall conduct the deliberation. If the Rules Committee ~~on Rules~~ votes to dismiss the complaint, the Rules Chair or vice chair shall dismiss the complaint. Otherwise, the special master's report and recommendation and the recommendation of the Rules Committee ~~on Rules~~ shall be presented to the President. The President shall present the committee's recommendation, along with the special master's report and recommendation, to the Senate for final action.

(2) Separately from any prosecutions or penalties otherwise provided by law, a Senator determined to have violated the requirements of the

~~Rules Rule~~ regulating legislative conduct and ethics and conduct may be censured, reprimanded, or expelled. Such determination and disciplinary action shall be taken by a two-thirds (2/3) vote of the Senate, on recommendation of the Rules Committee ~~on Rules~~.

PART FIVE—PUBLIC MEETINGS AND RECORDS

1.43—Open meetings

(1) All meetings at which legislative business is discussed between more than two (2) members of the Legislature shall be open to the public except:

- (a) At the sole discretion of the President ~~of the Senate~~, after consultation with appropriate law enforcement, public health, emergency management, ~~or and/or~~ security authorities, those portions of meetings of a select committee, committee, or subcommittee, concerning measures to address security, espionage, sabotage, attack, and other acts of terrorism.
- (b) Discussions on the floor while the Senate is in session and discussions among Senators in a committee room during committee meetings shall be deemed to be in compliance with this Rule.

(2) All meetings shall be subject to appropriate order and decorum at the discretion of the person conducting the meeting.

(3) For purposes of this Rule, "legislative business" is defined as issues pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate committee, or Senate subcommittee.

1.44—Notice required for certain meetings

(1) A written notice of the following meetings at which legislative business is to be discussed shall be filed with the Secretary ~~of the Senate~~. While the Legislature is not in regular or special session and during the first fifty (50) days of a regular session, the notice shall be filed not later than four (4) hours before the scheduled time of the meeting. After the fiftieth (50th) day of a regular session and during a special session, the notice shall be filed not later than two (2) hours before the scheduled time of the meeting:

- (a) Meetings of the President ~~of the Senate~~ (or a Senator designated to represent the President) with the Governor, or with the Speaker of the House of Representatives (or a representative designated to represent the Speaker);
- (b) Meetings of a majority of the Senators who constitute the membership of any Senate committee or subcommittee; and
- (c) Meetings called by the President or the President's designee, of a majority of the chairs of the Senate's standing committees.

(2) Notices of meetings required by Rule 1.44(1) shall be filed by or at the direction of the person person(s) at whose call the meeting is convened; shall state the date, time, and place of the meeting; shall contain a brief description of the general subject matter scheduled to be discussed. In the case of a meeting required to be noticed pursuant to this Rule, if the meeting is to take place at or after 10:00 p.m., then the notice must be delivered to the Secretary by 5:00 p.m. Notices of such meetings shall appear in the daily calendar.

(3) In the event the times required for notice under Rule 1.44(1) are not sufficient to permit publication in a daily or interim calendar, the Secretary shall make available post a copy of each such notice in the public corridor leading to the Senate Chamber. The Secretary ~~of the Senate~~ shall make a diligent effort to give actual notice to members the representatives of the press of all noncalendared meeting notices ~~posted~~.

(4) Political caucuses shall be open to the public in accordance with Rule 1.43 and noticed in accordance with this Rule when issues then pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate committee, or a Senate subcommittee are discussed. Political caucuses held for the sole purpose of designating a President, a President Pro Tempore, a Minority Leader, or a Minority Leader Pro Tempore need not be open or noticed.

1.441—Constitutional requirements concerning open meetings

(1) All legislative committee and subcommittee meetings and joint conference committee meetings shall be open and noticed to the public.

(2) All prearranged gatherings, between more than two (2) members of the Legislature, or between the Governor, the President of the Senate, or the Speaker of the House of Representatives, the purpose of which is to agree upon formal legislative action that will be taken at a subsequent time, or at which formal legislative action is taken, regarding pending legislation or amendments shall be reasonably open to the public.

(3) In cases of conflict between this Rule and any other Senate Rule of the Senate, the Rule providing greater notice or public access shall prevail.

1.443—Reapportionment information

All Senators shall have equal access to the Senate electronic redistricting system, census data, and all other information promulgated by, maintained by, or available to; any Senate standing committee or subcommittee appointed for the analysis of legislative and congressional redistricting plans.

1.444—Legislative records; maintenance, control, destruction, disposal, and disposition

(1) Public records, not exempted from public disclosure, may be inspected by any person desiring to do so at reasonable times, under reasonable conditions, and under supervision of the person who has custody of the records, or that person's designee.

(2) The following standing committee, standing subcommittee, and select committee public records, not exempted from public disclosure, shall be retained by each staff director until biennially transferred to the Division of Library and Information Services of the Department of State via its Legislative Library Division: copies of bills, amendments, vote sheets, bill analyses, and fiscal notes; meeting files including agendas and appearance cards; files relating to assigned projects; final staff reports submitted to subcommittees or committees; final reports submitted by subcommittees or committees; correspondence sent or received; and audio recordings of committee meetings. At the time of transfer, the actual correspondence to be sent to the Department of State shall consist only of correspondence which relates to other committee public records required by this Rule to be transferred. Records not transferred may be otherwise disposed of or destroyed.

(3) Except for records specifically required by law or Senate Rule to be filed or retained, district office records and constituents' records may be retained by the district office until those records become obsolete, at which point they may be otherwise disposed of or destroyed.

(4) Public records, not exempted from public disclosure, created or received by the President, President Pro Tempore, or Secretary of the Senate shall be retained by that officer as specifically required by law or Senate Rule until transferred to the Division of Library and Information Services of the Department of State via its Legislative Library Division. Records not transferred may be otherwise disposed of or destroyed.

(5) The Secretary shall, with the approval of the President, establish a reasonable fee for copies of public legislative records not exempted from public disclosure. Such fees shall be based upon the actual cost of duplication of the record and shall include the material and supplies used to duplicate the record but not the labor cost or overhead cost associated with such duplication. If the nature or volume of records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by employees of the Senate, a special service charge in addition to the actual cost of duplication may be imposed. Such special service charge shall be reasonable and based on the cost incurred for the extensive use of information technology resources or the labor cost of employees providing the service that is actually incurred by the Senate or attributable to the Senate for the clerical and supervisory assistance required. However, when obtained from the Office of the Secretary, a standing committee, standing subcommittee, or select committee, there shall be no charge for a single copy of a bill other than a general appropriations bill, or for a single copy of any other public record required by law or Senate Rule to be created.

(6) Once the retention period for a public record, not exempted from public disclosure, has expired, the public record may be otherwise disposed of or destroyed. A public record need not be retained if it is published or retained by another legislative office. Only one (1) copy of a public record need be retained; additional copies of that record may be destroyed at any time. In the case of mass mailings, only one (1) sample representative copy of the mailing, or an abstract, need be retained.

(7) For the purpose of this Rule, a Senator's member's district office shall include the offices each Senator member retains for the transaction of official legislative business in his or her respective district and the assigned offices located in the Senate Office Building or the Capitol in Tallahassee assigned to each member.

(8) The following public records are exempt from inspection and copying:

- (a) Records, or information contained therein, held by the legislative branch of government which, if held by an agency as defined in section 119.011, *Florida Statutes*, or any other unit of government, would be confidential or exempt from the provisions of section 119.07(1), *Florida Statutes*, or otherwise exempt from public disclosure, and records or information of the same type held by the Legislature.
- (b) A formal complaint about a member or officer of the Legislature or about a lobbyist and the records relating to the complaint, until the complaint is dismissed, a determination as to probable cause has been made, a determination that there are sufficient grounds for review has been made and no probable cause panel is to be appointed, or the respondent has requested in writing that the President of the Senate or the Speaker of the House of Representatives make public the complaint or other records relating to the complaint, whichever occurs first.
- (c) A legislatively produced draft, and a legislative request for a draft, of a bill, resolution, memorial, or legislative rule, and an amendment thereto, which is not provided to any person other than the member or members who requested the draft, an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.
- (d) A draft of a bill analysis or fiscal note until the bill analysis or fiscal note is provided to a person other than an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.
- (e) A draft, and a request for a draft, of a reapportionment plan or redistricting plan and an amendment thereto. Any supporting documents associated with such plan or amendment until a bill implementing the plan, or the amendment, is filed.
- (f) Records prepared for or used in executive sessions of the Senate until ten (10) years after the date on which the executive session was held.
- (g) Portions of records of former legislative investigating committees whose records are sealed or confidential as of June 30, 1993, which may reveal the identity of any witness, any person who was a subject of the inquiry, or any person referred to in testimony, documents, or evidence retained in the committees' records; however, this exemption does not apply to a member of the committee, its staff, or any public official who was not a subject of the inquiry.
- (h) Requests by members for an advisory opinion concerning the application of the rules of either house pertaining to ethics, unless the member requesting the opinion authorizes in writing the release of such information. All advisory opinions shall be open to inspection except that the identity of the member shall not be disclosed in the opinion unless the member requesting the opinion authorizes in writing the release of such information.
- (i) Portions of correspondence held by the legislative branch which, if disclosed, would reveal: information otherwise exempt from disclosure by law; an individual's medical treatment, history, or condition; the identity or location of an individual if there is a substantial likelihood that releasing such information would jeopardize the health or safety of that individual; or information regarding physical abuse, child abuse, spouse abuse, or abuse of the elderly.

(9) Any Senate record created prior to July 1, 1993, which was so designated by the President on June 30, 1993, shall remain exempt from inspection and copying after July 1, 1993. Records held by joint committees, commissions or offices of the Legislature, that were jointly determined by the presiding officers of both houses to remain exempt from inspection and copying after July 1, 1993, remain exempt.

(10) For purposes of this Rule, "public record" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by the legislative branch.

(11) All records, research, information, remarks, and staff work products, made or received during or in preparation for a closed meeting of a select committee, committee, or subcommittee, shall be confidential and exempt from inspection and copying for a period of 30 days after the closed meeting, at which time they will automatically become legislative public records open to inspection and copying, unless the confidentiality and the prohibition against inspection and copying has, within the 30-day period, been extended by the President of the Senate. Unless the above-listed confidential and exempt items have been earlier released by operation of this Rule, they shall automatically become available for public inspection and copying five (5) years after the date of the closed meeting, unless this confidentiality and exemption is further extended by the President of the Senate for subsequent five-year (5) periods.

1.45—Violations of Rules on open meetings and notice

Violations of Rules 1.43 and 1.44 constitute violations of the Rules regulating legislative conduct and ethics and conduct and shall be subject to the procedures and penalties prescribed in Rule 1.42.

RULE TWO

COMMITTEES, OFFICERS, MEMBERS, VOTING, MOTIONS, DECORUM, AND DEBATE

PART ONE—COMMITTEES—ORGANIZATION, DUTIES, AND RESPONSIBILITIES

2.1—~~Policy and steering committees; Standing committees; standing subcommittees; select subcommittees~~

(1) The following ~~standing policy and steering~~ committees with standing subcommittees are created:

- (a) ~~Agriculture Policy and Steering Committee on Commerce and Industry~~
- (b) ~~Banking and Insurance Policy and Steering Committee on Energy, Environment, and Land Use~~
- (c) ~~Budget Policy and Steering Committee on Governmental Operations~~
 - 1. Subcommittee on Criminal and Civil Justice Appropriations
 - 2. Subcommittee on Education Pre-K - 12 Appropriations
 - 3. Subcommittee on Finance and Tax
 - 4. Subcommittee on General Government Appropriations
 - 5. Subcommittee on Health and Human Services Appropriations
 - 6. Subcommittee on Higher Education Appropriations
 - 7. Subcommittee on Transportation, Tourism, and Economic Development Appropriations
- (d) ~~Children, Families, and Elder Affairs Policy and Steering Committee on Social Responsibility~~
- (e) ~~Commerce and Tourism Policy and Steering Committee on Ways and Means~~
- (f) Communications, Energy, and Public Utilities
- (g) Community Affairs
- (h) Criminal Justice
- (i) Education Pre-K - 12
- (j) Environmental Preservation and Conservation
- (k) Governmental Oversight and Accountability
- (l) Health Regulation
- (m) Higher Education
- (n) Judiciary
- (o) Military Affairs, Space, and Domestic Security
- (p) Reapportionment
- (q) Regulated Industries

(r) Rules

1. Subcommittee on Ethics and Elections

(s) Transportation

~~(2) A policy and steering committee shall be considered a standing committee under these Rules, except when a policy and steering committee is meeting for the purpose of setting a Special Order Calendar or where otherwise specified in these Rules.~~

~~(2)(3) Permanent standing committees and standing subcommittees, when created and designated by Rule of the Senate, shall exist and function both during and between sessions. The President shall appoint the membership of the standing committees and standing subcommittees, provided that each standing committee shall consist of not fewer than five (5) members. The President is authorized to create and designate permanent standing committees and standing subcommittees prior to the 2009 Regular Session. The President shall inform the Minority Leader of the creation and designation of said committees. The Secretary of the Senate is directed to include the names of such committees in the published Senate Rules.~~

- (a) ~~Grouping for the Policy and Steering Committee on Commerce and Industry~~
 - 1. ~~Banking and Insurance~~
 - 2. ~~Commerce~~
 - 3. ~~Regulated Industries~~
 - 4. ~~Transportation~~
- (b) ~~Grouping for the Policy and Steering Committee on Energy, Environment, and Land Use~~
 - 1. ~~Agriculture~~
 - 2. ~~Communications, Energy, and Public Utilities~~
 - 3. ~~Community Affairs~~
 - 4. ~~Environmental Preservation and Conservation~~
- (c) ~~Grouping for the Policy and Steering Committee on Governmental Operations~~
 - 1. ~~Ethics and Elections~~
 - 2. ~~Governmental Oversight and Accountability~~
 - 3. ~~Military Affairs and Domestic Security~~
 - 4. ~~Reapportionment~~
- (d) ~~Grouping for the Policy and Steering Committee on Social Responsibility~~
 - 1. ~~Children, Families, and Elder Affairs~~
 - 2. ~~Criminal Justice~~
 - 3. ~~Education Pre-K - 12~~
 - 4. ~~Health Regulation~~
 - 5. ~~Higher Education~~
 - 6. ~~Judiciary~~
- (e) ~~Grouping for the Policy and Steering Committee on Ways and Means~~
 - 1. ~~Criminal and Civil Justice Appropriations~~
 - 2. ~~Education Pre-K - 12 Appropriations~~
 - 3. ~~Finance and Tax~~
 - 4. ~~General Government Appropriations~~
 - 5. ~~Health and Human Services Appropriations~~
 - 6. ~~Higher Education Appropriations~~
 - 7. ~~Transportation and Economic Development Appropriations~~
- (f) ~~Committee on Rules~~
 - 1. ~~Florida Legislative Committee on Intergovernmental Relations~~
 - 2. ~~Joint Administrative Procedures Committee~~
 - 3. ~~Joint Auditing Committee~~
 - 4. ~~Joint Legislative Committee on Everglades Oversight~~
 - 5. ~~Joint Legislative Sunset Committee~~
 - 6. ~~Joint Legislative Committee on Public Counsel Oversight~~

~~(3)(4) Each standing committee or the chair thereof, with prior approval of the President, may appoint a select subcommittee to study or investigate a specific issue matter falling within the jurisdiction of the standing committee or to consider a bill referred to it. The President of the Senate and the Secretary of the Senate shall be promptly notified of the appointment of a select subcommittee, its assignment, and the time allowed for the assignment, and shall be notified on completion of the assignment. Select subcommittees shall be regulated by the Senate Rules regulating standing subcommittees, except that a select subcommittee shall exist only for the time necessary to complete its assignment and report to its standing committee, and not to exceed thirty (30) days unless extended by the President. The advisory report by a~~

select subcommittee whether favorable or unfavorable shall be reviewed by the standing committee and accepted, amended, or rejected by majority vote of those committee members present.

2.2—Powers and responsibilities of committees

(1) Permanent standing committees and standing subcommittees are authorized:

- (a) To maintain a continuous review of the work of the state agencies concerned with their subject areas and the performance of the functions of government within each subject area;
- (b) To invite public officials, employees, and private individuals to appear before the committees or subcommittees to submit information;
- (c) To request reports from departments performing functions reasonably related to the committees' jurisdictions; and
- (d) To complete the interim work projects assigned by the President.

(2) In order to carry out its duties, each standing committee or standing subcommittee has the reasonable right and authority to inspect and investigate the books, records, papers, documents, data, operation, and physical plant of any public agency in this state.

(3) In order to carry out the committee's duties, the chair of each standing committee, standing subcommittee, and select committee may request the President to issue subpoenas, subpoenas duces tecum, and other necessary process to compel the attendance of witnesses and the production of any books, letters, or other documentary evidence required by such committee. The President may issue said process at the request of the committee chair. Any member of a standing committee, standing subcommittee, or select committee may administer all oaths and affirmations, in the manner prescribed by law, to witnesses who appear before such committees to testify in any matter requiring evidence.

2.3—Committee reports

(1) Before a regular session of the Legislature convenes, each standing committee shall prepare a report of its findings, recommendations, and proposed legislation on its authorized interim projects, and file same with the President ~~of the Senate~~ and the Secretary ~~of the Senate~~.

(2) Before a regular session of the Legislature convenes, each standing subcommittee shall prepare a report of its findings, recommendations, and proposed legislation on its authorized interim projects, and submit same to the chair of the standing committee for consideration by such committee.

(3) Within thirty (30) days following sine die adjournment of a ~~regular session~~, committees each standing committee shall provide information on bills passed by both houses during that session ~~the public business assigned to it since the regular session of the preceding year~~.

2.4—Committee staffing

A committee shall be staffed with personnel, subject to guidelines and criteria authorized by the President. The staff shall be also subject to the pay and classification code of the Senate. The President may authorize joint utilization of personnel with the House of Representatives and may authorize the Senate to share in the cost.

2.5—Committee utilization of federal funds

No committee shall make application for or utilize federal funds, personnel, services, or facilities unless approval is obtained from the Rules Committee on Rules.

2.6—Notice of committee meetings

(1) Notice of meetings of standing committees, standing subcommittees, and select committees shall be published in the daily calendar. No committee shall consider any bill during the first fifty (50) days of any regular session until proper notice is published in the calendar for the two (2) legislative days preceding and the day of such committee meeting, except committees may meet on the first and second days of a regular session provided a meeting notice was published in a

Senate calendar and made available posted in the public corridor leading to the Senate Chamber for at least two (2) days preceding and the day of such meeting.

(2) After the first fifty (50) days of any regular session, meetings of standing committees, standing subcommittees, and select committees scheduled in accordance with Rule 2.9 may be held following an announcement by the chair of the committee or subcommittee or, in the chair's his or her absence, the vice chair while the Senate is in session, and the posting of a Notice shall be made available in the public corridor leading to the Senate Chamber ~~for~~ at least four (4) hours in advance of the meeting.

(3) The chair of a standing committee, standing subcommittee, or select committee, or, in the chair's his or her absence, the vice chair, shall provide the Secretary's office with written information concerning meetings that shall include the date, time, and place of the meeting together with the name of the introducer, subject short title, and number of each bill to be considered.

(4) While the Legislature is not in session, At least seven (7) days prior to the meeting of a standing committee, standing subcommittee, or select committee shall file a meeting notice with the Secretary at least seven (7) days prior to the meeting. The notice shall state, while the Legislature is not in session, a notice of the meeting, stating the date, time, amendment deadline for, and place of the meeting together with the name of the introducer, subject short title, and number of each bill to be considered, shall be filed with the Secretary of the Senate. The Secretary shall make the give notice available to the membership and the public.

2.7—Bills recommitted

(1) A bill reported by a standing committee without proper notice shall be recommitted to the committee reporting the same on the point of order being made within two (2) days after such report is printed in the Journal, or the President may recommit such bill at any time. Once recommitted, the committee to which the bill is available for consideration by the committee thus committed shall proceed to reconsider it and shall report on it as if it had never been reported originally referred.

(2) A bill reported by a standing subcommittee to its standing committee without proper notice shall be recommitted to the subcommittee reporting same on the point of order made during the standing committee meeting at which the bill was reported by the subcommittee. Once recommitted, the subcommittee to which the bill is available for consideration by the subcommittee thus committed shall proceed to reconsider it and shall report on it as if it had never been reported originally referred.

2.8—Notice of meeting; publication

For publication in the daily calendar, notice of standing committee, standing subcommittee, or select committee meetings shall be delivered to the Secretary's office in writing by 4:30 p.m. on the day preceding its intended publication. If such day is a Friday, delivery shall be by 2:30 p.m. Meeting notices shall appear in the daily calendar.

2.9—Committee meetings; committee meetings after fiftieth (50th) day

(1) Each standing committee, ~~and standing subcommittee, and select committee~~ shall consider the public business assigned to it as expeditiously as possible and proper. To facilitate this, the President shall group the standing committees and subcommittees to provide each with an opportunity to meet without conflicting with the meetings of other committees.

(2) The President shall provide a schedule of days, hours, and places for the meeting of committees for the regular session and during the interim, and deliver a copy of same to each Senator. However, no committee shall meet before 7:00 a.m. nor meet or continue to meet after 6:00 p.m. This scheduling shall not limit the powers of the chair of a standing committee or subcommittee as provided in these Rules.

(3) Unless approved by the President, no committee shall meet after the fiftieth (50th) day of any regular session except the Rules Committee policy and steering committees.

2.10—When, where committees meet

Each committee or subcommittee, standing or select, shall meet in the place and within the time assigned for its use by the President and notice of such assignment shall be made available posted by the Secretary ~~of the Senate~~ in the public corridor leading into the Senate Chamber. No committee except the Rules Committee policy and steering committees shall meet while the Senate is in session without the consent of the majority of the Senate present.

2.11—Attendance by introducer of bill

The introducer of a bill shall attend the meeting of the committee before which such bill is noticed as provided in these Rules. Such introducer may discharge this duty by sending another legislator, his or her legislative assistant, or any other designee representative having written permission to speak for the bill. Senate committee professional staff shall be limited to presenting committee bills at meetings of their assigned committees and to presenting before other committees those committee bills that are the subject of approved Senate interim projects.

2.12—Order of business

(1) Bills shall be considered in the order appearing in the notice required by these Rules, except that the chair may, in the chair's his or her sole discretion, consider a bill out of its order to accommodate the presence of a Senator or Representative who is the introducer thereof.

(2) A bill shall be considered out of its order on the committee agenda on unanimous consent of those committee members present obtained in the following manner: Prior to consideration of the motion, the member Senator moving for unanimous consent of those committee members present shall orally give the committee not less than fifteen (15) minutes' notice of the member's Senator's intention to move and shall specify the number of the bill. On the entertainment of the motion, the moving member Senator shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those committee members present shall be given or refused without further debate.

2.13—Open meetings

Except as otherwise provided in the Senate Rules, all committee meetings shall be open to the public, subject always to the powers and authority of the chair to maintain order and decorum. If any matter is reported on the basis of a poll of the committee, such matter matters shall be referred to such committee on a point of order made prior to final passage thereof.

2.14—Repealed

2.15—Standing committee in deliberation; reports

(1) It shall be the duty of standing committees to report all matters referred to them either:

- (a) Favorably,
- (b) Favorably with committee amendment(s),
- (c) Favorably with committee substitute as defined in these Rules, or
- (d) Unfavorably.

The vote of the members of a standing committee or subcommittee on final passage of any measure shall be recorded. Upon the request of any two (2) members of a committee or subcommittee, the vote on any other matter or motion, properly before the committee, shall be recorded. After such report has been received by the Secretary, no matter so reported shall be recommitted to a committee except by a two-thirds (2/3) vote of those Senators present in session or except as provided in Rule 2.7 or Rule 4.7(2).

(2) Such reports shall also reflect:

- (a) The date, time, and place of the meeting at which the action was taken, and
- (b) The vote of each member of the committee on the motion to report each bill.

The Secretary shall enter in the Journal the action of the committee, but shall not include that portion of the report relating to the date, time, and place of the meeting or the vote of each member on the motion to report a measure. Reports of committees shall be preserved pursuant to law.

(3) In reporting a Senate measure, a standing committee may draft a new measure embracing the same general subject matter; to be returned to the Senate with the recommendation that the substitute be considered in lieu of the original measure ~~(or measures)~~. The substitute measure must be accompanied by the original measure ~~(or measures)~~ referred to the committee and returned to the Secretary in the same manner as a favorable report. No other standing committee of reference shall consider the original measure ~~(or measures)~~ but shall direct its attention to the substitute measure. A committee receiving a committee substitute from a prior committee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill ~~(or bills)~~ as originally introduced. When reported, the substitute shall be read a first (1st) time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu of without motion. The substitute shall carry the identifying number ~~(or numbers)~~ of the original and shall be returned to the Secretary in the same number of copies required for first (1st) introduction of a similar measure. The names of the introducer introducer(s) and each co-introducer co-introducer(s) of the original measure ~~(or measures)~~ shall be shown by the committee administrative assistant on the committee substitute unless an introducer or co-introducer requests that it be omitted. ~~A committee substitute may be co-introduced by a Senator whose name is affixed to the original.~~ A Senate committee may not recommend a Senate committee substitute for a House bill.

(4) All standing committee reports shall be approved by the chair or, in the chair's his or her absence, the vice chair. Such reports shall be filed with the Secretary's office as soon as practicable, but not later than 4:30 p.m. on the next legislative day, except a committee drafting and recommending a committee substitute shall file such committee report no later than 4:30 p.m. on the second (2nd) legislative day. These reports must be accompanied by the original bill. Each report by a committee must set forth the identifying number of the bill. If amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Committee amendments shall be printed in full on proper forms prescribed by the Secretary and shall accompany the report. All bills measures reported unfavorably shall be laid on the table.

2.16—Standing subcommittee in deliberation; reports

(1) It shall be the duty of standing subcommittees to report all measures referred to them directly to the full standing committee, which shall promptly certify a copy to the Secretary ~~of the Senate~~. The standing subcommittee shall report all matters measures either:

- (a) Favorably,
- (b) Favorably with committee amendment(s),
- (c) Favorably with committee substitute as defined in these Rules, or
- (d) Unfavorably.

(2) Such reports shall also reflect:

- (a) The date, time, and place of the meeting at which the action was taken, and
- (b) The vote of each member of the subcommittee on the motion to report each bill.

(3) In reporting a bill to the full standing committee, a standing subcommittee may draft a new measure, embracing the same general subject matter, to be returned to the full standing committee with the recommendation that the substitute be considered in lieu of the original measure. The substitute measure must be accompanied by the original measure referred to the standing subcommittee and returned to the full standing committee in the same manner as a favorable report. The standing committee of reference shall not consider the original measure but shall direct its attention to the substitute measure. The standing committee receiving a committee substitute from a subcommittee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill as originally introduced. When reported, the substitute shall be read a first (1st) time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu of without motion. The substitute shall carry the identifying number of the original and shall be returned to the standing committee in the same number of copies required for first (1st)

introduction of a similar measure. The names of the introducer and each co-introducer of the original measure shall be shown by the committee administrative assistant on the committee substitute unless an introducer or co-introducer requests that it be omitted. A Senate subcommittee may not recommend a Senate committee substitute for a House bill.

(4) All standing subcommittee reports shall be approved by the chair or, in the chair's absence, the vice chair ~~and shall be made on forms prescribed by the Secretary of the Senate.~~ Each report by a standing subcommittee must set forth the identifying number of the measure. If amendments are proposed by the standing subcommittee, the words "with amendments" shall follow the identifying number. Standing subcommittee amendments shall be printed in full on ~~proper~~ forms prescribed by the Secretary and shall accompany the report.

(5) All bills reported unfavorably shall be laid on the table when the standing committee considers the standing subcommittee's report. On motion by any member of the committee, adopted by a two-thirds (2/3) vote of those standing committee members present, the same may be taken from the table. When a bill is thus removed from the table by a standing committee, it shall receive a hearing de novo and witnesses shall be permitted to testify.

(6) When a bill with a favorable report by a standing subcommittee is considered by the standing committee, no additional testimony shall be permitted except by a ~~majority two-thirds (2/3)~~ vote of those standing committee members present before final action is taken; however, debate by members of the standing committee shall be allowed.

(7) A bill with a favorable subcommittee report may be withdrawn, in accordance with Rule 4.10, from the standing committee without any further action on the bill by the standing committee.

2.17—Quorum of committee

A standing committee, standing subcommittee, ~~policy and steering committee~~, or select committee is ~~actually~~ assembled only when a quorum constituting a majority of the members of that committee is present in person. No committee business of any type shall be conducted in the absence of a quorum. Any ~~matter bill or resolution~~ reported in violation of this Rule shall be recommitted by the President when it is called to the President's attention by a Senator.

2.18—Repealed

2.19—Conference committee in deliberation; reports

(1) All meetings of Senate conferees with House conferees at which the business of the conference committee is discussed shall be open to the public subject to proper order and decorum. A meeting of the Senate and House conferees is a meeting of the two (2) groups, therefore, the rules governing each respective house apply. Meetings between a majority of the members of a conference committee may be held following a notice being filed with the Secretary ~~of the Senate~~ by or at the direction of the person calling the meeting, at least ~~one (1) hour two (2) hours~~ in advance of the meeting, ~~and after the fiftieth (50th) day of a regular session and during a special session, not less than one (1) hour in advance of the meeting.~~ The notice shall indicate the names of the conferees and scheduled participants, the date, the time, and the ~~place location~~ of the meeting. Conference committees may meet at any time with proper notice.

(2) A conference committee, other than a conference committee on a general or special appropriations bill and its related legislation, shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

(3) A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment deleting everything after the enacting clause of any such bill referred to the committee. Such amendments shall accompany the conference committee report. In any event, the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either house. Conference committee reports must be approved and signed by a majority of the managers on the

part of each house. All final actions taken in a conference committee shall be by motion.

(4) Each conference committee report shall contain a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(5) When ~~any bill is referred by~~ the President appoints ~~to~~ a conference committee, a notice of the following meetings to discuss matters relating to the conference, stating the names of the conferees and scheduled participants, and the date, time, and place for the meeting, shall be filed with the Secretary ~~of the Senate~~ by or at the direction of the ~~person person(s)~~ at whose call the meeting is convened, not less than ~~one (1) hour two (2) hours~~ preceding the time for the meeting, ~~and after the fiftieth (50th) day of a regular session and during a special session, not less than one (1) hour preceding the time for the meeting;~~

- (a) Meetings between the President (or a Senator designated to represent the President), the Governor, and the Speaker ~~of the House~~ (or a Representative designated to represent the Speaker);
- (b) Meetings between a majority of the members of any subcommittee of the conference committee;
- (c) Meetings between the President or any Senator(s) designated to represent the President and a conferee from the House of Representatives, or any meeting between a conferee from the Senate with the Speaker ~~of the House of Representatives~~ or any Representative(s) designated to represent the Speaker; and
- (d) Meetings of a majority of the Senate conferees; and when the bill that is the subject of the conference committee deals primarily with the general appropriations act or revenue matters, any meeting of three (3) or more conferees on the part of the Senate.

(6) Notice of meetings, as scheduled, between the chair of the Senate's conferees with the chair of the House's conferees, or between respective Senate and House committee chairs with each other, shall be posted in the public corridor leading to the Senate Chamber. In the case of the appropriations conference, said notice shall also be posted outside the door of the offices of the appropriations committees.

(7) All meetings for which notice is required pursuant to this Rule shall be held in the Capitol Complex, but shall not be held in the Chamber of either house while it is in session.

(8) When ~~any bill is referred to a conference committee and the conferees on the part of the Senate report an inability to agree, any~~ ~~no~~ action of the Senate taken prior to such reference to a conference committee shall not preclude further action on the measure as the Senate may determine.

(9) After Senate conferees have been appointed for seven (7) calendar days and have failed to make a report, it is a motion of the highest privilege to move to discharge said conferees and to appoint new conferees, or to instruct said conferees, ~~and~~ This motion shall have precedence over all other questions except motions to adjourn or recess to a later day, and questions of privilege. Further, during the last six (6) calendar days allowed under the *State Constitution* for any regular session, it shall be a privileged motion to move to discharge, appoint, or instruct Senate conferees after the Senate conferees have been appointed thirty-six (36) hours without having made a report.

PART TWO—COMMITTEES—OFFICERS

2.20—Appointment of chair and vice chair

A chair and a vice chair of each standing committee shall be appointed by the President ~~preceding the regular session held each odd-numbered year~~ and shall continue in office at the pleasure of the President. The President shall also appoint a chair for each standing subcommittee and select committee authorized by these Rules and may designate a vice chair, both of whom shall continue in office at the pleasure of the President.

2.21—Chair's calling of committee to order

The chair or, in the chair's absence, the vice chair, shall call the committee to order at the hour provided by these Rules. A quorum being present, On the appearance of a quorum the committee shall proceed

with the order of business. Any member of the committee may question the existence of a quorum. No committee business of any type shall be conducted in the absence of a quorum.

2.22—Chair's control

The chair ~~or vice chair~~ shall preserve order and decorum and shall have general control of the committee room. If there is a disturbance or disorderly conduct in the committee room, the chair ~~or vice chair~~ may require participants in the disturbance to clear the room.

2.23—Chair's authority; appeals

(1) The chair shall approve all notices, vouchers, subpoenas, or reports required or permitted by these Rules.

(2) The chair shall decide all questions of order, subject to an appeal by any Senator, and the appeal shall be certified by the chair to the Senate for a decision by the President during the daily session of the Senate next following such certification. The ruling shall be entered in the Journal, shall constitute binding precedent on all committees of the Senate, and shall be subject to appeal as any other question. The chair may, or on the vote of a majority of the committee members present shall, certify a question of parliamentary procedure to the President as contemplated by the Rule without a formal appeal. Such a certified question shall be disposed of by the President as if it had been on appeal. The perfection of an appeal or the certification of a question pursuant to this Rule shall not constitute an automatic stay to further legislative action on the measure under consideration.

2.24—Chair, vice chair; vote

The chair and vice chair shall vote on all matters before such committee. The name of the chair shall be called last.

2.25—Temporary alternate to chair

The chair may name any member of the committee to perform the duties of the chair if such substitution shall not extend beyond such meeting. If for any reason the chair is absent and fails to name a member, the vice chair shall assume the duties of the chair during the chair's absence. In the chair's absence and/or omission to make such appointment, the vice chair shall act during his or her absence.

2.26—Vice chair's duties

On the death, incapacitation, or resignation of the chair, the vice chair shall perform the duties of the office until the President shall appoint a successor. In the absence of the chair, the vice chair shall act as chair.

PART THREE—COMMITTEES—MEMBERS

2.27—Members' attendance, voting, proxy

(1) Unless excused or necessarily prevented, every member of a committee shall be in attendance during each of its meetings, ~~unless excused or necessarily prevented~~.

(2) The chair may excuse any ~~member Senator~~ for just cause from attendance at meetings of his or her committee for any stated period, and this excused absence shall be noted on the committee's records.

(3) Failure to attend two (2) consecutive regular meetings, unless excused from attendance in the Senate on those days as provided in these Rules or by the chair of the committee, shall constitute automatic withdrawal from the committee.

(4) No member of any committee shall be allowed to vote by proxy. A majority of all the committee members present shall agree by their votes on the disposition of any ~~bill or other~~ matter considered by the committee.

(5) The President may designate either the President Pro Tempore or the Majority Leader to vote in any committee. The President shall notify the Secretary and the chair of the affected committee of the designation. The designee may not count for the purpose of a quorum unless specifically stated in the notification.

PART FOUR—COMMITTEES—VOTING

2.28—Taking the vote

(1) The chair shall declare all votes and shall cause same to be entered on the records of the committee, but if any member questions a voice vote, then by a show of hands by two (2) members the chair shall count the yeas and nays. When the committee ~~is shall be~~ equally divided, the question shall be lost.

- (2) A ~~member Senator~~ may request to:
- (a) ~~Vote Change his or her vote~~, or
 - (b) ~~Change his or her vote~~ Vote

before the results of a roll call are announced. After the results have been announced, a ~~member Senator~~ with unanimous consent of those committee members present may ~~vote or change his or her vote or vote~~. If the vote alters the final action of the committee, no ~~vote or change of vote or vote~~ shall be valid unless until the matter measure has been reconsidered by the committee. On request of a member prior to consideration of other business, the chair shall order a verification of a vote.

2.29—Pair voting ~~Pairing~~ prohibited

No pair voting ~~pairing~~ shall be permitted by the committee.

2.30—Casting vote for another

No Senator shall cast a vote for another Senator, nor shall any person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, any Senator who shall vote or attempt to vote for another Senator may be punished as the Senate may deem proper. Also, any person not a Senator who shall vote in the place of a Senator shall be excluded from the committee for the remainder of the session.

2.31—Explanation of vote

No ~~member Senator~~ shall be permitted to defer or explain his or her vote during a roll call, but may submit his or her explanation in writing and file it with the chair. This explanation shall be kept as part of the committee record and a copy filed with the Secretary ~~of the Senate~~.

PART FIVE—COMMITTEES—MOTIONS AND PRECEDENCE

2.32—Motions; how made, withdrawn

Every motion may be made orally. On request of the chair, a ~~member Senator~~ shall submit his or her motion in writing. After a motion has been stated or read by the chair, it shall be deemed to be in possession of the committee without a second, and shall be disposed of by vote of the committee members present. The mover may withdraw a motion at any time before the same has been amended, or before a vote shall have commenced. The mover of a motion to reconsider may withdraw that motion only with the unanimous consent of those committee members present.

2.33—Motions; precedence

(1) When a question is under debate, the chair shall receive no motion except:

- (a) To rise
- (b) To take a recess
- (c) To reconsider
- (d) To limit debate
- (e) To temporarily postpone
- (f) ~~To postpone to a day certain~~
- (f)(g) To commit to a select subcommittee
- (g)(h) To amend

which shall have precedence in the descending order given.

(2) The chair shall present ~~propound~~ all questions in the order in which they are moved unless the subsequent motion is ~~be~~ previous in nature.

(3) When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) substitute shall be considered and the substitute shall be in the same order of precedence.

2.34—Division of question

A ~~member Senator~~ may move call for a division of a question when the sense will admit of it. A motion to delete and insert shall be deemed indivisible; a motion to delete, being lost, shall neither preclude amendment nor a motion to delete and insert.

2.35—Reconsideration generally

(1) When a question has been decided by a committee, any ~~member Senator~~ voting with the prevailing side may move for reconsideration of the question. Also when a question has been decided by voice vote, any member, during the meeting at which the vote was taken, may so move. If the committee shall refuse to ~~reconsider consider~~ or, upon ~~re-consideration consideration~~, shall confirm its first decision, no further motion to reconsider shall be in order except upon unanimous consent of those committee members present.

(2) Consideration of a motion to reconsider a measure ~~or, including a vote recommending~~ the confirmation of an executive appointment, shall be a special and continuing order of business for the succeeding committee meeting, and, unless considered during such meeting, shall be considered abandoned. Such motion may be made ~~prior to or~~ pending a motion to rise ~~or if the time of adjournment has arrived~~. During the last fourteen (14) days of a regular session, a motion to reconsider shall be made and considered during the meeting at which the original vote was taken.

2.36—Reconsideration; vote required

The affirmative votes of a majority of the committee members present shall be required to adopt a motion to reconsider.

2.37—Reconsideration; debate allowed

Debate shall be allowed on a motion to reconsider only when the question is debatable. When debate on a motion to reconsider is in order, no Senator shall speak thereon more than once nor longer than five (5) minutes.

2.38—Reconsideration; collateral matters

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the committee has passed to other business.

PART SIX—COMMITTEES—AMENDMENTS**2.39—Amendments, proposed committee substitutes, and proposed committee bills; form, notice, manner of consideration**

(1) No amendment or proposed committee substitute to any measure, or no proposed committee bill on any committee agenda shall be considered by that committee unless the amendment, proposed committee substitute, or proposed committee bill was prepared in proper form and filed with the committee administrative assistant at least twenty-four (24) hours prior to the noticed meeting time. For the purpose of this rule, office hours are Monday through Friday, 8:00 a.m. - 5:00 p.m. Copies of such ~~amendment amendment(s)~~, proposed committee ~~substitute substitute(s)~~, or proposed committee ~~bill bills~~ shall be made reasonably available by the committee administrative assistant before the meeting to the members of the committee and to the public.

- (a) Subsequent to distribution of all timely-filed amendments, amendments to amendments or substitute amendments may be filed to any measure to which an amendment was timely filed. Such amendments must be filed with the committee administrative assistant at least two (2) hours prior to the noticed meeting time.
- (b) Subsequent to distribution of all timely-filed proposed committee substitutes and proposed committee bills, amendments, amendments to amendments, or substitute amendments to any proposed committee substitute or proposed committee bill must be filed with the committee administrative assistant at least two (2) hours prior to the noticed meeting time.

(c) ~~Amendments to late-filed amendments, proposed committee substitutes, or proposed committee bills shall be considered timely filed if filed at least two (2) hours prior to the noticed meeting time.~~

(d)(e) After the first fifty (50) days of any regular session, an amendment, ~~proposed committee bill~~, or proposed committee substitute to any measure prepared prior to a committee meeting at which it is offered shall be filed with the committee administrative assistant at least two (2) hours prior to the noticed meeting time.

(e)(d) The consideration of any amendment, proposed committee bill, or proposed committee substitute not timely filed in accordance with this rule, including any filed during a committee meeting in which it is to be offered, requires a two-thirds (2/3) vote of those committee members present if any member requests that such a vote be taken. These time requirements do not apply to a committee's recommendation during a meeting to make a committee substitute which is merely a combination of the noticed ~~bill bill(s)~~ and ~~amendment amendment(s)~~.

(2) Amendments shall be filed on forms prescribed by the Secretary, ~~but~~

(a) ~~An amendment~~ shall be considered only after ~~its sponsor sponsors, who is a member are members~~ of the committee, ~~gains gain~~ recognition from the chair to move ~~its their~~ adoption.

(b) An amendment shall be deemed pending only after its sponsor has been recognized by the chair and has moved its adoption. Amendments that have been filed but have not been formally moved for adoption shall not be deemed to be pending.

(c) No proposition on a subject different from that under consideration shall be admitted ~~in the form under color~~ of an amendment.

2.40—Sequence of amendments to amendments

(1) An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:

- (a) Amendments to the amendment are acted on before the substitute is taken up.
- (b) Amendments to the substitute are next voted on.
- (c) The substitute then is voted on.

(2) The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

(3) The following amendments are out of order:

- (a) A substitute amendment for an amendment to an amendment.
- (b) A substitute amendment for an amendment to a substitute.

2.41—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause of a bill, or the resolving clause of a resolution, and insert new ~~language matter~~ of the same general subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

2.42—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The chair, in recognizing ~~members Senators~~ for the purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the ~~entire whole~~ bill shall be open for amendment.

2.43—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill.

2.44—Amendments by another committee

Amendments recommended by all committees of reference shall accompany a bill when filed with the Secretary. No committee shall physically remove an amendment by another committee but may recommend an amendment to an amendment, or a substitute for an amendment, by another committee. Any accompanying amendment shall be included in a subsequent committee substitute unless altered or negated by committee action. Amendments adopted by a committee to be incorporated in a committee substitute need not be filed with the Secretary as part of the reports required in Rules 2.15 and 2.16.

PART SEVEN—COMMITTEES—DECORUM AND DEBATE**2.45—Decorum and debate**

When a member desires to speak or ~~present~~ deliver a matter to the committee, the member shall address himself or herself to “Mr. or Madam Chair” and, on being recognized, may address the committee and shall confine ~~any remarks~~ himself or herself to the question under debate, avoiding personality. A member shall not address or refer to another member by his or her first name. A member shall use the appellation of “Senator” ~~Senator~~ or such appellation and the surname of the member referred to or addressed.

2.46—Chair’s power to recognize

When two (2) or more members request to speak at once, the chair shall recognize ~~name~~ the member who is to speak ~~be recognized~~ first.

2.47—Interruptions; when allowed

(1) No member shall be interrupted by another without the consent of the member who has the floor, except by:

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the chair concerning a point of order (if the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The chair shall strictly enforce this Rule.

2.48—Speaking rights

(1) When a member is speaking and another member interrupts to request recognition, the chair may permit the person rising to state why he or she desires the floor. If the question the member desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. The member is then entitled to resume the floor.

(2) The member making a debatable motion or the introducer of a bill, whether or not a member of the committee, shall have five (5) minutes in order to close debate.

2.49—Time for debate

No Senator shall speak longer than ten (10) minutes without yielding the floor, except by consent of a majority of those committee members present.

2.50—Limitation on debate

When a ~~matter measure~~ is under debate by the committee, a member may move to limit debate, and the motion shall be decided without debate. The introducer of the ~~pending matter measure~~ shall have five (5) minutes to discuss the motion, and the introducer may divide such time with, or waive it in favor of, some other member. If the question is decided in the affirmative by a two-thirds (2/3) vote of those committee members present, the debate shall be limited accordingly. The time allotted by such limitation shall be apportioned by the chair. Once limited, debate may be extended beyond the original debate time limit by a majority vote of the committee members present.

2.51—Priority of business

All questions relating to the priority of business shall be acted on and shall be decided without debate.

2.52—~~Repealed~~ Questioning decision not to abstain

~~A point of order questioning the decision of a member not to abstain from voting on account of a conflict of interest may be raised after the vote has been recorded and before the result is announced.~~

2.53—Appeals

The proper method of taking exception to a ruling of the chair is by appeal. An appeal from a decision of the chair must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; if the determination of the appeal is dependent on this point, it may be decided by the chair. This second (2nd) decision is also subject to appeal.

2.54—Appeals debatable

An appeal from a decision of the chair on a point of order is debatable even though the question from which it arose was not debatable.

RULE THREE**BILLS, RESOLUTIONS, AND MEMORIALS****3.1—Form of bills**

(1) All bills shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*, and the enacting clause, “Be It Enacted by the Legislature of the State of Florida:” The title of each bill shall be prefaced by the words, “A bill to be entitled An act.” Standard rules of capitalization shall apply.

(2) The original must be approved by the introducer and backed in a folder-jacket. On these jackets shall be inscribed the name and district number of the introducer and any co-introducers or the introducing committee and its chair, and enough of the title for identification.

(3) Bills that propose to amend existing provisions of the *Florida Statutes* (as described in Article III, Section 6 of the *State Constitution*) or the *Laws of Florida* shall contain the full text of the section, subsection, or paragraph to be amended. Joint resolutions that propose to amend the *State Constitution* shall contain the full text of the section to be amended.

(4) In general bills and joint resolutions that propose to create or amend existing provisions of the *Florida Statutes*, *Laws of Florida*, or the *State Constitution*, new words shall be inserted underlined, and words to be deleted shall be lined through with hyphens, except that the text of the General Appropriations Act shall not be underlined.

(5) When the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it shall not be necessary to use the coded indicators of words added or deleted but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the text of the provision being amended: “Substantial rewording of section. See s. [number], F.S., for present text.” When such notation is used, the notation as well as the substantially reworded text shall be underlined.

(6) The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and shall not be considered to constitute a part of the bill under consideration.

(7) Section catchlines of existing text shall not be typed with underlining.

3.2—Bills for introduction

A bill may not be introduced until properly filed with the Secretary of the Senate.

3.3—Form of local bills

As required by Article III, Section 10 of the *State Constitution*, all local bills must either embody provision for ratifying referenda (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement. Forms of affidavit may be obtained from the Secretary of the Senate. All local bills that require publication shall, when introduced, have proof of publication securely attached to the original copy of the bill and the words “Proof of Publication Attached” clearly typed or stamped on the Senate side of the bill jacket or cover, or the same shall be rejected by the Secretary.

3.4—Form of joint resolutions

All joint resolutions shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. They shall contain the resolving clause, “Be It Resolved by the Legislature of the State of Florida:.” Each joint resolution shall be prefaced by the words: “A joint resolution.”

3.5—Form of memorials

All memorials shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. They shall contain the resolving clause, “Be It Resolved by the Legislature of the State of Florida:.”

3.6—Form of resolutions; Senate and concurrent

(1) All Senate resolutions and all concurrent resolutions shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. Senate resolutions shall contain the resolving clause: “Be It Resolved by the Senate of the State of Florida:.” Concurrent resolutions shall contain the resolving clause: “Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:.”

(2) Only the Secretary of the Senate shall prepare copies of Senate resolutions that are to be furnished any person after the resolution’s adoption.

3.7—Bill filing deadline during regular session; bill filing between regular sessions

(1) To facilitate processing and committee referencing, all bills (except for the general appropriations bill, implementing bills, appropriations conforming bills, local bills, Senate resolutions, concurrent resolutions, committee bills, and trust fund bills or public-record exemptions that are linked to timely-filed general bills) shall be filed for introduction with the Secretary of the Senate no later than 12:00 noon of the first (1st) day of the regular session.

(2) A motion to waive this Rule shall be referred to the Rules Committee on Rules for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill notwithstanding this Rule and a recommendation shall be reported back to the Senate. The Secretary shall number each bill to provide identity and control until a permanent number can be affixed.

(3) Between regular sessions of the Legislature, bills may be filed by delivery to the Secretary of the Senate.

3.8—Filed bills; consideration between regular sessions

(1) A filed bill complying with these Rules shall, in anticipation of the next regular session, be serially numbered in accordance with the permanent system required by these Rules.

(2) The Secretary shall provide each such numbered bill to the President for reference to a committee or committees pursuant to these Rules. The Secretary shall promptly forward each referenced bill to the first (1st) or only committee of reference. ~~A copy of each filed bill shall be made available to each Senator.~~ The Secretary shall make available ~~provide regularly~~ to each Senator all filed bills, including the referencing data for each bill, and a calendar of all committee hearings, including the bills noticed for hearing by each.

(3) Each bill considered by a committee and reported to the Secretary during the interim shall be introduced and read on the first (1st) day of the regular session thereof, pursuant to the *State Constitution, Laws of Florida*, and these Rules. The Journal shall reflect the committee reference and the report of the committee. All requirements for the referencing of bills to and the consideration of bills by Senate committees shall be deemed to have been met and discharged if the jurisdictional requirements of this Rule have been complied with as to each of such bills.

(4) If a committee fails to consider and report a filed bill prior to the convening of a regular session, the committee or committees failing to so report shall conduct hearings and file reports during the regular session.

(5) Notwithstanding these Rules, a Senator may, during the day of introduction of filed bills, but no later than under the Order of Business of “Motions Relating to Committee Reference” on the second (2nd) legislative day on which the Senate meets, move for reference to a different committee or for removal from a committee. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

(6) Prior to the introduction of a bill on the first (1st) day of the regular session, a Senator may give written notification to the Secretary of the Senate to withdraw his or her bill from further consideration of the Senate.

3.9—Copies of bills

When filed, bills (including committee bills and committee substitute bills) shall be published by the Secretary for the information of the Senate and the public. The absence of a published copy shall not delay the progress of a measure at any stage of the legislative process. Sufficient copies of the general appropriations bill proposed to be introduced by the ~~Budget Committee Policy and Steering Committee on Ways and Means~~ shall be made available to the members and, upon request, to the public, at the Office of the Secretary of the Senate and at the committee’s office, no less than two (2) hours prior to the time the Budget Committee Policy and Steering Committee on Ways and Means meets to consider the proposed committee bill.

3.10—Identification of bills

Bills and other measures requiring legislative action shall be introduced in the order they are received at the desk of the Secretary. They shall be serially numbered with even numbers as introduced, without differentiation in number as to type. The Secretary shall mark the original copy of each measure to ensure its identification, and each page thereof, as the item introduced in order to prevent unauthorized or improper substitutions. This identification may be made by any device to accomplish the purpose of this Rule. Such device shall be in the custody of the Secretary, and its use by any person not authorized by this Rule is prohibited.

3.11—Companion measures

When a Senate bill is reached on the calendar of the Senate for consideration, either on second (2nd) or third (3rd) reading, and there is also pending on the calendar of the Senate a companion measure already passed by the House, it shall be in order to move that the House companion measure be substituted and considered in lieu of the Senate measure. Such motion may be adopted by a majority vote of those Senators present, provided the House measure is on the same reading; otherwise, the motion shall be to waive the Rules by a two-thirds (2/3) vote of those Senators present and read such House measure. A companion measure shall be substantially the same and identical as to specific intent and purpose as the measure for which it is being substituted. At the moment the Senate passes the House companion measure, the original Senate measure shall be regarded as automatically tabled. Recommitment of a Senate bill shall automatically carry with it any House companion measure then on the calendar.

3.12—Introducers of bills; introducers no longer Senators

(1) Bills shall be approved for introduction by a Senator ~~or group of Senators whose name is names are~~ affixed to the original, or by any committee with the name of the committee and the name of the chair of the committee affixed to the original. A bill ~~introduced by a committee~~

may be co-introduced by any Senator whose name is affixed to the original.

(2) A Senator who is not seeking or is ineligible for reelection and, therefore, will not be a Senator at the next regular session of the Legislature may not file a bill for that session. Once a bill introduced solely by a Senator is no longer in office, any bill filed by that who will not be a Senator for a current or future at the next regular session of the Legislature shall be deemed withdrawn from further consideration of the Senate unless the bill has a co-introducer who, within seven (7) days, is willing to become the introducer of the bill.

3.13—Fiscal notes

(1) Upon being favorably reported by a ~~standing~~ committee, all general bills or joint resolutions affecting revenues, expenditures, or fiscal liabilities of state or local governments shall be accompanied by a fiscal note. Fiscal notes shall reflect the estimated increase or decrease in revenues or expenditures. The estimated economic impact, which calculates the present and future fiscal implications of the bill or joint resolution, must be considered. The fiscal note shall not express opinion relative to the merits of the measure, but may identify technical or mechanical defects.

(2) Fiscal notes on those bills affecting any state retirement system shall be prepared after consultation with an actuary who is a member of the Society of Actuaries and the cooperation of appropriate state agencies for necessary data shall be solicited.

(3) Fiscal notes shall be regarded as memoranda of factual information and shall be made available to Senators ~~members of the Senate~~.

(4) If a bill or joint resolution is reported favorably by a committee without a fiscal note or economic impact statement, as defined in this Rule, a Senator may at any time raise a point of order, and the President shall order return of the bill or joint resolution to the committee. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion for the purposes of point of order.

RULE FOUR

ORDER OF BUSINESS AND CALENDAR

4.1—Sessions of the Senate

The Senate shall meet pursuant to a schedule provided by the President. This schedule shall set forth hours to convene and adjourn and may contain a schedule for the Special Order Calendars submitted by the Calendar Group ~~policy and steering committees~~. During the first fifty (50) days of a regular session, the Senate shall not convene ~~meet~~ before 7:00 a.m. nor meet or continue to meet after 8:00 p.m. Otherwise, the Senate shall not convene ~~meet~~ before 7:00 a.m. nor meet or continue to meet after 6:00 p.m.

4.2—Quorum

A majority of the Senate shall constitute a quorum, but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as it may prescribe. A Senator at any time may question the existence of a quorum.

4.3—Daily Order of Business

- (1) The Daily Order of Business shall be as follows:
 - (a) Roll Call
 - (b) Prayer
 - (c) Pledge of Allegiance to the Flag of the United States of America
 - (d) Reports of Committees
 - (e) Motions Relating to Committee Reference
 - (f) Messages from the Governor and Other Executive Communications
 - (g) Messages from the House of Representatives
 - (h) Matters on Reconsideration
 - (i) Consideration of Bills on Third (3rd) Reading
 - (j) Special Order Calendars

- (k) Consideration of Bills on Second (2nd) Reading
- (l) Correction and approval of Journal

(2) The Secretary ~~of the Senate~~ shall prepare and distribute, on each legislative day, a calendar corresponding to the Daily Order of Business; and within each order of business, matters shall be considered in the order in which they appear on such daily calendar. Local bills may be omitted from the formal calendar and may be distributed to Senators by the Secretary separately.

(3) Certain messages from the House of Representatives may be withheld from the Daily Order of Business pursuant to Rule 1.18 or on order of the President. Notwithstanding Rule 4.3(1), the Senate may take up messages from the House at the direction of the President.

(4) First (1st) reading of a bill ~~bills~~ shall be accomplished by publication of the title thereof in the Journal pursuant to Article III, Section 7 of the *State Constitution*.

(5) Except by unanimous consent of those Senators present in session, no bill shall be considered by the Senate if the bill or a companion measure has not been first reported favorably by at least one (1) Senate committee.

4.4—Committee of the Whole

By a majority vote of those Senators present, the Senate may resolve itself into a Committee of the Whole and, when thus constituted, may consider any question whether formally introduced in the Senate or not. The Senate may, however, restrict the subject matter to be considered by the Committee of the Whole, or its jurisdiction, by resolving itself into a Committee of the Whole for a specific and limited purpose. The President shall preside and maintain order and decorum. The Senate Rules relating of the Senate applicable to standing committees shall govern when applicable. The Committee of the Whole may consider and report, by majority vote of those committee members present, on any bill or question not formally introduced in the Senate and any bill on which all standing committees of reference have rendered a favorable report. A bill on which committee action has been taken by the committee or committees of reference or on which an unfavorable committee report has been filed may be considered only by a two-thirds (2/3) vote of those committee members present. Such vote shall also be required to favorably report any such bill to the Senate. A bill thus originating in a Committee of the Whole shall, when introduced as contemplated by the *State Constitution*, receive no further reference to committee. A favorable report by a Committee of the Whole on a bill having theretofore received an unfavorable report by a standing committee of reference shall not have the effect of withdrawing such bill from the table. Consideration by the Senate of such a bill shall be preceded by the adoption of the appropriate motion during a session of the Senate. Bills considered by a Committee of the Whole shall be read once, debated, amended, and acted on as a standing committee function. The body of a bill formally introduced shall not be interlined or defaced, but all amendments denoting the location shall be entered on a separate paper by the Secretary of the Committee of the Whole. The same shall be agreed to by the Committee of the Whole, and the report filed as otherwise provided in these Rules for committee reports. After report, the bill or other matter may be again debated and shall be subject to be again amended by the Senate. The quorum for a Committee of the Whole shall be the same as for the Senate, and when the Committee of the Whole shall rise, the roll shall be called to ascertain the presence of a quorum of the Senate.

4.5—Conference committee report

(1) The report of a conference committee appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days, and on the completion of the second (2nd) reading the vote shall be on the adoption or rejection thereof and final passage of the measure as recommended. During the last five (5) days of a regular session and during any extension thereof, the report shall be read only once. Copies of conference committee reports shall be available to the membership twelve (12) hours prior to the time such report is scheduled to be taken up on the Senate floor.

(2) The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(3) Except when the Senate is voting on a proposition, reports of conference committees shall always be in order.

4.6—Reference generally

(1) All bills, including those that are strictly local in nature, shall be referred by the President to appropriate committees and standing subcommittees. Any general appropriations bill, ~~and any appropriations implementing bills, and appropriations conforming bills~~ introduced by the ~~Budget Committee Policy and Steering Committee on Ways and Means~~ may be placed on the calendar without reference.

(2) Bills received by the President during a regular session and within three (3) weeks next preceding the convening of a regular session shall be referred within seven (7) days. Upon failure of the President to reference such bills within this limitation, they shall be referred to committees as may be recommended by the introducer. In the event of extended absence of the President or the President's disability or incapacity, the President Pro Tempore shall assume the duty of referring bills.

(3) When the Legislature is not in session, the President may change or correct a bill reference. Notice shall be given to the Secretary ~~of the Senate~~ and the bill introducer.

(4) If the President has not previously designated a standing subcommittee of reference, the chair of the standing committee shall promptly determine whether such measure shall initially be considered by the ~~standing full~~ committee, a standing subcommittee, or a select subcommittee appointed by the chair. The chair, in referring a bill to a subcommittee, shall specify the number of days available for consideration ~~and may, at any time, remove the bill from the referenced subcommittee~~. If subreference is to a standing subcommittee, the chair of the standing committee shall promptly report this reference and the time allowed for consideration, ~~or the removal of the bill from the referenced subcommittee~~, to the Secretary ~~of the Senate~~ on forms prescribed by the Secretary.

(5) ~~Bills placed on the calendar shall be reviewed by the Chair of the Committee on Rules~~. The review of a bill that appears to be local in nature shall be ~~performed~~ by the Rules Committee ~~on Rules~~ to determine whether such measure is local in nature for reference purposes and whether it responds to the legal requirements of a local bill.

(6) A bill is local in nature for referencing purposes if it does not substantially alter a law of general application throughout the state and it either affects no more than one (1) county or relates to a special district that is located wholly within no more than two (2) counties.

(7) When the Rules Committee ~~on Rules~~, through staff ~~review analysis~~, has determined that the bill is not local in nature for referencing purposes, the committee shall report such determination to the President ~~of the Senate~~, who shall refer such bill to an appropriate standing committee for hearing. Such report shall be made within fifteen (15) legislative days from date of receipt by the Rules Committee ~~on Rules~~. When the Rules Committee ~~on Rules~~, through staff ~~review analysis~~, has determined that a bill is local in nature for referencing purposes and that it responds to the legal requirements of a local bill, the bill shall be available for the calendar on local bills notwithstanding Rule 4.3(5).

4.7—Reference to more than one committee; effect

(1) In case of multiple reference of a bill, it shall be considered by each committee separately in the order in which the multiple reference is made. However, if any committee to which the bill is referred makes an unfavorable report on said bill, that report shall be filed with the Senate and no further consideration given by other committees except by a two-thirds (2/3) vote of those Senators present.

(2) If a committee reports a bill favorably with committee substitute or with any amendment which substantially amends the bill, the President may change or correct the reference of the reported bill. This Rule does not apply to a bill reported by a subcommittee unless the bill has been withdrawn from the standing committee. Notice shall be given to the Secretary ~~of the Senate~~ and the introducer of the bill. ~~Other committee consideration shall be directed to the reported bill and not to the original.~~

4.8—Review and reference of bills affecting appropriations, revenue, retirement, or county or municipal spending

All bills authorizing or substantially affecting appropriations or tax revenue shall be reviewed by the appropriate revenue or appropriations committee. All bills substantially affecting a state-funded or state-administered retirement system shall be reviewed by the Governmental Oversight and Accountability Committee on Governmental Oversight and Accountability. All bills which are affected by the provisions of Article VII, Section 18 of the *State Constitution* shall be reviewed by the Community Affairs Committee on Community Affairs. A bill that is amended to substantially affect appropriations or tax revenue, a state retirement program, or expenditures or revenues as set forth in Article VII, Section 18 of the *State Constitution* may, before being placed before the Senate for final passage, be referred by the President along with all amendments to the appropriate revenue or appropriations committee.

4.81—Claim bills

(1) Claim bills are of two (2) types: excess judgment claims filed pursuant to section 768.28(5), *Florida Statutes*, and equitable claims filed without an underlying excess judgment.

(2) All claim bills shall be filed with the Secretary ~~of the Senate~~ on or before August 1 in order to be considered by the Senate during the next regular session, except that Senators members elected to the Senate during a general election or a special general election may have sixty-two (62) sixty (60) days from the date of that election to file a claim bill ~~bill(s)~~. Senators currently serving who are re-elected during a general election are not subject to the immediately preceding provision relating to sixty-two (62) sixty (60) days. A motion to introduce a claim bill notwithstanding the claim bill filing deadline, shall be referred to the Rules Committee on Rules for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. A House claim bill which does not have a Senate companion claim bill timely filed under this Rule shall not be considered by the Senate. Any motion to consider a House claim bill which does not have a timely-filed Senate companion bill shall be referred to the Rules Committee on Rules for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. The determination by the Rules Committee on Rules shall be reported back to the Senate. Upon a determination by the committee that an emergency does exist, the motion may be considered by the Senate and must be adopted by a two-thirds (2/3) vote of those Senators present.

(3) If the President determines that a de novo hearing is necessary to determine liability, proximate cause, and damages, a Special Master shall conduct such hearing pursuant to reasonable notice. Discovery procedures shall be governed by the *Florida Rules of Civil Procedure* and the *Florida Evidence Code*, as applicable. The Special Master shall administer an oath to all witnesses, accept relevant documentary and tangible evidence properly offered, record the proceedings, and prepare a final report containing findings of fact, conclusions of law, and recommendations. The report shall be signed by the Special Master who shall be available, in person, to explain his or her report to the committees and to the Senate.

(4) All claim bills shall be referred by the President to one (1) or more committees for review. On receipt of the Special Master's report and recommendations, if any, the Secretary shall, upon the President's reference, deliver each claim bill with the report attached, to the committee or committees of reference.

(5) Stipulations entered into by the parties are not binding on the Special Master, the Senate, or its committees.

(6) The hearing and consideration of a claim bill shall be held in abeyance until all available administrative and judicial remedies have been exhausted; except that the hearing and consideration of a claim that is still within the judicial or administrative systems may proceed where the parties have executed a written settlement agreement. This subsection does not apply to a bill which relates to a claim of wrongful incarceration.

4.9—Reference of resolutions

All resolutions shall be referred by the President to a standing committee, except resolutions on Senate organization, resolutions of condolence and commemoration that are of a statewide nonpolitical significance, or concurrent resolutions recalling a bill from the Governor's office, setting Joint Rules of the Legislature, extending a session of the Legislature, or setting an effective date for a bill passed over the Governor's veto. These may be considered on motion and adopted at time of introduction without reference, except that resolutions of condolence or commemoration that are of a statewide nonpolitical significance; may be shown as introduced, read, and adopted by publication in full in the Journal. A joint resolution setting an effective date for a bill passed over the Governor's veto may be considered on motion and introduced without reference.

4.10—Reference to different committee or removal

When the President has referred a bill, the ~~Rules Chair of a policy and steering committee~~ may move for reference to a different committee or for removal from any committee ~~within that policy and steering committee's grouping~~ after the introducer of the bill has filed a request with the Rules Chair signed by the chair of the affected committee, the ~~Rules Chair of that policy and steering committee~~, and the President. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

4.11—Papers of miscellaneous nature

Papers of a miscellaneous nature addressed to the Senate may, at the discretion of the President, be read, noted in the Journal, or filed with an appropriate committee. When there is a demand to read a paper other than one on which the Senate is called to give a final vote and the same is objected to by any Senator, it shall be determined by a majority vote of those Senators present.

4.12—Reading of bills and joint resolutions

Each bill or joint resolution shall receive three (3) separate readings on three (3) separate days previous to a vote on final passage unless decided otherwise by a two-thirds (2/3) vote of those Senators present as provided in Article III, Section 7 of the *State Constitution*.

4.13—Reading of concurrent resolutions and memorials

(1) Each concurrent resolution or memorial shall receive two (2) separate readings by title on two (2) separate days previous to a voice vote on adoption, unless decided otherwise by a two-thirds (2/3) vote of those Senators present. ~~If the reading on the second (2nd) day is dispensed with by this waiver, the concurrent resolution or memorial may be read the second (2nd) time by title only.~~

(2) Concurrent resolutions used to recall a bill from the Governor's office, ~~used to~~ adopt Joint Rules of the Legislature, ~~used to~~ extend a session of the Legislature, or ~~to~~ set an effective date for a bill passed over the Governor's veto are exempt from the provisions of this Rule and may be introduced, read the first and second time, and adopted on the same day.

4.14—Reading of Senate resolutions

On introduction each Senate resolution shall be read two (2) times by title only ~~and shall be read an additional time in full~~ before the question is put on adoption by voice vote, except that resolutions of condolence or commemoration that are of a statewide nonpolitical significance may be shown as introduced, read, and adopted by publication in full in the Journal.

4.15—Referral or postponement on third (3rd) reading

On the third (3rd) reading of a bill or joint resolution, it shall not be referred or committed (except as provided under Rule 4.8) or amended (except a corrective or title amendment) except by a two-thirds (2/3) vote of those Senators present, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those Senators present.

4.16—Consideration out of regular order

A bill shall be considered out of regular order on the calendar on unanimous consent of those Senators present obtained in the following manner: Prior to the consideration of the motion, the Senator moving for unanimous consent of those Senators present shall orally give the membership not fewer less than fifteen (15) minutes' notice of his or her intention to move and shall specify the number of the bill and its position on the calendar. On entertainment of the motion, the moving Senator shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those Senators present shall be given or refused without further debate.

4.17—Special Order Calendar; Consent Calendar

(1) Commencing fifteen (15) days prior to a regular session of the Legislature permitted under the *State Constitution*; and continuing through any extension permitted under the *State Constitution*, a Calendar Group, consisting of the Rules Chair, Rules Vice Chair, Majority Leader, Minority Leader, two (2) members of the Rules Committee designated by the President, and one (1) member of the Rules Committee designated by the Minority Leader, shall submit a Special Order Calendar determining the list of bills for consideration by the Senate. The President shall determine the order of such bills on the Special Order Calendar, each policy and steering committee shall be responsible for submitting a Special Order Calendar for the bills within its purview. These bills shall be defined as those which were first referred to a committee within that policy and steering committee's grouping; however, the President may designate a different policy and steering committee at the time of initial reference.

~~(2) A Special Order Calendar for consideration during each of the last ten (10) days of a regular session or any extension directed by the membership of the Legislature as permitted under the *State Constitution*, may be submitted by the President Pro Tempore, the Minority Leader, and the Chair of the Policy and Steering Committee on Ways and Means.~~

~~(2)(3)~~ Except for a Special Order Calendar submitted for the first (1st) or second (2nd) day of a regular session, each Special Order Calendar shall be for the second (2nd) succeeding legislative day on which the Senate meets, and this calendar may include bills that had been scheduled for Special Order on the previous legislative day. No other bills shall be considered until this Special Order Calendar has been completed by the Senate, except that any bill appearing on this calendar may be stricken by a two-thirds (2/3) vote of those Senators present or any bill appearing on the ~~general~~ calendar of bills on second (2nd) ~~or third (3rd)~~ reading may be added to the end of the Special Order Calendar by the same vote. All bills set as Special Order for consideration at the same hour shall take precedence in the order in which they were given preference.

~~(3)(4)~~ A two-thirds (2/3) vote of those Senators present shall be required to establish a Special Order except as provided in this Rule. Notice of date, time, and place for the establishment of the Special Order Calendars shall be published in a Senate calendar; provided, during the last ten (10) days of each regular session notice of date, time, and place may be given by announcement from the floor.

~~(4)(5)~~ The ~~Rules Chair of the Committee on Rules~~, with the approval of the President, may submit a Consent Calendar, to be held in conjunction with the Special Order Calendars. When such a day is designated, all bills appearing on the Consent Calendar shall be considered in their order of appearance. Amendments shall be limited to accompanying committee amendments, noncontroversial and technical amendments, and amendments required to conform a House companion bill to the Senate bill. However, if an objection by any ~~Senator member~~ shall cause such bill to be temporarily postponed, it retains its order on the regular calendar. All Consent Calendar bills must have appeared on the printed Senate calendar.

4.18—Local Bill Calendar

Local bills shall be disposed of according to the calendar of bills of a local nature and shall be considered only at such time as determined by the ~~Rules Chair of the Committee on Rules~~ and approved by the President. Any member of the delegation for the local area affected by a bill

on the Local Bill Calendar may request that the bill be removed from such calendar.

4.19—Order after second (2nd) reading

The order of disposition of a Senate bill that has been read the second (2nd) time and amended shall be its reference to the engrossing clerk to be engrossed after all questions relative to it while on second (2nd) reading have been disposed of, and the same shall be immediately engrossed and placed on the calendar of bills on third (3rd) reading to be considered on a ~~some~~ succeeding legislative day. No bill shall be committed to the engrossing clerk or placed on the calendar of bills on third (3rd) reading unless all motions relative to it and placed, by the President, before the Senate have been disposed of. Amendments filed with the Secretary, the adoption of which have not been formally moved, shall not be construed to be pending so as to deter such advancement. A bill shall be available for its third (3rd) reading when it has been read a second (2nd) time on a previous day and no motion left pending. Bills calendared for second (2nd) or third (3rd) reading shall not be considered on such reading until reached on the calendar and appropriately read to the Senate ~~as directed by pursuant to order of~~ the President.

4.20—Enrolling

The Secretary ~~of the Senate~~ shall be responsible for the enrolling of all bills. After enrollment, all bills shall be signed by the President and the Secretary and the enrolling report shall be published in the Journal.

4.21—Veto messages

As required by Article III, Section 8 of the *State Constitution*, if the originating house votes to re-enact a vetoed measure, whether in a regular or special session, and the other house does not consider or fails to re-enact the vetoed measure, no further consideration by either house at any subsequent session may be taken. If a vetoed measure is presented at a special session and the originating house does not consider it, the measure will be available for consideration at any intervening special session and until the end of the next regular session. All veto messages shall be referred to the Rules Committee ~~on Rules~~.

RULE FIVE

VOTING

5.1—Taking the yeas and nays

The President shall declare all votes, but, if five (5) Senators immediately question a voice vote by a show of hands, the President shall take the vote by yeas and nays or electronic roll call. When taking yeas and nays on any question, the electronic roll call system may be used and shall have the force and effect of a roll call taken as provided in these Rules. Also, this system may be used to determine the presence of a quorum. When the Senate is ready to vote on a question requiring roll call and the vote is by electronic roll call, the President shall state: "The Secretary will unlock the board machine and Senators prepare to vote." When sufficient time has elapsed for each Senator to vote, the President shall say: "Have all voted?" And, after a short pause, shall state: "The Secretary shall now lock the board machine and record the vote." When the vote is completely recorded, the President shall announce the result to the Senate; and the Secretary shall enter in the Journal the result. When the Senate is equally divided, the question shall be lost.

5.2—Change of vote

(1) After the result of the vote has been announced by the President, a Senator with unanimous consent of those Senators present may change his or her vote or vote on the ~~matter measure~~ except that no such change of vote or vote shall be valid where such vote would alter the final passage of the ~~matter measure~~ until the ~~matter measure~~ shall first have been recalled to the Senate for further consideration. Records of such requests shall be available at the Secretary's desk through the session. If no objections are raised before the close of the business that day, requests will be accepted.

(2) The original roll call shall not be altered, but late votes and change of votes shall be recorded under the original roll call in the Journal. On request of a Senator before considering other business, the President shall order a verification of a vote.

(3) A Senator who was not present for a daily session of the Senate or who was present but did not provide a vote record to the Secretary before the close of business that day, may provide to the Secretary an indication of vote preference. This indication shall be included in a dedicated section of the next Journal published after the Secretary receives the indication. An indication of vote preference will not be accepted if the indication would have, if recorded, altered the vote.

5.3—Casting vote for another

No Senator shall cast a vote for another Senator unless the Senator is present in the Chamber area and requests the casting of said vote, nor shall a person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, a Senator who shall without such authorization vote or attempt to vote for another Senator may be punished as the Senate may deem proper. Also, a person not a Senator who shall vote in the place of a Senator shall be excluded from the Chamber for the remainder of the session.

5.4—Pairing

(1) Pairing, a type of absentee voting by which a Senator who is excused from attendance agrees with a Senator who would have voted opposite the excused Senator, shall be permitted.

(2) The Senator in attendance shall not vote in the electronic roll call.

(3) The pair vote form prescribed by the Secretary shall be used and shall:

- (a) State the matter bill to which the pair applies,
- (b) Indicate how both Senators would have voted,
- (c) Be filed with the Secretary and announced prior to the vote, and
- (d) Be recorded in the Journal.

5.5—Explanation of vote

No Senator shall be permitted to explain his or her vote during a roll call but may submit his or her explanation in writing and file it with the Secretary. This explanation shall be entered in the Journal.

5.6—Election by ballot

In all cases of ballot, a majority of the votes cast shall be necessary to an election. If, however, no one is elected on the first three (3) ballots, the names after the top two (2) in number of votes received on the third (3rd) tally shall be dropped, and the Senate shall ballot on the two (2) names remaining.

RULE SIX

MOTIONS AND PRECEDENCE

6.1—Motions; how made, withdrawn

Every motion may be made orally. On request of the President, a Senator shall submit his or her motion in writing. After a motion has been stated or read by the President, it shall be deemed to be in possession of the Senate and, without a second, shall be disposed of by vote of the Senate. The mover may withdraw a motion, except a motion to reconsider, as hereinafter provided, at any time before the same has been amended or before the vote shall have commenced.

6.2—Motions; precedence

(1) When a question is under debate, the President shall receive no motion except:

- (a) To adjourn
 1. Instantly
 2. At a time certain
- (b) Recess to a later day
- (c)(b) Questions of privilege
- (d)(e) To take a recess
- (e)(d) To proceed to the consideration of executive business
- (f)(e) To reconsider
- (g)(f) To limit debate
- (h)(g) To temporarily postpone
- (i)(h) To postpone to a day certain

- (i) To commit to the Committee of the Whole
- (k) To commit to a standing committee
- (l) To commit to a select committee
- (m) To amend
- (n) To postpone indefinitely

which shall have precedence in the descending order given. A motion to discharge Senate conferees and to appoint or instruct said conferees as set forth in Rule 2.19 is a motion of the highest privilege and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege.

(2) The President shall ~~present~~ ~~propound~~ all questions in the order in which they are moved unless the subsequent motion is ~~be~~ previous in nature.

(3) When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) substitute shall be considered and the substitute shall be in the same order of precedence.

6.3—Division of question

A Senator may ~~move~~ ~~call~~ for a division of a question when the sense will admit of it. A motion to delete and insert shall be deemed indivisible; a motion to delete, being lost, shall neither preclude amendment nor a motion to delete and insert.

6.4—Reconsideration generally

(1) When a main question (the vote on passage of a measure, including a vote on a veto message, confirmation of executive appointments, removal or suspension from office) has been decided by the Senate, a Senator voting with the prevailing side may move for reconsideration of the question on the same or the next legislative day on which the Senate meets.

- (a) If the question has been decided by voice vote, any Senator may so move.
- (b) When a majority of those Senators present vote in the affirmative on the question but the proposition be lost because it is one in which the concurrence of more than a majority of those Senators present is necessary for adoption or passage, any Senator may move for reconsideration.

(2) Such motion may be made ~~prior to or~~ pending a motion to recess to a later day or adjourn ~~or if it is time to adjourn~~.

- (a) Consideration of a motion to reconsider shall be a special and continuing order of business for the Senate when it next meets on a legislative day succeeding that on which the motion was made and, unless considered on said day, shall be considered abandoned. If the Senate shall refuse to reconsider or, on reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except on unanimous consent of those Senators present.
- (b) During the last five (5) days of a regular session, a motion to reconsider shall be made and considered on the same day.

6.5—Reconsideration; vote required

The affirmative votes of a majority of those Senators present shall be required to adopt a motion to reconsider.

6.6—Reconsideration; debate

Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. When the question is debatable, no Senator shall speak thereon more than once nor longer than five (5) minutes.

6.7—Reconsideration; collateral matters and procedural motions

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the Senate has passed to other business. Reconsideration of a procedural motion shall be considered on the same day on which it is made.

6.8—Reconsideration; Secretary to hold for period

The Secretary shall hold all bills for the period after passage during which reconsideration may be moved. The adoption of any motion to waive the Rules by a two-thirds (2/3) vote of those Senators present and immediately certify any bill to the House shall be construed as releasing the measure from the Secretary's possession for the period of reconsideration and shall, thereafter, preclude reconsideration. During the last five (5) calendar days allowed under the *State Constitution* for a regular session and during any extensions thereof, or during any special session, the bills shall be immediately transmitted to the House. Messages relating to Senate action on House amendments or to conference committee reports shall be transmitted forthwith.

6.9—Motion to indefinitely postpone

The adoption of a motion to indefinitely postpone a measure shall dispose of it for the duration of the legislative session and all extensions thereof. A motion to postpone consideration to a time beyond the last day allowed under the *State Constitution* for the current legislative session shall be construed as a motion to indefinitely postpone. Motions to indefinitely postpone shall not be applicable to collateral matters.

6.10—Committee substitute; withdrawn

Once a bill has been reported as a committee substitute, it may be withdrawn from further consideration only by motion of the introducer and unanimous consent of the Senate.

RULE SEVEN

AMENDMENTS

7.1—General form; notice; manner of consideration

(1) No amendment to a bill on any Senate calendar shall be considered by the Senate unless the amendment was prepared in proper form and filed with the Secretary ~~of the Senate~~ no later than 5:00 p.m. the day prior to the day that session was called to order. Copies of such amendments shall be made reasonably available by the Secretary ~~of the Senate~~ before the session, upon request, to the Senators members and to the public. The consideration of all amendments not timely filed in accordance with this rule, requires a two-thirds (2/3) vote of those Senators present.

(2) Amendments shall be filed with the Secretary on forms prescribed by the Secretary but shall be considered only after sponsors gain recognition from the President to move their adoption, except that the chair of the committee (or, in the chair's absence, the vice chair or any member thereof) reporting the measure under consideration shall have preference for the presentation of committee amendments. An amendment shall be deemed pending only after its sponsor has been recognized by the President and has moved its adoption. Amendments that have been filed with the Secretary ~~of the Senate~~ but have not been formally moved for adoption shall not be deemed to be pending.

(3) No proposition on a subject different from that under consideration shall be admitted in the form under color of an amendment. The following bills are out of order and shall not be admitted or considered in the form under color of an amendment to a bill on the calendar and under consideration by the Senate:

- (a) Bills which have received an unfavorable committee report.
- (b) Bills which have been withdrawn from further consideration by the introducer.
- (c) Bills the substance of which have not been reported favorably by all committees of reference.
- (d) Bills which have not been published at least one (1) legislative day under Bills on Second Reading in the Senate calendar.

Amendments covered by this Rule shall be substantially the same and identical as to specific intent and purpose as the measure residing in the committee or committees of reference.

7.2—Adoption

(1) On second (2nd) reading, amendments may be adopted by a majority vote of those Senators present.

(2) On third (3rd) reading, amendments and amendments to amendments, including substitute amendments and amendments to the substitute, shall be adopted by a two-thirds (2/3) vote of those Senators present. Amendments to the title or corrective amendments may be decided, without debate, by a majority vote of those Senators present on third (3rd) reading.

7.3—Sequence of amendments to amendments

(1) An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:

- (a) Amendments to the amendment are acted on before the substitute is taken up. Only one (1) amendment to the amendment is in order.
- (b) Amendments to the substitute are next voted on.
- (c) The substitute then is voted on.

(2) The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

(3) The following amendments are out of order:

- (a) A substitute amendment for an amendment to an amendment.
- (b) A substitute amendment for an amendment to a substitute.

7.4—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause of a bill, or the resolving clause of a resolution, and insert new language matter of the same general subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

7.5—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The President, in recognizing Senators for the purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the entire bill shall be open for amendment.

7.6—Printing in Journal

All amendments taken up by the Senate unless withdrawn shall be printed in the Journal except that an amendment to the general appropriations bill constituting an entirely new bill shall not be printed until the filing of the conference committee report. All item amendments to the general appropriations bill shall be printed.

7.7—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill. If a House bill is amended, the same shall be noted by the Secretary on the jacket before it is transmitted reported to the House.

7.8—House amendments to Senate bills

(1) After the reading of a House amendment to a Senate bill, the Senate may:

- (a) Amend the House amendment,
- (b) Concur in the House amendment,
- (c) Refuse to concur in the House amendment and ask the House to recede, or
- (d) Request a conference committee.

(2) The adoption of any of the foregoing motions shall be by majority vote of those Senators present.

7.9—House refusal to concur in Senate amendment

(1) If the House shall refuse to concur in a Senate amendment to a House bill, the Senate may:

- (a) Recede,

- (b) Insist that the House concur and request a conference committee, or
- (c) Insist that the House concur.

(2) The adoption of any of the foregoing motions shall be by majority vote of those Senators present.

RULE EIGHT

DECORUM AND DEBATE

8.1—Decorum and debate

When a Senator desires to speak or present deliver a matter to the Senate, the Senator shall rise at his or her seat and address himself or herself to “Mr. or Madam President;” and, on being recognized, may address the Senate from his or her desk or from the well of the Senate, and shall confine any remarks to the question under debate, avoiding personality. A Senator shall not address or refer to another Senator by his or her first name. A Senator shall use the appellation of “Senator” or such appellation and the district number of the Senator being addressed, or a Senator may also use such appellation and the surname of the Senator referred to or addressed.

8.2—Presiding officer’s power of recognition

When two (2) or more Senators rise at once, the presiding officer shall recognize name the Senator who is to speak first ~~to be recognized~~.

8.3—Interruptions; when allowed

(1) No Senator shall be interrupted by another without the consent of the Senator who has the floor, except by:

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the presiding officer concerning a point of order (if the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The presiding officer shall strictly enforce this Rule.

8.4—Senator speaking, rights

(1) When a Senator is speaking and another Senator interrupts to request recognition, the presiding officer may permit the person rising to state why he or she desires the floor. If the question the Senator desires to raise is entitled to precedence, the Senator originally speaking shall relinquish the floor until the question having precedence is disposed of. The Senator then is entitled to resume the floor.

(2) The Senator making a debatable motion or the introducer of a bill shall have five (5) minutes in order to close debate.

8.5—Limit on speaking

No Senator shall speak longer than thirty (30) minutes without yielding the floor, except by consent of a majority of those Senators present.

8.6—Limitation on debate

When a matter measure is under debate by the Senate, a Senator may move to limit debate, and such motion shall be decided without debate, except the introducer of the matter of the measure shall have five (5) minutes to discuss said motion. If, by a two-thirds (2/3) vote of those Senators present, the question is decided in the affirmative, debate shall be limited accordingly.

8.7—Points of order, parliamentary inquiry, definitions

A point of order is the parliamentary device that is used to require a deliberative body to observe its own rules and to follow established parliamentary practice. A parliamentary inquiry is the device for obtaining a predetermination of a rule or a clarification thereof and may be presented in hypothetical form.

8.8—Questioning decision not to abstain

A point of order questioning the decision of a Senator not to abstain from voting on account of a conflict of interest may be raised after the vote has been recorded and before the result is announced.

8.9—Appeals

Taking exception to a ruling of a presiding officer shall be by appeal. An appeal from a decision of the presiding officer must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; and, if the determination of the appeal is dependent on this point, it may be decided by the presiding officer. This second (2nd) decision is also subject to appeal.

8.10—Appeals, debatable

An appeal from a decision of the presiding officer on a point of order is debatable even though the question from which it arose was not debatable.

8.11—Questions of privilege

- (1) Questions of privilege shall be:
 - (a) Those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; and
 - (b) The rights, reputation, and conduct of Senators individually, in their representative capacity only.
- (2) These shall have precedence over all other questions except motions to ~~recess to a later day or adjourn. The question shall not be recognized during the debate on a bill.~~ A question of privilege affecting either house collectively takes precedence over a question of privilege affecting an individual Senator member.

RULE NINE

LOBBYING

9.1—Those required to register

All persons (except those specifically exempted) who seek to encourage the passage, defeat, or modification of legislation in the Senate or before its committees shall, before engaging in such activity, register as prescribed by law and the Joint Rules of the Florida Legislature.

9.2—Obligations of lobbyist

- (1) A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he or she openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.
- (2) A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his or her relationship with legislators.
- (3) A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

9.3—Lobbyists' requirements

A lobbyist shall adhere to the statutory requirements for lobbyists provided by law and the Joint Rules.

9.35—Contributions during sessions

During a regular legislative session, and during an extended or special session as further provided for in Rule 1.361(2), a lobbyist may not directly or indirectly contribute to a Senator's own campaign, or to any organization that is registered, or should have been registered, with the Rules Committee on Rules pursuant to Rule 1.361(3).

9.4—Advisory opinions

(1) A lobbyist, when in doubt about the applicability and interpretation of Rule Nine (9) in a particular context, may submit in writing a statement of the facts involved to the Rules Committee on Rules and may appear in person before said committee.

(2) The Rules Committee on Rules may render advisory opinions to any lobbyist who seeks advice as to whether or not the facts in a particular case will constitute a violation of these Rules. All opinions shall delete names and be numbered, dated, and published in the Journal of the Senate.

9.5—Compilation of opinions

The Secretary of the ~~Senate~~ shall keep a compilation of all advisory opinions of the Rules Committee on Rules.

9.6—Violations; investigations, penalties

(1) Any person may file a sworn complaint with the Rules Chair of the Committee on Rules alleging a violation of the Rules regulating the conduct and ethics of lobbyists. The complaint shall be based on personal knowledge, shall state detailed facts, shall specify the actions of the named lobbyist which form the basis for the complaint, and shall identify the specific Rule(s) alleged by the complainant to have been violated by the lobbyist. Upon a determination by the Rules Chair of the Committee on Rules that the complaint states facts supporting a finding of probable cause, the complaint shall be referred to a special master. Upon a determination by the chair that the complaint fails to state facts supporting a finding of probable cause, the complaint shall be dismissed. The special master shall conduct an investigation, shall give reasonable notice to the lobbyist who is alleged to have violated the Rules and shall grant the lobbyist an opportunity to be heard unless the investigation fails to reveal facts supporting a finding of probable cause. A special master's report and recommendation is advisory only and shall be presented to the chair as soon as practicable after the close of the investigation. If the special master's report and recommendation conclude that the facts do not support a finding of probable cause, the complaint shall be dismissed by the Rules Chair. If the complaint is not dismissed, the Rules Committee on Rules shall consider the special master's report and recommendation, shall grant the lobbyist an opportunity to be heard, and shall develop its own recommendation. If the Rules Committee on Rules votes to dismiss the complaint, the Rules Chair shall dismiss the complaint. Otherwise, the special master's report and recommendation and the recommendation of the Rules Committee on Rules shall be presented to the President. The President shall present the committee's recommendation, along with the special master's report and recommendation, to the Senate for final action.

(2) Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the requirements of this Rule shall be censured, reprimanded, placed on probation, or prohibited from lobbying for the duration of the session and from appearing before any Senate committee of the Senate. Such determination shall be made by a majority vote of the Senate, on recommendation of the Rules Committee on Rules.

9.7—Committees to be diligent

Committees shall be diligent to ascertain whether those who appear before them, in other than an obviously individual capacity, have conformed with the requirements of Rule Nine (9), the Joint Rules, and the *Laws of Florida*, and shall report violations. No committee member shall knowingly permit an unregistered lobbyist to be heard.

9.8—Lobbyist expenditures and compensation

Chapter 2005-359, *Laws of Florida*, amends existing provisions of the law relating to legislative lobbying at the state level in Florida and adds new and substantial obligations, prohibitions, and requirements.

This Rule provides assistance to persons seeking to comply with the letter and spirit of the new law as it applies in the legislative context by refining the law and providing Interim Lobbying Guidelines and answers to 25 Frequently Asked Questions. It also is intended to provide guidance to the legislative committees that will participate in enforcing the new law.

Part One of the Guidelines refines and applies the new prohibition, with ten clearly-stated exceptions, so that ~~Senators members~~ and ~~Senate employees of the Senate~~ can no longer directly or indirectly take any “expenditure” from a lobbyist or principal in either the public or private sector.

Part Two of the Guidelines refines and applies the underlying core requirement that “lobbying firms” must publicly disclose the compensation they receive for lobbying activities, and does so in a way that is narrowly-tailored, furthers the state’s compelling governmental interest in regulating legislative lobbying at the state level, and employs the least intrusive means available to do so.

This Rule sets out general principles. Outcomes depend heavily on underlying fact patterns that can vary greatly from case to case. Full disclosure of the operative facts must be provided and considered before a proper and correct answer can be derived.

A ~~Senator member of the Senate~~ may request an informal advisory opinion from the Senate General Counsel regarding the application of the new law and this Rule to a specific situation, on which the legislator may reasonably rely.

The houses of the Legislature are responsible for the administration and enforcement of the legislative lobbying portions of the new law. The legislative lobbying expenditure prohibitions are not part of the Florida Code of Ethics for Public Officers and Employees. Neither the Florida Commission on Ethics nor the Florida courts have jurisdiction to interpret these internal matters of the Legislature.

Part One—Expenditures

(1) General Guidelines

a) The Expenditure Prohibition

The new law contains a prohibition against lobbyists and principals making direct or *indirect* lobbying expenditures for legislators and legislative employees. It provides:

[N]o lobbyist or principal shall make, directly or indirectly, and no member or employee of the Legislature shall knowingly accept, directly or indirectly, any *expenditure*... (emphasis added).

The new expenditure prohibition applies only to expenditures made by lobbyists and principals. It applies whether or not the lobbyist, principal, legislator, or legislative employee is in Florida. Florida’s gift law, section 112.3148, *Florida Statutes*, continues to apply to gifts to legislators and legislative employees from others.

Example: A legislator may accept a subscription to a newspaper or periodical that is neither published by, nor paid for, nor provided by a lobbyist or a principal.

Example: A legislator may not accept a free health screening or other personal service provided on behalf of an association that is a principal.

Example: A legislator may, as either a member or an invited guest, participate in meetings of, and partake of the food and beverage provided by a civic organization if the organization is not a principal.

The practical effect of this law is to prohibit expenditures for attempting to obtain the goodwill of a member or employee of the Legislature, and it is not designed to prohibit expenditures made in attempting to influence legislative action or non-action through oral or written communication.

b) Definitions

“*Expenditure*” is defined, essentially, as anything of value made by a lobbyist or principal *for the purpose of lobbying*.

“*Lobbying*,” in turn, means: (1) influencing or attempting to influence legislative action through oral or written communication (“active lobbying”); or, (2) attempting to obtain the *goodwill* of a member or employee of the Legislature (“goodwill”).

“*Goodwill expenditure*” is a gift, an entertainment, any food or beverage, lodging, travel, or any other item or service of personal benefit to a legislator or legislative employee.

Goodwill expenditures include contributions or donations from a lobbyist or a principal to a charitable organization that is, directly or indirectly, established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof.

A “*lobbyist*” is a person who is employed and receives a payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity.

“*Personal benefit*” means a profit or gain pertaining to, directed toward, or affecting a person.

A “*principal*” means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; *the individual members of the association are not principals merely because of their membership in the association*.

c) Honorarium-related Expenses

It is no longer permissible to accept from a lobbyist or principal, directly or indirectly, payment or reimbursement of expenses for travel, food, lodging, or beverage, related to speaking engagements or other honorarium-type events.

d) Indirect Expenditures

An indirect expenditure is an expenditure that is not made directly to a legislator or legislative employee, but is made to another with the purpose that the expenditure be used for the personal benefit of a legislator or legislative employee.

The new expenditure prohibition *expressly* prohibits any lobbyist or principal from directing prohibited lobbying expenditures through a surrogate or through any person who by his or her actions or activities is obligated to register as a lobbyist but has failed to do so. Third party intermediaries, such as employees, members of associations and others, cannot be used to make prohibited expenditures.

Where an item or service (anything of value) is provided to a person *other* than a legislator or legislative employee by a lobbyist or principal and the item or service or the benefit attributable to the item or service ultimately is received by the legislator or employee, and where the item or service is provided with the intent to benefit the legislator or employee, such item or service constitutes a prohibited indirect expenditure to the legislator or employee.

Factors to be considered in determining whether a prohibited indirect expenditure has been made are set out on the following page in the joint functionality test:

TEST FOR DETERMINING LEGALITY OF AN INDIRECT EXPENDITURE

(1) The existence or nonexistence of communications by the lobbyist or principal indicating the lobbyist’s or principal’s intent to make or convey the item or service, or a personal benefit attributable to the item or service, to a legislator or employee rather than to the intervening third person;

(2) The existence or nonexistence of communications by the intervening third person indicating the intent to make or convey the lobbyist’s or principal’s item or service, or a personal benefit attributable to the item or service, to a legislator or employee rather than to the third person;

(3) The existence or nonexistence of any relationship between the lobbyist or principal and the third person, independent of the relationship between the lobbyist or principal and a legislator or employee, that would motivate the transfer to the third person;

(4) The existence or nonexistence of any relationship between the third person and a legislator or employee that would motivate the transfer;

(5) Whether the same or similar items or services have been or are being provided to other persons having the same relationship to the lobbyist or principal as the third person;

(6) Whether, under the circumstances, the third person had full and independent decision-making authority to determine whether a legislator or employee, or another, would receive the items or services, or a personal benefit attributable to the items or services;

(7) Whether the third person was acting with the knowledge or consent of, or under the direction of, the lobbyist or principal;

(8) Whether there were payments or the intention for any payments or bookkeeping transactions between the third person and the lobbyist or principal, reimbursing the third person for the items or services;

(9) The degree of ownership or control the lobbyist or principal had over the third person; and,

(10) Whether a lobbyist or principal knew, or should have known, that an item or service provided to a third-party would be used to provide a personal benefit to a legislator or employee, such as for the funding of a legislative reception or an event to be attended by legislators or employees.

The following examples illustrate some of the applications of the foregoing indirect expenditure criteria:

Example 1: A law firm which lobbies the Legislature invites all of its attorneys to attend a weekend retreat. The attorneys are encouraged to bring their spouses or significant others at the firm's expense. Legislator C is married to an attorney in the firm and has been asked by her spouse to attend the retreat. The lodging provided to Legislator C for the retreat, food and drink, firm t-shirts, and the like would be considered a gift to her from her spouse and thus not a prohibited indirect expenditure, because the firm's invitation was extended to Legislator C's spouse by virtue of his employment with the firm.

Example 2: Legislator D hosts a fox hunt attended by legislators and lobbyists. Lobbyists give money to a third person, who is not a legislator or a legislative employee, to pay for the food and beverages which will be served at the fox hunt. The third party orders and prepares the food and beverages. The money provided to the third person by the lobbyists would be a prohibited indirect expenditure to Legislator D, because it was given with the intent of benefiting him and his guests at the fox hunt.

Example 3: Legislator N and spouse have arranged to take a vacation trip together. A legislative lobbyist meets with Legislator N's spouse and offers to pay for the spouse's travel expenses. The lobbyist and Legislator N's spouse know each other only through the lobbyist's involvement with the legislator. This would constitute a prohibited indirect expenditure to Legislator N under the new law.

e) Equal or Greater Compensation

An expenditure is not prohibited when equal or greater value is given contemporaneously by the recipient to the donor.

Therefore, it is not an expenditure if:

1. The fair market value of the event, meeting, or other activity, including any food, beverage, transportation, lodging or any other thing of value, can readily be determined, and

2. The legislator or legislative employee pays his or her pro rata share of the total fair market value to the person or organization hosting the event contemporaneously with the time of attending or participating in the event.

Thus, if a lobbyist or principal provides \$35 worth of goods or services to a legislator or legislative employee but the legislator or legislative employee *contemporaneously* provides *equal or greater consideration*, the lobbyist or principal has not provided *anything of value*, thus, there is no "expenditure."

f) Valuation

The law is silent as to the *valuation* of goods and services. *Fair market value* is the proper and applicable standard of valuation.

The retail price of an item or service is presumed to be its fair market value so long as it is reasonable in relation to the value of the item or service and the amount is not subsidized by a lobbyist or principal.

In valuing an expenditure, you may exclude the amount of additional expenses that are regularly required as a condition precedent to the donor's eligibility to make the expenditure if the amount expended for the condition precedent is primarily intended to be for a purpose other than lobbying, and is either primarily for the benefit of the donor or is paid to a charitable organization. Initiation fees and membership fees are examples of additional expenses that are regularly required as conditions precedent for eligibility to make an expenditure. Transportation expenses incurred to bring a member to an out-of-town event are not.

Entrance fees, admission fees, or tickets are normally valued on the face value or on a daily or per event basis. The portion of a ticket attributable to a charitable contribution is not included in the value. Conversely, if the ticket is subsidized by contributions of lobbyists or principals, the pro rata subsidized amount must be attributed to the face value.

A person providing transportation in a private automobile shall be considered to be making an expenditure at the then-current statutory reimbursement rate, which is currently 29 cents per mile. The value of transportation provided in other private conveyances must be calculated on its fair market value.

g) Exceptions

1. Relatives

A relative is an individual who is related to the member or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, or step great grandchild; any person who is engaged to be married to the member or employee or who otherwise holds himself or herself out as or is generally known as the person whom the member or employee intends to marry or with whom the member or employee intends to form a household; or any other natural person having the same legal residence as the member or employee.

This definition of "relative" is taken from former Joint Rule 1.4(4)(b), and has operated historically as an exception to the presumption that things of value given to a legislator or employee by a lobbyist or principal are intended for the purpose of engendering goodwill.

Example: A legislator is permitted to accept a Christmas gift from an aunt, even if she is a lobbyist. The gift is not deemed an expenditure made for the purpose of lobbying because of the family relationship between the donor and the donee.

2. Employment-related Compensation and Benefits

Salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the recipient's employment, business, or service as an officer or director of a corporation or organization are not prohibited expenditures so long as they are given in an amount commensurate with other similarly situated employees, officers, or directors.

These sorts of expenditures are currently also excepted from the definition of a gift in section 112.312(12)(b), *Florida Statutes*, and are a necessary exception in order for many legislators to continue their employment or continue their service on boards and continue to serve in Florida's citizen Legislature.

Example: A legislator who is on the board of directors of an organization that has a lobbyist is nevertheless permitted to partake of food and beverage provided to the board members by the organization at its board meetings.

3. Political Organizations and Entities

An expenditure does not include contributions or expenditures reported pursuant to chapter 106, *Florida Statutes*, or its federal law counterpart; campaign-related personal services provided without compensation by individuals volunteering their time; any other contribution or expenditure made by a chapter 106 entity such as a candidate campaign, political committee, organization making electioneering communications, political party, or committee of continuous existence; or an entity qualified under section 501(c)(4) or section 527 of the Internal Revenue Code.

Members are cautioned that these organizations or entities may not be used as a vehicle for skirting the new lobbying expenditure law. To the extent that funds come from lobbyists or principals, one should exercise great care that the expenditures are legal and appropriate for that particular organization or entity.

4. Communications Expenses

The expenditure prohibitions in the new law do not reach expenditures made by a lobbyist or principal for items such as “media advertising,” “publications,” “communications,” and “research.”

Expenditures for researching, gathering, collating, organizing, providing, or disseminating information for the *exclusive* purpose of “active lobbying” (influencing or attempting to influence legislative action through oral or written communication) are necessary for Floridians to be able to “instruct their representatives.”

5. Office and Personal Expenses of Lobbyists and Principals

“Office expenses” and personal expenses of the lobbyist or principal for “travel,” “lodging,” and “food and beverages” as those items were defined in former Joint Rule 1.4(4)(c) are exempt from the prohibition on lobbying expenditures. This category does not include any expenses for legislators, legislative employees, or persons whose expenses would be attributed to them.

6. Government to Government Expenditures

Real property or a facility owned or operated by a state or local public agency or entity that is a lobbying principal, and transportation to, from, and at the location provided by that agency or entity may, with the prior approval of the respective state legislative presiding officer or his or her designee, be used without payment, by a member, committee, or staff of the Legislature for a public legislative purpose. Such purposes include publicly noticed legislative committee meetings and site visits to operations conducted by the public agency or entity. Allowable free uses also specifically include legislative district offices and sub-offices and the normally attendant utilities, parking, janitorial services, building maintenance, and telecommunications equipment and services common to a government building in which the office is located. Allowable free use does not extend to sports or entertainment venues; does not include food, beverages, or entertainment; and does not include free parking privileges at any location other than a district office or sub-office.

7. Free and Open Public Events

Expenditures directly associated with events that are held within the Capitol complex, out-of-doors or under temporary shelter, open to the general public, widely and publicly noticed, free to all, not ticketed, and for which equal and totally unobstructed access to the general public is provided, are not prohibited expenditures made by lobbyists or principals, or when accepted by legislators or legislative employees.

Example: Atlas County, Florida is holding Atlas Day in the plaza between the Capitol and the Historic Capitol. Lunch is served to all comers. The event was widely publicized and access to the event and the food and beverage is totally unobstructed. Legislators may partake as well.

8. Regional and National Legislative Organizations

The prohibition does not apply to expenditures made directly or indirectly by a state, regional, or national organization that promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff to members of

that organization or to officials or staff of the Legislature. This exception does not include extracurricular activities, entertainments, or items or services provided at conferences that are paid for or provided by a lobbyist or principal.

9. Monetary Value Impossible to Ascertain

The value of some items is *truly impossible* to quantify at the time of the expenditure. Expenditures for which a monetary value is not ascertainable at the time of the expenditure are not prohibited. Examples are: appearing on a news show or having a feature article about a legislator in a trade magazine or other medium, applause received by a legislator at an event, obtaining priority seating in a crowded restaurant or priority for obtaining services where there is an established queue, or the pro-rata portion of a host’s monthly or annual membership in an exclusive supper club.

10. Plaques and Certificates

The prohibition does not apply to personalized wall plaques, personalized photographs, or personalized certificates, that have no substantial inherent value other than recognizing the donee’s public, civic, charitable, or professional service.

h) Effect of Other Laws and Rules

To the extent that an expenditure is excluded or exempt from the new lobbying prohibition in section 11.045, *Florida Statutes*, it is still subject to the restrictions and requirements in other statutes: most notably, the gift law (section 112.3148, *Florida Statutes*) and the campaign finance law (chapter 106, *Florida Statutes*).

(2) Frequently Asked Questions

LEGISLATIVE EVENTS/RECEPTIONS

1. *Question: Can a county legislative delegation or delegation office sponsor an annual event in Tallahassee on public grounds or in quarters belonging to either the Senate or the House of Representatives (i.e., “Flavors of Hillsborough”)?*

ANSWER: A county legislative delegation may host an annual event in Tallahassee *provided* that no free food, beverages, or other personal benefits to a legislator or legislative employee are paid for or provided by a lobbyist or principal, either directly or indirectly.

Legislators and legislative staff may pay an amount established and published by the delegation as the per-person cost of the event, or they may “pop in” and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the delegation may make the event a free, open public event as described in Paragraph 1.g)7. above.

2. *Question: Can a legislator or legislative employee go up to the 22nd floor of the Capitol and partake of free food and drink provided by an organization hosting a luncheon or event at the Capitol?*

ANSWER: It depends. Yes, provided the organization hosting the event is not a principal *and* none of the food and beverages are paid for or provided by a lobbyist or principal. Otherwise, the legislator or legislative employee could attend the event but could not partake of the free food or beverages or they can pay the fair market value of what they consume.

3. *Question: Can “legislative days” that provide food, beverages, entertainment, and other personal benefits to legislators or legislative employees during the session and are hosted by counties, cities, universities, and others that employ a lobbyist continue?*

ANSWER: “Legislative days” and other legislative events funded by lobbyist or principal dollars may continue *provided* no free food, drink, entertainment, or other personal benefit is provided to a legislator or legislative employee, either directly or indirectly. Any such benefit would be a prohibited goodwill expenditure.

Legislators and legislative staff may pay an amount established and published by the sponsor as the per-person cost of the event, or they may “pop in” and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the sponsor may make the event a free, open public event as described in Paragraph 1.g)7. above.

4. *Question: Can a not-for-profit organization host receptions and events for legislators that provide food, beverages, entertainment, and other personal benefits to legislators or legislative employees through contributions solicited from lobbyists or principals who sponsor the reception or event?*

ANSWER: The charity may host a reception or event for legislators and legislative employees *provided* that no free food, beverages, entertainment, or other personal benefit is provided to a legislator or legislative employee from the funds of lobbyists or principals.

Legislators and legislative employees may pay an amount established and published by the sponsor as the per-person cost of the event, or they may “pop in” and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the sponsor may make the event a free, open public event as described in Paragraph 1.g)7. above.

5. *Question: Can a lobbyist or principal host an event with food, beverages, entertainment, or other personal benefit for legislators or legislative employees and collect from each legislator or legislative employee, a flat, per-person entrance fee based on the total cost to plan, produce, stage, and clean up after the event, divided by the number of persons reasonably expected to attend?*

ANSWER: Yes.

6. *Question: Each year, a few associations host legislative receptions / BBQs and invite their members as well as legislators. They usually pass out campaign funds at these events to those who support their industry. Would it now be legal to host this event if it were called a “fundraiser”? Could legislators then accept free food and beverages at the event?*

ANSWER: Senate Rule 1.361 precludes a senator, and House Rule 15.3 precludes a representative, from accepting a campaign contribution during a regular or special session, in addition to prohibiting them from accepting contributions on behalf of a section 527 or section 501(c)(4) organization, a political committee, a committee of continuous existence, a political party, or the campaign of any other senatorial candidate or candidate for representative, respectively. Thus, any fundraiser held during a regular or special session would violate the rules of each house.

Fundraisers not held during a regular or special session are outside the purview of the expenditure prohibitions in the new law. A goodwill lobbying expenditure does not include contributions or expenditures reported pursuant to chapter 106, *Florida Statutes*. However, if the facts and circumstances demonstrate that calling the event a “fundraiser” is merely an artifice for lobbyists or principals to provide free gifts, food, beverages, and other items or services of personal benefit to a legislator, not associated with influencing the results of an election, then the fundraiser would violate the expenditure prohibition of the new law. Note, also, that fundraisers remain subject to the contribution restrictions and requirements of Florida’s campaign finance law (chapter 106, *Florida Statutes*).

HONORARIA EXPENSES

7. *Question: Can a lobbyist or principal continue to pay or reimburse a legislator’s or legislative employee’s expenses for such items as food and beverages, travel, and lodging associated with an honorarium event?*

ANSWER: No.

GIFTS TO LEGISLATORS

8. *Question: Can a school child give a legislator a painting that he or she has made?*

ANSWER: Yes. The prohibition against lobbying expenditures only applies to lobbyists and principals, and those acting on their behalf.

9. *Question: Can a school student whose parent is a lobbyist or principal give a scarf that was purchased by the child’s parent to a legislator as a gift?*

ANSWER: It depends. The lobbying expenditure prohibition applies to all gifts from lobbyists or principals to legislators, directly or *indirectly*. A lobbyist or principal cannot use a third-party intermediary to circumvent the lobbying expenditure prohibition. Thus, if the facts and

circumstances demonstrate that the scarf is an indirect gift from the lobbyist or principal to the legislator, it would be prohibited.

10. *Question: Can a legislator accept rent-free office space and associated building services from a city, county, or community college in his or her district that employs or retains a lobbyist?*

ANSWER: Yes. See Paragraph 1.g)6. above for explanation and limitations.

11. *Question: Can a legislator or legislative staff accept transportation services from another governmental entity?*

ANSWER: Yes. See Paragraph 1.g)6. above for explanation and limitations.

12. *Question: Are there any value limitations on the exceptions in the new law for “floral arrangements or other celebratory items given to legislators and displayed in chambers on the opening day of a regular session”?*

ANSWER: Yes. All opening day flowers and floral arrangements are subject to the limitations and requirements of the gift law (section 112.3148, *Florida Statutes*). No other celebratory items will be allowed in either chamber on opening day of the regular session.

FOOD AND BEVERAGES/GIFTS

13. *Question: Can a legislator or legislative employee and his or her spouse have dinner with a lobbyist friend the legislator or legislative employee has known for 30 years at the lobbyist’s home, whether or not active lobbying occurs?*

ANSWER: Yes, *provided* the legislator or legislative employee contemporaneously provides the lobbyist with the pro rata share of the total fair market value of the cost of the food and beverages provided to the legislator or legislative employee and his or her spouse, either in cash or barter (i.e., bottle of wine, flowers). Otherwise, the expenditure for food and beverages would constitute a prohibited goodwill expenditure, irrespective of the extent of the legislator’s and lobbyist’s friendship.

14. *Question: Can a lobbyist or principal and legislator or legislative employee have dinner at a public restaurant?*

ANSWER: Yes, *provided* the dinner is “Dutch treat.”

15. *Question: Can a lobbyist or principal and a legislator or legislative employee have dinner “Dutch treat” at the Governor’s Club?*

ANSWER: Yes, *provided* the legislator or legislative employee pays the total cost of all food and beverage that he or she was served or consumed, or that was served to or consumed by a person whose expenditures are attributed to the legislator or legislative employee.

16. *Question: Can a lobbyist’s business partner, employee, spouse, or child, who is not a registered lobbyist, accompany the lobbyist and legislator or legislative employee to dinner and pay for all the food and beverages if the partner, employee, spouse, or child does not actively lobby?*

ANSWER: No. The lobbying expenditure prohibition applies to all food and beverages provided by lobbyists or principals to legislators or legislative employees, directly or *indirectly*. A lobbyist or principal cannot utilize a third-party intermediary to channel gifts to legislators to circumvent the lobbying expenditure prohibition.

17. *Question: If someone offers a legislator or legislative employee a drink at a bar, or any other gift or personal benefit, does the legislator or legislative employee have a duty to inquire if the donor is a lobbyist or principal?*

ANSWER: Yes. A legislator or legislative employee is liable for *knowingly* accepting an expenditure from a lobbyist or principal, or someone acting on behalf of a lobbyist or principal. “Knowingly” has many statutory definitions, including that a person: (1) has *actual knowledge* of the information; (2) acts in *deliberate ignorance* of the truth or falsity of the information; or, (3) acts in *reckless disregard* of the truth or falsity of the information. Therefore, prudence dictates that the legislator or legislative employee, at a minimum, make *reasonable inquiry*

as to the source of the proposed expenditure to determine whether it is prohibited. *Reasonableness* will turn on the facts and circumstances of each individual situation.

For example, a legislator receiving an invitation to an event to be held the next week, from an organization he or she is not familiar with would likely require that the legislator, *at a minimum*, consult the online directory of legislative principals and lobbyists, and perhaps make further inquiry if facts or circumstances come to light indicating that the organization might be making the expenditure on behalf of a lobbyist or principal. Similarly, a legislator offered a drink from someone he or she doesn't know in a Tallahassee bar or restaurant generally known to be frequented by lobbyists would probably be required, *at a minimum*, to ask whether the person is a lobbyist or principal or affiliated with a lobbyist or principal. On the other hand, a Miami legislator on personal holiday with his or her spouse at Busch Gardens in Tampa, who strikes up a friendship with a couple they don't know visiting from Colorado and who subsequently offers to pay for the legislator's and spouse's dinner probably has less of a duty to inquire whether either member of the couple is a Florida lobbyist or principal.

CHARITIES

18. *Question: Can a legislator or legislative employee raise funds from lobbyists or principals for charitable causes?*

ANSWER: Yes, *provided* the charity for which funds are sought is not directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof. Otherwise, such a contribution or donation would constitute a prohibited goodwill expenditure.

19. *Question: Can a legislator or legislative employee establish or operate a charitable foundation that relies on lobbyist or principal support?*

ANSWER: No. A legislator or legislative employee may establish or operate a charitable organization but none of the money contributed or donated to the charity may be from lobbyists or principals. Such a contribution or donation would constitute a prohibited goodwill expenditure.

20. *Question: Can a legislator or legislative employee sit on the board of a charitable organization that is not established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof? Can he or she accept free food and beverages provided by the charity and be reimbursed by the charity for expenses associated with the work of the charity (i.e., travel, lodging)?*

ANSWER: Yes. A legislator or legislative employee may sit on the board of a charitable organization that receives donations and contributions from lobbyists, and may partake of free food, beverages, and other personal benefits provided by the charity to board members in connection with their service, including reimbursement of personal expenses incurred by board members in furtherance of the charity's work. A goodwill expenditure does not include salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with a legislator's or legislative employee's employment, business, or service as an officer or director of a corporation or organization. *However*, any such salary, benefit, services, fees, commissions, gifts or expenses cannot be from funds earmarked by lobbyists or principals to the charity for such purpose and must be received only for the legislator's or legislative employee's service as a member of the board.

21. *Question: Can a legislative caucus that is established as a nonprofit group raise funds from lobbyists for its charitable causes?*

ANSWER: It depends. If the legislative caucus or the nonprofit group is directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, then the answer is no.

If the legislative caucus or the nonprofit group is not directly or indirectly established by, organized by, or operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, then the answer is yes.

22. *Question: Can a legislative caucus that is established as a nonprofit group host its own charity golf tournament funded by lobbyist or*

principal "sponsors" at a private club, where the cost of sponsorship buys an opportunity to play golf with a member of the caucus, and to make a presentation to the caucus before and after the event?

ANSWER: Yes, provided the legislative caucus or the nonprofit group is not directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, and the legislators and legislative employees pay their own golf fees and the per-person cost for food and beverage.

OTHER

23. *Question: What happens when a legislator is married to, related to, or living with a lobbyist? Can the lobbyist pay for meals, lodging, etc.?*

ANSWER: Yes, *provided* the lobbyist does not use the expenditure to actively lobby the legislator. Expenditures by "relatives" of a legislator for food, lodging, travel, and the like are specifically exempt from the definition of a goodwill expenditure.

24. *Question: Can a legislator be employed by a lobbyist or principal? Can a legislator go to the employer's retreat and partake of food and beverages?*

ANSWER: Yes. A goodwill expenditure does not include salary, benefits, services, fees, commissions, gifts, or expenses *associated primarily with a legislator's or legislative employee's employment*, business, or service as an officer or director of a corporation or organization.

25. *Question: Where a lobbyist or principal leaves a gift, such as a box of chocolates, in a legislator's office, what should the legislator do with the item?*

ANSWER: When a legislator or legislative employee receives an item that they believe violates the prohibition against accepting an expenditure from a lobbyist or principal, the item must either be sent back to the donor or delivered to the Sergeant-at-Arms for disposal.

Part Two—Compensation

(1) General Guidelines

Chapter 2005-359, *Laws of Florida*, for the first time, requires the reporting of *compensation* received by *lobbying firms* for each calendar quarter, both in the aggregate and for each individual principal. Much of the reporting is done in dollar categories; however, if compensation from a single principal is \$50,000 or more in a calendar quarter, the lobbying firm must report the specific dollar amount of the compensation, rounded to the nearest \$1,000.

A "lobbying firm" is any business entity with a lobbyist, or an individual contract lobbyist, who gets paid to lobby for a principal. It is the lobbying firm that must report, *not the individual lobbyists in the firm* (except in the case of an individual contract lobbyist, where the lobbyist also comprises the entire lobbying firm).

Reports are due no later than 45 days after the end of each calendar quarter. For 2006, compensation reports will be filed on paper forms designed by the Office of Legislative Services. Beginning with the first reporting period in 2007, compensation reports must be filed electronically using the online filing system of the Office of Legislative Services.

The new law requires the senior partner, officer, or owner of the lobbying firm to certify to the veracity and completeness of each compensation report. This requirement is designed to discourage the mischaracterization and thus omission of reportable compensation through designations such as "media fees," "consulting services," "professional services," "governmental services," and other such artifices.

For example, if a law firm were paid a lump sum for rendering multiple types of services to a client, only one of which is lobbying, then the person certifying the report is responsible for properly and reasonably allocating the portion of the total fee received for lobbying activities and for activities other than lobbying. Only the compensation received for *lobbying* activities is to be reported on the compensation form.

The Legislature will use random audits supplemented by the lobbyist disciplinary process to hold the person certifying the compensation report and the lobbying firm accountable for making a true, complete,

properly-allocated report as required by law. In addition, the certification brings every compensation report filer within the scope of potential criminal penalties in section 837.06, *Florida Statutes*, for culpable violations.

(2) Frequently Asked Questions

1. *Question: Is an in-house, salaried lobbyist for an association, a governmental entity, or a corporation that does not derive income from principals for lobbying required to report compensation?*

ANSWER: No. An association, a governmental entity, a corporation or other business entity that does not derive income from principals for lobbying, and its employee lobbyists, are not a “lobbying firm” as defined in section 11.045(1)(g), *Florida Statutes*. Only “lobbying firms” must report compensation as provided in section 11.045(3)(a), *Florida Statutes*.

2. *Question: Does the prohibition against providing compensation to an individual or business entity that is not a lobbying firm, mean that in-house lobbyists must either become a lobbying firm or cease lobbying?*

ANSWER: No. The provision in question merely clarifies that reportable “compensation” under the law must be provided to a “lobbying firm,” and not contracted or subcontracted through some “straw man” to circumvent compensation reporting requirements. The provision in question clarifies and emphasizes the statutory definition of “compensation” in section 11.045(1)(b), *Florida Statutes*, as “anything of value provided or owed to a lobbying firm.”

RULE TEN

CHAMBER OF THE SENATE

10.1—Persons entitled to admission

No person shall be admitted to the main floor of the Senate Chamber while the Senate is in session except present members of the Senate, all officers and employees of the Senate in the performance of their duties, and persons charged with messages or papers to the Senate. Also entitled to admission are the Governor or one (1) representative designated by the Governor, the Lieutenant Governor, Cabinet officers, former Governors, present and former United States Senators, present and members ~~or~~ former members of the House of Representatives of the United States and of this State, Justices of the Supreme Court, former State Senators of Florida, and persons by invitation of the President. A special section of the gallery shall be reserved for members of the families of Senators.

10.2—Exception

Except at the discretion of the President, no person entitled to admission shall be admitted if registered pursuant to Rule Nine (9). No person admitted under this rule shall engage in any lobbying activity for or against any measure under consideration in the Senate.

10.3—Admission of press by President

Members ~~Representatives~~ of the press and of radio and television stations, in performance of their duties, shall be assigned to a press section specifically set aside for them, and shall not be allowed on the Senate floor while the Senate is in session, except with the approval of the President.

10.4—Attire

All persons on the main floor of the Senate Chamber and in the gallery (with the exception of visitors in that portion of the gallery set aside for the general public) shall wear appropriate business attire at all times while the Senate is in session.

10.5—Gallery

No food or beverages shall be allowed in the gallery at any time.

RULE ELEVEN

CONSTRUCTION AND WAIVER OF RULES

11.1—Interpretation of Rules

It shall be the duty of the President, or the presiding officer for the time being, to interpret all Rules. Motions for the previous question and to lay on the table shall not be entertained.

11.2—Waiver and suspension of Rules

These Rules shall not be waived or suspended except by a two-thirds (2/3) vote of those Senators present. The motion, when made, shall be decided without debate. A motion to waive a Rule requiring unanimous consent of the Senate shall be construed to be an amendment to these Rules and shall be referred to the Rules Committee ~~on Rules~~ except by unanimous consent of those Senators present.

11.3—Changes in Rules

All proposed actions regarding the Rules and Order of Business in the Senate shall be first referred to the Rules Committee ~~on Rules~~, which shall report as soon as practicable. Consideration of such a report shall always be in order. The Rules Committee ~~on Rules~~ may originate reports and resolutions dealing with the Senate Rules and the Order of Business, and such power shall be exclusive, provided, however, that any report made pursuant to this Rule may be amended by a two-thirds (2/3) vote of those Senators present.

11.4—Majority action

Unless otherwise indicated by the Senate Rules or the *State Constitution*, all action by the Senate shall be by majority vote of those Senators present.

11.5—Uniform construction

When in the Senate Rules reference is made to “two-thirds (2/3) of those present,” “two-thirds (2/3) vote,” “two-thirds (2/3) of the Senate,” “two-thirds (2/3) of those voting,” etc., these shall all be construed to mean two-thirds (2/3) of those Senators present, except that two-thirds (2/3) of the membership of the Senate shall be required to consider additional proposed legislation in any extended session in accordance with Article III, Section 3 of the *State Constitution*.

11.6—General

When used in the Senate Rules, the following words shall, unless the text otherwise indicates, have the following respective meaning: the singular always includes the plural. Except where specifically provided or where the context indicates otherwise, the use of the word “bill,” ~~or~~ “measure,” or “matter” means a bill, joint resolution, concurrent resolution, resolution, or memorial; however, “matter” also means an amendment, an appointment, or a suspension.

RULE TWELVE

EXECUTIVE SESSIONS, APPOINTMENTS, SUSPENSIONS, AND REMOVALS

PART ONE—EXECUTIVE SESSIONS

12.1—Executive session; authority

The business of the Senate shall be transacted openly and not in executive session except under conditions pursuant to Article III, Section 4(b) of the *State Constitution*.

12.2—Executive session; purpose

Pursuant to Article III, Section 4(b) of the *State Constitution*, the Senate may resolve itself into executive session for the sole purpose of considering appointment, removal, or suspension. No one shall be in attendance except Senators, the Secretary ~~of the Senate~~, and staff as approved by the President, who shall be sworn not to disclose any executive business without consent of the Senate.

12.3—Executive session; vote required

When the Senate agrees, by a majority of those Senators present, that specified appointments, removals, or suspensions shall be considered in executive session, such shall be calendared for formal consideration by the Senate.

12.4—Work product confidentiality

All information and remarks including committee work product concerning the character and qualification, together with the vote on each appointment, removal, or suspension considered in executive session shall be kept confidential except information on which the bans of confidentiality were lifted by the Senate while in executive session.

12.5—Separate Journal

A separate Journal shall be kept of executive proceedings of the Senate, and no information regarding same shall be made public except by order of the Senate or by order of a court of competent jurisdiction.

12.6—Violation of Rule

Violation of the above Rules as to the confidentiality of the proceedings of executive sessions shall be considered by the Senate as sufficient grounds for unseating the offending Senator.

PART TWO—APPOINTMENTS, SUSPENSIONS, AND REMOVALS**12.7—Procedure**

(1) Except as otherwise herein provided, on receipt by the Senate of appointments or suspensions on which action by the Senate is required, the President shall refer each to the ~~Committee on~~ Ethics and Elections Subcommittee, other appropriate committee or committees, or to a Special Master appointed by the President. Any such committee, subcommittee, or Special Master shall make inquiry or investigation and hold hearings, as appropriate, and advise the President and the Senate with a recommendation and the necessity for deliberating the subject in executive session. Reports and findings of the committee, subcommittee, or the Special Master appointed pursuant hereto are advisory only and shall be made to the ~~Senate~~ President. The report of the committee, subcommittee, or the Special Master may be privileged and confidential. The President may order the report presented to the Senate in either open or executive session, or the President may refer it to the Rules Committee on Rules for its consideration and report. When the report is presented to the Senate in open session or received by the Rules Committee on Rules, the report shall lose its privileged and confidential character.

(2) Upon receipt of a request by the Governor or other appointing official or authority for the return of the documentation of an appointment, which appointment has not been acted upon by the Senate, the Secretary ~~of the Senate~~, upon consultation with the President, shall return the appointment documentation and the return shall be noted in the ~~Journal of the Senate~~. The appointee whose appointment was returned continues in office until the end of the next ensuing session of the Legislature or until the Senate confirms a successor, whichever occurs first.

- (a) If the appointment returned was made by the Governor, official or authority's predecessor, the appointee shall not be subject to the provisions of section 114.05(1)(e) or (f), *Florida Statutes*, during the period of withdrawal.
- (b) If the appointment returned was made by the Governor, official or authority requesting the return, for purposes of section 114.05(1)(e) and (f), *Florida Statutes*, the returned appointment shall be treated as if the Senate failed to consider the appointment.

(3) An executive suspension of a public official who is under indictment or who has pending against him or her criminal charges filed by the appropriate prosecuting officer in a court of record, or an executive suspension of a public official that is challenged in a court shall be referred to the ~~Committee on~~ Ethics and Elections Subcommittee, other appropriate committee or Special Master; however, all inquiry or investigation or hearings thereon shall be held in abeyance and the matter shall not be considered by the Senate, ~~the committee, subcommittee, or~~

~~the~~ Special Master until the pending charges have been dismissed, or until final determination of the criminal charges at the trial court level, or until the final determination of a court challenge, if any, and the exhaustion of all appellate remedies for any of the above. In a suspension case in which the criminal charge is not for the alleged commission of a felony, the committee, subcommittee, or ~~the~~ Special Master, and the Senate may proceed if the written consent of counsel for the Governor and of the suspended official is obtained.

(4) The Governor and the suspended official shall be given reasonable notice in writing of any hearing or pre-hearing conference before the committee or Special Master.

(5) The suspended official may file with the Secretary ~~of the Senate~~, no later than ten (10) days prior to the first (1st) pre-hearing conference, or no later than the date set by the committee, subcommittee, or Special Master if no pre-hearing conference is held, all written defenses or matters in avoidance of the charges contained in the suspension order.

(6) When it is advisable, the committee, subcommittee, or Special Master may request that the Governor file a bill of particulars containing a statement of further facts and circumstances supporting the suspension order. Within twenty (20) days after the receipt of such bill of particulars by the suspended officer, that officer shall file with the committee, subcommittee, or Special Master a response to the Governor's bill of particulars. Such response shall specifically admit or deny the facts or circumstances set forth in the Governor's bill of particulars, and may further make such representation of fact and circumstances or assert such further defenses as are responsive to the bill of particulars or as may bear on the matter of the suspension.

(7) The committee, subcommittee, or Special Master may provide for a pre-hearing conference with counsel for the Governor and the suspended official to narrow the issues involved in the suspension. At such conference, both the Governor and the suspended official shall set forth the names and addresses of all the witnesses they intend to call, the nature of their testimony, ~~and~~ photocopies of all documentary evidence, and a description of all physical evidence that will be relied on by the parties at the hearing. Each shall state briefly what each expects to prove by such testimony and evidence.

(8) Subject to the limitations of Rule 12.7(3), the committee, subcommittee, or Special Master shall institute action by transmitting a notice of hearing for a pre-hearing conference or a hearing on the merits within three (3) months after the effective date of the suspension order. If a suspension order is referred to the committee, subcommittee, or Special Master but is held in abeyance in accordance with Rule 12.7(3), the committee, subcommittee, or Special Master shall institute action within three (3) months after the termination of pending proceedings as described in Rule 12.7(3). The Senate may act on the recommendations of the committee, subcommittee, or Special Master at any time it is in session but shall do so no later than the end of the next regular session of the Legislature.

(9) For the purposes of Article IV, Section 7(b) of the *State Constitution*, the Senate may find that the suspended official has committed a felony notwithstanding that a court may have withheld adjudication of guilt upon which the suspension order is based in whole or in part.

(10) If the Governor files an amended suspension order, the attention of the Senate, ~~the committee, subcommittee, or the~~ Special Master shall be directed at the amended suspension order.

(11) Within sixty (60) days after the Senate has completed final action on the recommendation of the committee, subcommittee, or Special Master, any party to the suspension matter may request the return, at that party's expense, of any exhibit, document, or other evidence introduced by that party. After the expiration of sixty (60) days from the date the Senate has completed final action, the committee, subcommittee, or Special Master may dispose of such exhibits or other evidence.

12.8—Special Master; appointment

The President may appoint and contract for the services of a Special Master to perform such duties and make such reports in relation to suspensions and removals as he or she shall prescribe.

12.9—Special Master; floor privilege

With consent of the President, the Special Master may have the privilege of the Senate floor to present and explain the report and answer questions as to the law and facts involved.

12.10—Issuance of subpoenas and process

The committee, ~~subcommittee~~, and the Special Master shall each have the authority to request the issuance of subpoenas, subpoenas duces tecum, and other necessary process under Rule 2.2. The committee chair, ~~subcommittee chair~~, and the Special Master may each administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear to testify on matters pending before the committee, ~~subcommittee~~, or Special Master.

12.11—Rule takes precedence

In any situation where there is a direct conflict between the provisions of Rule Twelve (12) and part V of chapter 112, *Florida Statutes*, Rule Twelve (12), derived from Article III, Section 4(a) of the *State Constitution*, shall take precedence.

RULE THIRTEEN**SPECIAL SESSION****13.1—Applicability of Senate Rules**

All Senate Rules ~~in effect on adjournment of the next preceding regular session~~ shall apply and govern during special sessions except to the extent specifically modified or contradicted herein.

13.2—Sessions of the Senate

The Senate shall meet each legislative day at 9:00 a.m. or pursuant to a schedule provided by the President.

13.3—Committee meetings; schedule, notice

(1) Committee meetings shall be scheduled by the President. Meetings of ~~standing committees and standing subcommittees~~ scheduled in accordance with this Rule may be held ~~after following the posting of a notice is made available~~ in the public corridor leading into the Senate Chamber for two (2) hours in advance of the meeting. ~~A committee may meet less than two (2) hours after the convening of a special session if a notice is filed with the Secretary by 5:00 p.m. of the day prior to the meeting.~~

(2) The notice ~~posted~~ shall include the date, time, and place of the meeting together with the name of the introducer, ~~subject short title~~, number of each bill to be considered, and the amendment deadline for the meeting. All other provisions for publication of notice of committee meetings are suspended.

13.4—Delivery for introduction

All bills for introduction may be delivered to the Secretary ~~of the Senate~~ at any time.

13.5—Committee reports

Every bill referred to a standing committee or committees shall be reported to the Secretary before 4:30 p.m. of the third (3rd) calendar day from the day of reference (the day of reference not being counted as the first (1st) day) unless otherwise ordered by the Senate by majority vote of those Senators present. Any bill on which no committee report is filed may be withdrawn from such committee and calendared on point of order. Every bill referred to a standing subcommittee shall be reported to the standing committee at a time specified by the chair of the standing committee which shall not be beyond the time allowed herein.

13.6—Conference committee reports

(1) The report of a conference committee appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days and, on the completion of the second (2nd) reading, the vote shall be on the adoption or rejection thereof and final passage of the measure as

recommended. During the last two (2) days of a special session the report shall be read only once. A conference committee report shall be made available to the membership two (2) hours prior to the beginning of debate of the report by the Senate.

(2) The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(3) Conference committees, other than a conference committee on a general or special appropriations bill and its related legislation, shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

(4) A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment deleting everything after the enacting clause of any such bill referred to the committee. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either house.

(5) When ~~a bill is referred to a conference committee and the conferees on the part of the Senate report an inability to agree, any no action of the Senate taken prior to such reference to a conference committee shall not~~ preclude further action on said measure as the Senate may determine.

(6) After Senate conferees have been appointed for thirty-six (36) hours and have failed to make a report, it is a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said Senate conferees.

13.7—Reconsideration

A motion to reconsider shall be made and considered on the same day.

13.8—Special Order Calendar

(1) ~~A Calendar Group, consisting of the Rules Chair, Rules Vice Chair, Majority Leader, Minority Leader, two (2) members of the Rules Committee designated by the President, and one (1) member of the Rules Committee designated by the Minority Leader, shall submit a Special Order Calendar determining the list of bills for consideration by the Senate. The President shall determine the order of such bills on the Special Order Calendar. A Special Order Calendar determining the time and priority for consideration of bills shall be submitted by the President Pro Tempore, the Minority Leader, and the Chair of the Policy and Steering Committee on Ways and Means.~~

(2) Such Special Order Calendar shall be for the next legislative day. The amendment deadline for bills on the Special Order Calendar shall be 5:00 p.m. or two (2) hours after the Special Order Calendar is announced, whichever ever occurs later.

RULE FOURTEEN**SEAL AND INSIGNIA****14.1—Seal and insignia**

(1) There shall be an official seal of the Senate. The seal shall be the size of a circle of two and one-half inches diameter having in the center thereof a fan of the five flags which have flown over Florida, above a disc containing the words: "In God We Trust" arched above a gavel, quill, and scroll. At the top of the field of flags shall be the word: "Seal." At the bottom shall be the date: "1838." The perimeter of the seal shall contain the words: "Senate" and "State of Florida."

(2) There shall be an official coat of arms for the Senate. The coat of arms shall contain a fan of the five flags that have flown over Florida, above the Great Seal of Florida. At the base of the coat of arms shall be the words: "The Florida Senate."

(3) The Senate Seal, the Senate Coat of Arms, official Senate stationery, calling cards, and facsimiles thereof; may be used only in connection with official Senate business.

ADJOURNMENT

On motion by Senator Rich, the Senate in Organization Session adjourned sine die at 11:57 a.m.

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ORGANIZATION SESSION
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Journal
of the
S E N A T E
State of Florida



SPECIAL SESSION A

November 16, 2010

At a Special Session of the Legislature convened by proclamation of The Honorable Mike Haridopolos, President of the Florida Senate and The Honorable Dean Cannon, Speaker of the Florida House of Representatives

MEMBERS OF THE SENATE

(28 Republicans, 12 Democrats)

SPECIAL SESSION A

November 16, 2010

- District 1: Anthony C. "Tony" Hill, Sr. (D), Jacksonville***
Parts of Duval, Flagler, Putnam, St. Johns and Volusia
- District 2: Greg Evers (R), Baker****
Holmes, Washington, and parts of Bay, Escambia, Okaloosa, Santa Rosa and Walton
- District 3: Charles S. "Charlie" Dean, Sr. (R), Inverness***
Baker, Dixie, Hamilton, Lafayette, Suwannee, Taylor and parts of Citrus, Columbia, Jefferson, Leon, Levy, Madison and Marion
- District 4: Don Gaetz (R), Niceville****
Parts of Bay, Escambia, Okaloosa, Santa Rosa and Walton
- District 5: Stephen R. Wise (R), Jacksonville***
Parts of Clay, Duval, Nassau and St. Johns
- District 6: Bill Montford (D), Tallahassee****
Calhoun, Franklin, Gadsden, Gulf, Jackson, Liberty, Wakulla and parts of Bay, Jefferson, Leon and Madison
- District 7: Evelyn J. Lynn (R), Ormond Beach***
Parts of Clay, Marion, Putnam and Volusia
- District 8: John Thrasher (R), St. Augustine****
Parts of Duval, Flagler, Nassau, St. Johns and Volusia
- District 9: Andy Gardiner (R), Orlando***
Parts of Orange, Osceola and Seminole
- District 10: Ronda Storms (R), Valrico****
Parts of Hillsborough, Pasco and Polk
- District 11: Mike Fasano (R), New Port Richey***
Parts of Citrus, Hernando, Pasco and Pinellas
- District 12: Jim Norman (R), Tampa****
Parts of Hillsborough and Pasco
- District 13: Dennis L. Jones, D.C. (R), Seminole***
Part of Pinellas
- District 14: Steve Oelrich (R), Gainesville****
Alachua, Bradford, Gilchrist, Union and parts of Columbia, Levy, Marion and Putnam
- District 15: Paula Dockery (R), Lakeland***
Parts of Hernando, Lake, Osceola, Polk and Sumter
- District 16: Jack Latvala (R), Clearwater****
Parts of Hillsborough and Pinellas
- District 17: JD Alexander (R), Lake Wales***
Hardee, Highlands, and parts of DeSoto, Glades, Okeechobee, Polk and St. Lucie
- District 18: Arthenia L. Joyner (D), Tampa****
Parts of Hillsborough, Manatee and Pinellas
- District 19: Gary Siplin (D), Orlando***
Parts of Orange and Osceola
- District 20: Alan Hays (R), Umatilla****
Parts of Lake, Marion, Seminole, Sumter and Volusia
- District 21: Michael S. "Mike" Bennett (R), Bradenton***
Parts of Charlotte, DeSoto, Lee, Manatee and Sarasota
- District 22: David Simmons (R), Maitland****
Parts of Orange and Seminole
- District 23: Nancy C. Detert (R), Venice***
Parts of Charlotte, Manatee and Sarasota
- District 24: Thad Altman (R), Viera****
Parts of Brevard, Orange and Seminole
- District 25: Ellyn Setnor Bogdanoff (R), Fort Lauderdale****
Parts of Broward and Palm Beach
- District 26: Mike Haridopolos (R), Melbourne****
Parts of Brevard, Indian River, Osceola and St. Lucie
- District 27: Lizbeth Benacquisto (R), Wellington****
Parts of Charlotte, Glades, Hendry, Lee and Palm Beach
- District 28: Joe Negron (R), Stuart****
Martin and parts of Indian River, Okeechobee, Palm Beach and St. Lucie
- District 29: Christopher L. "Chris" Smith (D), Ft. Lauderdale***
Parts of Broward and Palm Beach
- District 30: Maria Lorts Sachs (D), Boca Raton****
Parts of Broward and Palm Beach
- District 31: Eleanor Sobel (D), Hollywood***
Part of Broward
- District 32: Jeremy Ring (D), Margate****
Part of Broward
- District 33: Frederica S. Wilson (D), Miami***
Part of Miami-Dade
- District 34: Nan H. Rich (D), Weston****
Parts of Broward and Miami-Dade
- District 35: Gwen Margolis (D), Coconut Grove****
Parts of Broward and Miami-Dade
- District 36: Miguel Diaz de la Portilla (R), Coral Gables****
Part of Miami-Dade
- District 37: Garrett Richter (R), Naples***
Parts of Collier and Lee
- District 38: Anitere Flores (R), Miami****
Part of Miami-Dade
- District 39: Larcenia J. Bullard (D), Miami***
Monroe and parts of Broward, Collier, Hendry, Miami-Dade and Palm Beach
- District 40: Rene Garcia (R), Hialeah****
Part of Miami-Dade

* Holdovers

** Elected General Election November 2, 2010, for a term of 2 years

OFFICERS OF THE SENATE

Mike Haridopolos, *President*
Michael S. "Mike" Bennett, *President Pro Tempore*
Andy Gardiner, *Majority (Republican) Leader*
Nan H. Rich, *Minority (Democratic) Leader*

Non-member Elected Officer

R. Philip Twogood, *Secretary of the Senate*



Journal of the Senate

Number 1—Special Session A

Tuesday, November 16, 2010

At a Special Session of the Florida Legislature convened under Article III, Section 3(c), of the Constitution of the State, as revised in 1968, and subsequently amended, at the Capitol, in the City of Tallahassee, on Tuesday, November 16, 2010, in the State of Florida.

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God, as the source of all being, we ask your blessing of protection and safety, and wisdom and guidance, on the members of this chamber today as they decide the people's business. Hear our prayer on this day, and in thy name, we pray.

PLEDGE

Former Senator Carey Baker led the Senate in the pledge of allegiance to the flag of the United States of America.

By direction of the President, the Secretary read the following proclamation:

THE FLORIDA LEGISLATURE JOINT PROCLAMATION

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND THE FLORIDA HOUSE OF REPRESENTATIVES:

We, Mike Haridopolos, President of the Florida Senate, and Dean Cannon, Speaker of the Florida House of Representatives, by virtue of the authority vested in us by Article III, Section 3(c)(2), Florida Constitution, and Section 11.011, Florida Statutes, do hereby proclaim:

Section 1. That the Legislature of the State of Florida is convened in Special Session at the capitol in Tallahassee, Florida, beginning at 3:00 p.m. on Tuesday, the 16th day of November 2010.

Section 2. That the Legislature is convened for the sole and exclusive purpose of considering the following:

- (a) Consideration of gubernatorial vetoes of specific appropriations and substantive bills passed during the 2010 regular legislative session, specifically:
 1. Specific appropriation 185 and related proviso language in the 2010-2011 General Appropriations Act, Chapter 2010-152, Laws of Florida.
 2. HB 545, relating to residential property sales.
 3. Committee Substitute for House Bill 569, relating to solid waste disposal.
 4. Council Substitute for Committee Substitute for Committee Substitute for House Bill 981, relating to agriculture.
 5. Council Substitute for Committee Substitute for House Bill 1385, relating to petroleum contamination site clean-up.
 6. Committee Substitute for Committee Substitute for Senate Bill 1516, relating to state-owned lands.
 7. Council Substitute for Committee Substitute for House Bill 1565, relating to rulemaking.
 8. Committee Substitute for Committee Substitute for Senate Bill 1842, relating to transportation projects.

CALL TO ORDER

The Senate was called to order by President Haridopolos at 3:00 p.m. A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Excused: Senator Wilson

PRAYER

The following prayer was offered by Dr. Matthew M. Carter II, Ph.D., Staff Director, Senate Committees on Communications, Energy, and Public Utilities; and Military Affairs and Domestic Security:

O mighty God, our creator and sustainer, we come before you today on behalf of the members of the Florida Senate.

They are moms and dads, brothers and sisters, uncles and aunts, grandparents and neighbors, with a deep and abiding faith in the goodness of our citizenry. We thank you for each of them and their families. They arrive at this historic moment today with a love of family, love of God, and love of our state and nation.

- (b) Consideration of legislation relating to:
 1. Resolutions fixing the effective dates and deadlines of certain specific appropriations and substantive bills passed during the 2010 regular legislative session which were vetoed as described in paragraph 2(a).
 2. Extending the dates for implementation of onsite sewage treatment and disposal system evaluation program.
 3. Rebates, using federal funds, on certain heating and air conditioning systems and certain solar energy systems.
 4. A memorial calling on Congress to grant states more flexibility in the design and administration of Medicaid and expressing legislative intent to expand key components of the Medicaid managed care pilot while strengthening accountability, protecting patient choice, and improving access to care.



Mike Haridopolos
 President, The Florida Senate
 November 16, 2010



Dean Cannon
 Speaker, The Florida House
 of Representatives
 November 16, 2010



Duly filed with and received by the Florida Department of State this 16th day of November, 2010 by:
Dawn K. Roberts
 Interim Secretary of State

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senators Gaetz, Negron, Evers, Dean, Detert and Hays—

SB 2-A—A bill to be entitled An act relating to public health; amending s. 381.0065, F.S.; delaying the implementation date of provisions requiring the Department of Health to administer an onsite sewage treatment and disposal system evaluation program; providing an effective date.

—was referenced to the Committee on Rules.

By Senator Negron—

SM 4-A—A memorial to the Congress of the United States, urging Congress to amend Title XIX of the Social Security Act and declaring the intent of the Florida Legislature to amend Florida Statutes relating to the Florida Medicaid program.

—was referenced to the Committee on Rules.

By Senator Bennett—

SB 6-A—A bill to be entitled An act relating to energy efficiency rebate programs; authorizing the Florida Energy and Climate Commission to pay certain rebates pursuant to the Florida ENERGY STAR Residential HVAC Rebate Program; authorizing the Florida Energy and Climate Commission to pay certain rebates pursuant to the Solar En-

ergy System Incentives Program; providing appropriations; providing a penalty; providing an effective date.

—was referenced to the Committee on Rules.

By Senator Ring—

SJR 8-A—A joint resolution establishing a new effective date for Committee Substitute for Committee Substitute for Senate Bill 1516, an act relating to state-owned lands, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

—pursuant to Rule 4.9 was introduced without reference.

By Senator Bennett—

SJR 10-A—A joint resolution establishing a new effective date for Committee Substitute for Committee Substitute for Senate Bill 1842, an act relating to transportation projects, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

—pursuant to Rule 4.9 was introduced without reference.

By Senator Altman—

SJR 12-A—A joint resolution establishing a new effective date for House Bill 545, an act relating to residential property sales, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

—pursuant to Rule 4.9 was introduced without reference.

By Senator Gaetz—

SJR 14-A—A joint resolution establishing a new effective date for Committee Substitute for House Bill 569, an act relating to solid waste disposal, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

—pursuant to Rule 4.9 was introduced without reference.

By Senator Alexander—

SJR 16-A—A joint resolution establishing a new effective date for Council Substitute for Committee Substitute for Committee Substitute for House Bill 981, an act relating to agriculture, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

—pursuant to Rule 4.9 was introduced without reference.

By Senator Hays—

SJR 18-A—A joint resolution establishing a new effective date for Council Substitute for Committee Substitute for House Bill 1385, an act relating to petroleum contamination site cleanup, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

—pursuant to Rule 4.9 was introduced without reference.

By Senator Bennett—

SJR 20-A—A joint resolution establishing a new effective date for Council Substitute for Committee Substitute for House Bill 1565, an act relating to rulemaking, which bill was passed by both houses of the

Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

—pursuant to Rule 4.9 was introduced without reference.

By Senator Alexander—

SJR 22-A—A joint resolution establishing a new effective date for Specific Appropriation 185 of chapter 2010-152, Laws of Florida, an act making appropriations, which act was passed by both houses of the Legislature during the 2010 Regular Session and thereafter Specific Appropriation 185 (SPECIAL CATEGORIES, GRANTS AND AIDS – SHANDS TEACHING HOSPITAL, FROM GENERAL REVENUE FUND) of that act and the proviso to that appropriation were vetoed by the Governor.

—pursuant to Rule 4.9 was introduced without reference.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **SB 2-A**, **SM 4-A**, and **SB 6-A** were withdrawn from the Committee on Rules and placed on the Special Order Calendar.

On motion by Senator Thrasher, by two-thirds vote **SJR 8-A**, **SJR 10-A**, **SJR 12-A**, **SJR 14-A**, **SJR 16-A**, **SJR 18-A**, **SJR 20-A**, and **SJR 22-A** were placed on the Special Order Calendar.

By two-thirds vote, the President referred the following bills to the Committee on Rules: **HB 545**, **CS for HB 569**, **CS for CS for CS for HB 981**, **CS for CS for HB 1385**, **HB 5001**, and **CS for CS for HB 1565**.

VETOED BILLS 2010 REGULAR SESSION

VETO OF CS FOR CS FOR SB 6

The Honorable Kurt S. Browning
Secretary of State

April 15, 2010

Dear Secretary Browning:

By the authority vested in me as the Governor of Florida, and under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 6, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to Education Personnel...

The decision to approve or veto a bill is one of the fundamental duties of the Governor. Since 2007, I have reviewed hundreds of proposed laws. More often than not, I sign bills approved by the Legislature because the process generally produces ideas which embody the ideals of representative government. Though sparingly, I have exercised the authority to veto legislation.

To proponents of a bill, a Governor's veto may be mischaracterized as ill informed or political. It is likely that my action today will be met with similar charges from supporters of SB 6. However, there is only one person who can accurately state the reason for a veto - the one who holds the pen.

Let me be clear; I veto SB 6 because this bill is contrary to my firmly held principle to act in the best interest of the People of Florida. I am confident in my decision today because I know it is the right thing to do for the People.

After reviewing the legislation, I have identified several issues of concern. First and foremost, this bill does not appropriately accommodate special education students and their dedicated teachers. These

children can and do learn; however, there must be more consideration given to their individual needs than is afforded in this bill.

Further, the bill does encroach on local decision-making. At worst, it could result in an infringement upon the constitutional authority of school boards. While the bill allows school boards to create district policies, there are considerable directives given to local boards and a requirement for state sign-off before plans can be approved. Some of these directives are quite overreaching, such as not allowing multi-year teacher contracts, choosing arbitrary percentages for calculating a teacher's effectiveness, and permanently decertifying an excellent teacher in Florida who simply needed improvement two out of the previous five years on the job.

SB 6 places teachers in jeopardy of losing their jobs and teaching certificates without a clear understanding of how gains will be measured, and without taking into account circumstances beyond the control of teachers. Teachers have an incredible impact on the lives of their students, but they are not the only influence.

During the House debate and after the final passage of the bill, even the supporters of SB 6 acknowledged the imperfections of the bill. They were satisfied with the ability to come back next year for a glitch bill or make corrections and clarifications in the implementing process. Such assurances are not enough for me to sign this legislation today.

Finally, I veto this bill because of the process by which it was passed. This legislation sped through committees without the meaningful input of parents, teachers, superintendents, and school boards. It was troubling to learn that the bill would not be amended after it passed in the Senate, particularly when more and more concerns were coming to light. As I articulated on the opening day of the 2010 Legislative Session, "It is not only the substance of those issues that is important; it is also the attitude with which you address them. These will determine whether you have done your job well."

The incredible outpouring of opposition by teachers, parents, students, superintendents, school boards, and legislators has greatly influenced my decision today. They brought to light many concerns that were not addressed in the amendatory process. As with any major legislation, stated goals sometimes do not match the words in the bill. That is why under normal circumstances bills can be meaningfully debated and changed so that flaws may be remedied.

In summary, I find the content of SB 6 and the manner of its adoption significantly flawed. Nonetheless, I believe in the stated goals of establishing differential and performance-based merit pay for classroom teachers, developing workable measures of student learning gains, and preparing students for their place in a global economy. These are worthy of future pursuit in a collaborative setting with participation of those who are directly impacted.

To those who may ask for a prescribed fix for SB 6, I say we must start over. This bill has deeply and negatively affected the morale of our teachers, parents, and students. They are not confident in our system because they do not believe that their voices were heard. They, like I, did not fathom that there would be no opportunity for meaningful deliberation and appropriate changes to this bill. Tens of thousands of Floridians have reached out to me asking for a veto of SB 6 and instead address the important goal of improving education in a more deliberative and open manner. Should the Legislature decide to go back to the drawing board, I believe it is critical that they heed the call of Floridians. To make such landmark changes, we must have the patience and wisdom to communicate effectively with the People.

As Governor, it is my responsibility to work ardently to position Florida for success on round two of "Race to the Top." Although Florida's first application was strong, we learned a very important lesson on the value of stakeholder participation. Like every good competitor, we will make strategic changes and raise our game. In the coming days I will announce the creation of a collaborative work group to thoroughly review and vet our application and suggest improvements that will help us win.

Florida has made tremendous gains in our education system. We cannot, we must not stop. As we move forward, let us ensure that we

fulfill our highest calling, which is to honor the People for whom this government is established. The education of our children is far too important for us to do otherwise.

For this reason, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 6, and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

VETO OF CS FOR CS FOR SB 1004

The Honorable Dawn K. Roberts
Interim Secretary of State

June 1, 2010

Dear Interim Secretary Roberts:

By the authority vested in me as the Governor of Florida, and under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 1004, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to Local Government...

When I took office, I promised the people of Florida that government transactions and information would be open to public input and transparent in its execution. Competitive bidding by governmental entities protects the public's interest and assures the best use of taxpayers' dollars. Laws are in effect which require competitive bidding of county lease agreements. This law is sufficient to achieve balance and protection of the public's interest and enable county government officials to achieve the best bid.

Local governments should strive to adhere to competitive bidding standards. Because we are elected officials, we have a responsibility to conduct business in the open for all to compete. We should not modify laws in the name of ease in exchange for the public's trust.

For this reason, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 1004, and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

VETO OF CS FOR CS FOR SB 1516

The Honorable Dawn K. Roberts
Interim Secretary of State

May 28, 2010

Dear Interim Secretary Roberts:

By the authority vested in me as the Governor of Florida, and under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 1516, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to state-owned lands...

This bill requires the Department of Environmental Protection (DEP) to create and maintain a real property database that includes an inventory of all property, including buildings, which are owned, rented, occupied or managed by any state agency or the judicial branch. DEP is Florida's state agency charged with protecting natural resources and preventing pollution to our environment. A significant element of its mission is to acquire, manage and account for conservation lands. Fulfilling this natural resource protection function is unique to those real property assets of the state held as conservation lands. Giving DEP the responsibility for accounting for all state real property would blur the natural resource protection mission of the agency and provide increased responsibilities that fall outside of that mission. DEP is the appropriate agency to oversee the acquisition and management of conservation

lands, but maintenance of a comprehensive database of other state-owned real property should not be added to its responsibilities.

For this reason, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 1516, and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

VETO OF CS FOR CS FOR SB 1842

The Honorable Dawn K. Roberts
Interim Secretary of State

June 4, 2010

Dear Interim Secretary Roberts:

By the authority vested in me as the Governor of Florida, and under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 1842, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to Transportation Projects...

The bill creates additional requirements and conditions in order for a roadway design to include a median with turning lanes.

The safe and the efficient movement of people, goods and services on our roadways continue to be an important priority for my administration. Current law provides citizens, businesses and local governments the opportunity to provide their input into the decision-making process through public hearings. The bill creates confusion by duplicating existing processes for public notice and hearings and applying it only to modifications of access. It introduces but does not define "affected property owners," again, only related to modifications of access. These important public safety projects should not be subjected to unnecessary delays.

For this reason, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 1842, and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

VETO OF CS FOR CS FOR SB 1964

The Honorable Dawn K. Roberts
Interim Secretary of State

June 1, 2010

Dear Interim Secretary Roberts:

By the authority vested in me as the Governor of Florida, and under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 1964, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to Design Professionals...

The bill limits the tort liability of design professionals for economic damages from a design defect. The design professionals affected by the bill include licensed engineers, surveyors, architects, interior designers, and landscape architects. This limit of liability grants unique privileges to design professionals by removing a consumer's right to bring a tort action against them for economic damages caused by their negligence. Other professionals, such as accountants, doctors, and lawyers, cannot similarly limit their professional duty of care.

An error in design may create significant economic damages to both business and home owners. I am concerned this bill fails to provide any alternate remedies and shifts the losses for design defects to consumers.

For the reasons stated above, I am hereby withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 1964 and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

VETO OF CS FOR CS FOR SB 2044

The Honorable Dawn K. Roberts
Interim Secretary of State

June 1, 2010

Dear Interim Secretary Roberts:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 2044, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to Insurance...

Senate Bill 2044 makes numerous changes to the law relating primarily to residential property insurance. I am most concerned about the expansion of the current expedited rate filing procedure for property insurers that makes it easier to increase Floridians premiums. During these very difficult economic times, Florida's consumers should not have to be concerned with an additional premium increase to their policy.

Additionally, the bill makes troubling changes to the way mitigation discounts are applied. Specifically, responsible Floridians who have already made investments to harden their homes could be unfairly penalized.

Therefore, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 2044, and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

The bills, together with the Governor's objections thereto, were referred to the Committee on Rules.

CONSIDERATION OF VETOED BILL

On motion by Senator Thrasher, by two-thirds vote **CS for CS for SB 1516** (2010 Regular Session) together with the Governor's objections thereto was withdrawn from the Committee on Rules and taken up.

CS for CS for SB 1516—An act relating to state-owned lands; amending s. 193.023, F.S.; requiring the property appraiser to physically inspect any parcel of state-owned real property upon the request of the taxpayer or owner; amending s. 193.085, F.S.; removing provisions requiring the Department of Revenue to notify property appraisers of state ownership of real property; requiring local governments to notify property appraisers of lands owned by the local government; amending s. 213.053, F.S.; authorizing the Department of Revenue to disclose certain information to the Department of Environmental Protection regarding state-owned lands; amending s. 216.0152, F.S.; requiring the Department of Management Services to maintain an automated inventory of all facilities owned, leased, rented, or otherwise occupied or maintained by any agency of the state, the judicial branch, or a water management district; requiring that the facilities inventory data be provided to the department on or before a specified date each year by the owning or operating state agency; requiring that the Department of Transportation identify and dispose of surplus property pursuant to ss. 337.25 and 339.04, F.S.; requiring the Department of Management Services to adopt rules; directing the department to update its inventory with information concerning the physical condition of facilities that have 3,000 square feet or more of space; creating s. 216.0153, F.S.; directing the Department of Environmental Protection to create, administer, operate, and maintain a comprehensive system for all state lands and real property leased, owned, rented, or otherwise occupied or maintained by any state agency,

the judicial branch, or a water management district; providing for a database of all real property owned or leased by the state; requiring all state agencies to enter required real property information into the comprehensive state-owned real property system; requiring the Division of State Lands to submit an annual report to the Governor and Legislature which lists the state-owned real property recommended for disposition; amending s. 253.03, F.S.; requiring the Department of Revenue to furnish, in electronic form, annual current tax roll data for public lands to the Board of Trustees of the Internal Improvement Trust Fund to be used in compiling the inventory of public lands; requiring the board to use tax roll data from the Department of Revenue to assist in the identification and confirmation of publicly held lands; amending s. 253.034, F.S.; removing provisions relating to an inventory of public lands, including federal lands, within the state; requiring that a building or parcel of land be offered for lease to state agencies, state universities, and community colleges before being offered for lease, sublease, or sale to a local or federal unit of government or a private party; requiring that priority consideration for such a lease be given to state universities and community colleges; requiring that a state university or community college submit a plan regarding the intended use of such building or parcel of land for review and approval by the Board of Trustees of the Internal Improvement Trust Fund before approval of a lease; providing that priority consideration be given to the University of South Florida Polytechnic for the lease of vacant land and buildings located at the G. Pierce Wood facility in DeSoto County; providing for future expiration; implementing the comprehensive state-owned real property system; setting forth the timeframes in which the Department of Environmental Protection must complete the comprehensive state-owned real property system; requiring the department to report to the Governor and Legislature by a specified date; providing for an executive steering committee for management of the comprehensive state-owned real property system; describing the composition of the executive steering committee; setting forth the responsibilities of the executive steering committee; creating a project management team to work under the direction of the executive steering committee; requiring the project management team to be headed by a full-time project manager and to consist of senior managers and personnel appointed by members of the executive steering committee; setting forth the responsibilities of the project management team; providing an appropriation; providing an effective date.

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

On motion by Senator Ring, **CS for CS for SB 1516** (2010 Regular Session) passed by the required constitutional two-thirds vote of the members present and was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Bullard	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—1

Dockery

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

SJR 8-A—A joint resolution establishing a new effective date for Committee Substitute for Committee Substitute for Senate Bill 1516, an act relating to state-owned lands, which bill was passed by both houses

of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

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

Pursuant to Section 9 of Article III of the State Constitution, Committee Substitute for Committee Substitute for Senate Bill 1516, enacted during the 2010 Regular Session of the Legislature, shall take effect November 17, 2010, the veto of the Governor notwithstanding.

—was read the second time in full. On motion by Senator Ring, by two-thirds vote **SJR 8-A** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Bullard	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Flores

CONSIDERATION OF VETOED BILL

On motion by Senator Thrasher, by two-thirds vote **CS for CS for SB 1842** (2010 Regular Session) together with the Governor’s objections thereto was withdrawn from the Committee on Rules and taken up.

CS for CS for SB 1842—A bill to be entitled An act relating to transportation projects; creating s. 335.199, F.S.; directing the Department of Transportation to notify certain property owners and local governmental entities of certain proposed projects before finalizing the design of certain transportation projects; providing a timeframe for notification; requiring the department to hold a public hearing and receive public input regarding the effects of the project on local businesses; directing the department to consider the comments in the final design of the project; providing an effective date.

The President put the question: “Shall the bill pass, the Governor’s objections to the contrary notwithstanding?”

On motion by Senator Bennett, **CS for CS for SB 1842** (2010 Regular Session) passed by the required constitutional two-thirds vote of the members present and was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Lynn
Alexander	Fasano	Margolis
Altman	Flores	Montford
Benacquisto	Gaetz	Negron
Bennett	Garcia	Norman
Bogdanoff	Gardiner	Oelrich
Bullard	Hays	Rich
Dean	Hill	Richter
Detert	Jones	Ring
Diaz de la Portilla	Joyner	Sachs
Dockery	Latvala	Simmons

Siplin	Sobel	Thrasher
Smith	Storms	Wise

Nays—None

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

SJR 10-A—A joint resolution establishing a new effective date for Committee Substitute for Committee Substitute for Senate Bill 1842, an act relating to transportation projects, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

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

Pursuant to Section 9 of Article III of the State Constitution, Committee Substitute for Committee Substitute for Senate Bill 1842, enacted during the 2010 Regular Session of the Legislature, shall take effect November 17, 2010, the veto of the Governor notwithstanding.

—was read the second time in full. On motion by Senator Bennett, by two-thirds vote **SJR 10-A** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

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

SPECIAL ORDER CALENDAR

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

SB 2-A—A bill to be entitled An act relating to public health; amending s. 381.0065, F.S.; delaying the implementation date of provisions requiring the Department of Health to administer an onsite sewage treatment and disposal system evaluation program; providing an effective date.

—was read the second time by title. On motion by Senator Evers, by two-thirds vote **SB 2-A** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Alexander	Fasano	Montford
Altman	Flores	Negron
Benacquisto	Gaetz	Norman
Bennett	Garcia	Oelrich
Bogdanoff	Gardiner	Rich
Bullard	Hays	Richter
Dean	Hill	Ring
Detert	Joyner	Sachs
Diaz de la Portilla	Latvala	Simmons
Dockery	Lynn	Siplin

Smith Storms Wise
Sobel Thrasher

Nays—1

Jones

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

SM 4-A—A memorial to the Congress of the United States, urging Congress to amend Title XIX of the Social Security Act and declaring the intent of the Florida Legislature to amend Florida Statutes relating to the Florida Medicaid program.

WHEREAS, the Constitution of the United States establishes a limited Federal Government and guarantees the rights of individuals and the rights of states, and

WHEREAS, the Florida Constitution requires a balanced budget and establishes the foundation for the state’s fiscal responsibilities, and

WHEREAS, the Medicaid program was established in 1965 as a federal and state partnership, based on shared responsibility, distinct authority, and mutual financial participation, and

WHEREAS, Florida’s Medicaid program has operated for 45 years with authority to determine eligibility, define covered services, and set payment levels, and

WHEREAS, decisions by the Florida Legislature about Medicaid must be made after consideration of the ongoing tax burden carried by Floridians, the state’s available resources, and other state obligations, and

WHEREAS, the federal Patient Protection and Affordable Care Act eliminates state discretionary powers over eligibility by mandating coverage of at least 1.8 million new enrollees in Florida and prohibiting any changes to current eligibility standards, and

WHEREAS, the Patient Protection and Affordable Care Act further hinders the state’s ability to manage its resources by mandating previously optional services, requiring specific payment levels to certain providers, and imposing numerous additional administrative requirements, and

WHEREAS, the cumulative effect of new federal requirements is to commandeer an increasing amount of Florida’s resources while leaving the state with few options for cost containment or program improvement, and

WHEREAS, Florida’s current Medicaid program is expected to cost more than \$20 billion per year, including \$5.5 billion in state funds, and will require more than \$2.5 billion in additional general revenue to meet current commitments in the next 3 fiscal years, and

WHEREAS, additional requirements imposed by the Patient Protection and Affordable Care Act will add nearly another \$1 billion more to the state’s financial obligation by 2016, require an escalating state financial commitment, and disallow essential means of state fiscal control, and

WHEREAS, the performance of Florida’s Medicaid program is undermined by limited physician participation, complex programmatic design, extensive fraud, and inadequate quality controls, and

WHEREAS, Medicaid participants are poorly served by a program that cannot deliver coordinated and accessible health care, and

WHEREAS, the future of Florida’s Medicaid program requires the delivery of more effective and affordable services to a growing, diverse, and aging population, and

WHEREAS, the rebuilding of Florida’s Medicaid program is best accomplished through extension and modification of the current Medicaid reform waiver, and

WHEREAS, the Agency for Health Care Administration is negotiating pursuant to chapter 2010-144, Laws of Florida, an extension of the current Medicaid reform waiver beyond its 5-year term, and requires

additional legislative guidance to successfully complete the negotiation, and

WHEREAS, the objectives contained in this memorial are meant to be instructive to the Agency for Health Care Administration in its negotiations for the extension of the Medicaid reform waiver, and

WHEREAS, the Florida Legislature intends to transform the Florida Medicaid program into a statewide integrated managed care program for all services, NOW, THEREFORE,

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

(1) That the Florida Legislature urges Congress to amend Title XIX of the Social Security Act in order to reestablish a fair and prudent federal-state partnership that respects the constitutional requirements and fiscal constraints of each government and enables states to provide cost-effective health care services to low-income residents.

(2) That the Florida Legislature urges Congress to restructure the Medicaid program based on the following principles:

(a) The federal-state partnership for Medicaid should be modeled on the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, with federal funding distributed based on population and tied to specific goals and objectives, thereby allowing each state the freedom to craft a Medicaid program that meets the needs of its residents.

(b) Participants should be empowered to use the public resources provided for their health care to purchase private health insurance when they determine such insurance better meets their needs.

(c) A focus on prevention and the cost-effective use of services should be established by fostering personal responsibility and rewarding healthy behaviors.

(d) Decisionmaking should be decentralized in order to allow providers and plans to compete to deliver better value to consumers through innovative service packages, organizational forms, delivery systems, and payment methods.

(e) Participants should be given every opportunity to achieve optimal health through systematic, transparent, and continuous outcome measurement and quality improvement.

(3) That the Florida Legislature resolves, even without the federal reforms described herein, to adopt comprehensive legislation in the 2011 Regular Session to accomplish the following objectives:

(a) To improve program performance by expanding key components of the Medicaid managed care pilot program statewide, while strengthening accountability for improved patient outcomes and preserving meaningful choices for participants.

(b) To improve access to coordinated care by enrolling all Medicaid participants in managed care except those specifically exempted due to short-term eligibility, limited service eligibility, or institutional placement.

(c) To enhance fiscal predictability and financial management by converting the purchase of Medicaid services to capitated, risk-adjusted payment systems.

(d) To use the expertise of managed care organizations, including both health maintenance organizations and provider service networks, to provide all coverage and services for medical assistance and long-term care, including home and community-based services.

(e) To make the state a more prudent purchaser through the use of regional, competitive procurements to select, based on quality and price, a limited number of managed care organizations, including at least one provider service network in each region.

(f) To protect participants’ choices and dignity by expanding the use of the opt-out provisions of the pilot program and allowing Medicaid funds to be used for any state-regulated private coverage, rather than limiting this option to employment-based health benefits.

(g) To phase in implementation of the statewide managed care program, allowing adequate time for development of managed long-term care and reserving the final phase of the implementation of managed care for persons with developmental disabilities.

(4) That the Florida Legislature resolves to enact reforms that establish a more fair and predictable civil justice system and reduce disincentives for serving Medicaid participants.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Negron, **SM 4-A** was adopted and certified to the House.

RECESS

The President declared the Senate recessed at 4:22 p.m. to reconvene upon his call.

CALL TO ORDER

The Senate was called to order by the President at 4:37 p.m. A quorum present.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 545 by the required constitutional two-thirds vote of all Members voting, the Governor's objections to the contrary notwithstanding, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CONSIDERATION OF VETOED BILL

On motion by Senator Thrasher, by two-thirds vote **HB 545** (2010 Regular Session) together with the Governor's objections thereto was withdrawn from the Committee on Rules and taken up.

HB 545—A bill to be entitled An act relating to residential property sales; repealing s. 689.262, F.S., relating to sales of residential property in wind-borne debris regions and required disclosures of windstorm mitigation ratings to purchasers; providing an effective date.

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

On motion by Senator Altman, **HB 545** (2010 Regular Session) passed by the required constitutional two-thirds vote of the members present and was certified to the House. The vote on passage was:

Yeas—35

Table listing names of Senators who voted 'Yeas' for HB 545, including Mr. President, Alexander, Altman, Benacquisto, Bullard, Dean, Detert, Diaz de la Portilla, Dockery, Evers, Fasano, Gaetz, Gardiner, Hill, Jones, Joyner, Latvala, Lynn, Margolis, Montford, Negron, Norman, Oelrich, Rich, Richter, Ring, Sachs, Simmons, Siplin, Smith, Sobel, Storms, Thrasher, and Wise.

Nays—None

Vote after roll call:

Yea—Bennett, Bogdanoff, Flores, Garcia

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

SJR 12-A—A joint resolution establishing a new effective date for House Bill 545, an act relating to residential property sales, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

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

Pursuant to Section 9 of Article III of the State Constitution, House Bill 545, enacted during the 2010 Regular Session of the Legislature, shall take effect November 17, 2010, the veto of the Governor notwithstanding.

—was read the second time in full.

Pending further consideration of **SJR 12-A**, on motion by Senator Altman, by two-thirds vote **HJR 1-A** was withdrawn from the Committee on Rules.

On motion by Senator Altman—

HJR 1-A—A joint resolution establishing a new effective date for House Bill 545, an act relating to residential property sales, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

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

Pursuant to Section 9 of Article III of the State Constitution, House Bill 545, enacted during the 2010 Regular Session of the Legislature, shall take effect November 17, 2010, the veto of the Governor notwithstanding.

—a companion measure, was substituted for **SJR 12-A** and by two-thirds vote read the second time in full.

On motion by Senator Altman, by two-thirds vote **HJR 1-A** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—37

Table listing names of Senators who voted 'Yeas' for HJR 1-A, including Alexander, Altman, Benacquisto, Bennett, Bogdanoff, Bullard, Dean, Detert, Diaz de la Portilla, Dockery, Evers, Fasano, Flores, Gaetz, Gardiner, Hays, Hill, Jones, Joyner, Latvala, Lynn, Margolis, Montford, Negron, Norman, Oelrich, Rich, Richter, Ring, Sachs, Simmons, Siplin, Smith, Sobel, Storms, Thrasher, and Wise.

Nays—None

Vote after roll call:

Yea—Garcia

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 569 by the required constitutional two-thirds vote of all Members voting, the Governor's objections to the contrary notwithstanding, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CONSIDERATION OF VETOED BILL

On motion by Senator Thrasher, by two-thirds vote **CS for HB 569** (2010 Regular Session) together with the Governor’s objections thereto was withdrawn from the Committee on Rules and taken up.

CS for HB 569—A bill to be entitled An act relating to solid waste disposal; amending s. 403.708, F.S.; authorizing the disposal of yard trash at a Class I landfill if the landfill has a system for collecting landfill gas and arranging for the reuse of the gas; requiring the Department of Environmental Protection to develop and adopt a methodology to award recycling credit for such use; requiring the landfill to obtain a minor permit modification to its operating permit before receiving yard trash; specifying which entities of local government may accept incidental amounts of yard trash at a landfill; providing applicability; providing an effective date.

The President put the question: “Shall the bill pass, the Governor’s objections to the contrary notwithstanding?”

On motion by Senator Gaetz, **CS for HB 569** (2010 Regular Session) passed by the required constitutional two-thirds vote of the members present and was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

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

SJR 14-A—A joint resolution establishing a new effective date for Committee Substitute for House Bill 569, an act relating to solid waste disposal, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

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

Pursuant to Section 9 of Article III of the State Constitution, Committee Substitute for House Bill 569, enacted during the 2010 Regular Session of the Legislature, shall take effect November 17, 2010, the veto of the Governor notwithstanding.

—was read the second time in full.

Pending further consideration of **SJR 14-A**, on motion by Senator Gaetz, by two-thirds vote **HJR 3-A** was withdrawn from the Committee on Rules.

On motion by Senator Gaetz—

HJR 3-A—A joint resolution establishing a new effective date for Committee Substitute for House Bill 569, an act relating to solid waste disposal, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

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

Pursuant to Section 9 of Article III of the State Constitution, Committee Substitute for House Bill 569, enacted during the 2010 Regular

Session of the Legislature, shall take effect November 17, 2010, the veto of the Governor notwithstanding.

—a companion measure, was substituted for **SJR 14-A** and by two-thirds vote read the second time in full.

On motion by Senator Gaetz, by two-thirds vote **HJR 3-A** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for CS for HB 981 by the required constitutional two-thirds vote of all Members voting, the Governor’s objections to the contrary notwithstanding, and requests the concurrence of the Senate.

Robert L. “Bob” Ward, Clerk

CONSIDERATION OF VETOED BILL

On motion by Senator Thrasher, by two-thirds vote **CS for CS for CS for HB 981** (2010 Regular Session) together with the Governor’s objections thereto was withdrawn from the Committee on Rules and taken up.

CS for CS for CS for HB 981—A bill to be entitled An act relating to agriculture; amending s. 193.461, F.S.; clarifying that land classified as agricultural retains that classification when offered for sale under certain circumstances; providing for retroactive application; providing the methodology for assessing certain structures and improvements used for horticultural production; amending s. 369.20, F.S.; authorizing the Fish and Wildlife Conservation Commission to enter into an agreement with the Department of Environmental Protection for the uniform regulation of pesticides applied to waters of the state; revising exemptions from water pollution permits; amending s. 403.088, F.S.; providing permits for applying pesticides to the waters of the state; requiring the Department of Environmental Protection to enter into agreements with the Department of Agriculture and Consumer Services and the commission for the uniform regulation of pesticides applied to the waters of the state; authorizing temporary deviations from certain rule provisions adopted by the Department of Environmental Protection for certain pesticides under certain conditions; amending s. 487.163, F.S.; requiring the Department of Agriculture and Consumer Services to enter into an agreement with the Department of Environmental Protection for the uniform regulation of pesticides applied to the waters of the state; amending s. 573.112, F.S.; providing that the Citrus Research and Development Foundation shall provide advice to the Department of Agriculture and Consumer Services with respect to citrus research marketing orders, conduct citrus research, and perform other duties assigned by the department; amending s. 573.118, F.S.; providing for the deposit of certain agricultural assessments; revising the assessment rate on citrus fruit; amending s. 581.031, F.S.; expanding the type of research projects that may be conducted by the Department of Agriculture and Consumer Services; amending s. 601.07, F.S.; revising the location of the executive offices of the Department of Citrus; requiring the department and re-

representatives of the state pest control industry to submit a report to the Legislature; requiring that the report include recommendations for changes in the law to provide for disciplinary action against licensees of the pest control industry under certain circumstances; providing that the report may also address additional issues of concern to the department and members of the industry; providing an effective date.

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

On motion by Senator Alexander, **CS for CS for CS for HB 981** (2010 Regular Session) passed by the required constitutional two-thirds vote of the members present and was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Rich
Alexander	Garcia	Richter
Altman	Gardiner	Ring
Benacquisto	Hill	Sachs
Bennett	Jones	Simmons
Bogdanoff	Latvala	Siplin
Bullard	Lynn	Smith
Dean	Margolis	Sobel
Detert	Montford	Storms
Diaz de la Portilla	Negron	Thrasher
Evers	Norman	Wise
Flores	Oelrich	

Nays—2

Fasano	Joyner
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Vote after roll call:

Yea—Hays

DISCLOSURE

I am manager of Blue Head Farms, LLC, which has a range of agricultural interests. CS for CS for CS for HB 981 contains amendments that potentially affect the cost of equipment useful in the growing certain types of crops produced by Blue Head Farms, which in turn potentially affects the cost of operation of a portion of Blue Head Farms' business. Therefore, I believe that, in an abundance of caution, I should disclose the above facts pursuant to Senate Rule 1.39.

Senator JD Alexander, District 17

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

SJR 16-A—A joint resolution establishing a new effective date for Council Substitute for Committee Substitute for Committee Substitute for House Bill 981, an act relating to agriculture, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

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

Pursuant to Section 9 of Article III of the State Constitution, Council Substitute for Committee Substitute for Committee Substitute for House Bill 981, enacted during the 2010 Regular Session of the Legislature, shall take effect November 17, 2010, the veto of the Governor notwithstanding.

—was read the second time in full.

Pending further consideration of **SJR 16-A**, on motion by Senator Alexander, by two-thirds vote **HJR 5-A** was withdrawn from the Committee on Rules.

On motion by Senator Alexander—

HJR 5-A—A joint resolution establishing a new effective date for Council Substitute for Committee Substitute for Committee Substitute

for House Bill 981, an act relating to agriculture, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

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

Pursuant to Section 9 of Article III of the State Constitution, Council Substitute for Committee Substitute for Committee Substitute for House Bill 981, enacted during the 2010 Regular Session of the Legislature, shall take effect November 17, 2010, the veto of the Governor notwithstanding.

—a companion measure, was substituted for **SJR 16-A** and by two-thirds vote read the second time in full.

On motion by Senator Alexander, by two-thirds vote **HJR 5-A** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Bullard	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Garcia

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 1385 by the required constitutional two-thirds vote of all Members voting, the Governor's objections to the contrary notwithstanding, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CONSIDERATION OF VETOED BILL

On motion by Senator Thrasher, by two-thirds vote **CS for CS for HB 1385** (2010 Regular Session) together with the Governor's objections thereto was withdrawn from the Committee on Rules and taken up.

CS for CS for HB 1385—A bill to be entitled An act relating to petroleum contamination site cleanup; amending s. 376.3071, F.S.; revising provisions relating to petroleum contamination site selection and cleanup criteria; deleting obsolete provisions relating to funding for limited interim soil-source removals; requiring the Department of Environmental Protection to utilize natural attenuation monitoring strategies to transition sites into long-term natural attenuation monitoring under specified conditions; providing for natural attenuation and active remediation of sites; requiring the department to evaluate certain costs and strategies; prohibiting local governments from denying building permits under specified conditions; providing requirements for such permits and related construction, repairs, and renovations; establishing a low-scored site initiative; providing conditions for participation; requiring the department to issue certain determinations and orders; providing that certain sites are eligible for payment of preapproved costs; requiring assessment work to be completed within a certain timeframe; providing payment and funding limitations; deleting provisions relating to nonreimbursable voluntary cleanup; requiring the installation of fuel tank upgrades to secondary containment systems to be

completed by specified deadlines; providing an exception; providing an effective date.

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

On motion by Senator Hays, **CS for CS for HB 1385** (2010 Regular Session) passed by the required constitutional two-thirds vote of the members present and was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

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

SJR 18-A—A joint resolution establishing a new effective date for Council Substitute for Committee Substitute for House Bill 1385, an act relating to petroleum contamination site cleanup, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

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

Pursuant to Section 9 of Article III of the State Constitution, Council Substitute for Committee Substitute for House Bill 1385, enacted during the 2010 Regular Session of the Legislature, shall take effect November 17, 2010, the veto of the Governor notwithstanding.

—was read the second time in full.

Pending further consideration of **SJR 18-A**, on motion by Senator Hays, by two-thirds vote **HJR 7-A** was withdrawn from the Committee on Rules.

On motion by Senator Hays—

HJR 7-A—A joint resolution establishing a new effective date for Council Substitute for Committee Substitute for House Bill 1385, an act relating to petroleum contamination site cleanup, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

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

Pursuant to Section 9 of Article III of the State Constitution, Council Substitute for Committee Substitute for House Bill 1385, enacted during the 2010 Regular Session of the Legislature, shall take effect November 17, 2010, the veto of the Governor notwithstanding.

—a companion measure, was substituted for **SJR 18-A** and by two-thirds vote read the second time in full.

On motion by Senator Hays, by two-thirds vote **HJR 7-A** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Alexander	Altman
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Benacquisto	Garcia	Oelrich
Bennett	Gardiner	Rich
Bogdanoff	Hays	Richter
Bullard	Hill	Ring
Dean	Jones	Sachs
Detert	Joyner	Simmons
Diaz de la Portilla	Latvala	Siplin
Dockery	Lynn	Smith
Evers	Margolis	Sobel
Fasano	Montford	Storms
Flores	Negron	Thrasher
Gaetz	Norman	Wise

Nays—None

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives, by the required constitutional two-thirds vote of the members voting, has reinstated specific appropriation 185 and its related proviso on page 54 of HB 5001, the Governor's objections to the contrary notwithstanding, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CONSIDERATION OF SPECIFIC APPROPRIATION 185 OF HB 5001, VETOED APPROPRIATION

On motion by Senator Thrasher, by two-thirds vote, line item 185 of **HB 5001** (2010 Regular Session) together with the Governor's objections thereto was withdrawn from the Committee on Rules and taken up.

HB 5001—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2010, and ending June 30, 2011, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

The President put the question: "Shall line item 185 of the bill pass, the Governor's objections to the contrary notwithstanding?"

On motion by Senator Alexander, line item 185 of **HB 5001** (2010 Regular Session) passed by the required constitutional two-thirds vote of the members present and was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

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

SJR 22-A—A joint resolution establishing a new effective date for Specific Appropriation 185 of chapter 2010-152, Laws of Florida, an act making appropriations, which act was passed by both houses of the Legislature during the 2010 Regular Session and thereafter Specific Appropriation 185 (SPECIAL CATEGORIES, GRANTS AND AIDS - SHANDS TEACHING HOSPITAL, FROM GENERAL REVENUE

FUND) of that act and the proviso to that appropriation were vetoed by the Governor.

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

Pursuant to Section 9 of Article III of the State Constitution, Specific Appropriation 185 of chapter 2010-152, Laws of Florida, including the proviso to that appropriation, enacted during the 2010 Regular Session of the Legislature, shall take effect November 17, 2010, the veto of the Governor notwithstanding.

—was read the second time in full.

Pending further consideration of **SJR 22-A**, on motion by Senator Alexander, by two-thirds vote **HJR 11-A** was withdrawn from the Committee on Rules.

On motion by Senator Alexander—

HJR 11-A—A joint resolution establishing a new effective date for Specific Appropriation 185 of chapter 2010-152, Laws of Florida, an act making appropriations, which act was passed by both houses of the Legislature during the 2010 Regular Session and thereafter Specific Appropriation 185 (SPECIAL CATEGORIES, GRANTS AND AIDS – SHANDS TEACHING HOSPITAL, FROM GENERAL REVENUE FUND) of that act and the proviso to that appropriation were vetoed by the Governor.

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

Pursuant to Section 9 of Article III of the State Constitution, Specific Appropriation 185 of chapter 2010-152, Laws of Florida, including the proviso to that appropriation, enacted during the 2010 Regular Session of the Legislature, shall take effect November 17, 2010, the veto of the Governor notwithstanding.

—a companion measure, was substituted for **SJR 22-A** and by two-thirds vote read the second time in full.

On motion by Senator Alexander, by two-thirds vote **HJR 11-A** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 1565 by the required constitutional two-thirds vote of the members voting, the Governor’s objections to the contrary notwithstanding, and requests the concurrence of the Senate.

Robert L. “Bob” Ward, Clerk

CONSIDERATION OF VETOED BILL

On motion by Senator Thrasher, by two-thirds vote **CS for CS for HB 1565** (2010 Regular Session) together with the Governor’s objections thereto was withdrawn from the Committee on Rules and taken up.

CS for CS for HB 1565—A bill to be entitled An act relating to rulemaking; amending s. 120.54, F.S.; requiring each agency, before adopting, amending, or repealing certain rules, to prepare a statement of estimated regulatory costs of the proposed rule if the proposed rule has adverse impacts on small business or increases regulatory costs; providing an exception to circumstances under which an emergency rule shall not be effective; amending s. 120.541, F.S.; providing circumstances under which an agency shall prepare or revise a statement of estimated regulatory costs; providing notice requirements; providing that an agency’s failure to prepare a statement of estimated regulatory costs or respond to a written lower cost regulatory alternative is a material failure to follow the applicable rulemaking procedures or requirements of the chapter; specifying circumstances under which certain challenges may not be raised; providing exceptions; specifying the requirements for an economic analysis on a proposed rule or rule changes; requiring that a rule impact analysis for small businesses include the agency’s basis for not implementing alternatives to a proposed rule; providing circumstances under which a rule shall not take effect until ratified by the Legislature; providing that the act is not applicable to certain specified rules or standards; amending s. 120.56, F.S.; providing for revised statements of estimated regulatory costs as a basis for challenging a rule; amending s. 120.60, F.S.; authorizing an agency to provide by rule for the time period for submitting additional information needed for a license application; requiring that certain requests to receive notice relating to a license application be submitted in writing; providing an effective date.

The President put the question: “Shall the bill pass, the Governor’s objections to the contrary notwithstanding?”

On motion by Senator Bennett, **CS for CS for HB 1565** (2010 Regular Session) passed by the required constitutional two-thirds vote of the members present and was certified to the House. The vote on passage was:

Yeas—32

Mr. President	Garcia	Oelrich
Alexander	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Dean	Latvala	Siplin
Detert	Lynn	Smith
Diaz de la Portilla	Margolis	Storms
Evers	Montford	Thrasher
Flores	Negron	Wise
Gaetz	Norman	

Nays—7

Altman	Fasano	Sobel
Bullard	Joyner	
Dockery	Rich	

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

SJR 20-A—A joint resolution establishing a new effective date for Council Substitute for Committee Substitute for House Bill 1565, an act relating to rulemaking, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

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

Pursuant to Section 9 of Article III of the State Constitution, Council Substitute for Committee Substitute for House Bill 1565, enacted during the 2010 Regular Session of the Legislature, shall take effect November 17, 2010, the veto of the Governor notwithstanding.

—was read the second time in full.

Pending further consideration of **SJR 20-A**, on motion by Senator Bennett, by two-thirds vote **HJR 9-A** was withdrawn from the Committee on Rules.

On motion by Senator Bennett—

HJR 9-A—A joint resolution establishing a new effective date for Council Substitute for Committee Substitute for House Bill 1565, an act relating to rulemaking, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

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

Pursuant to Section 9 of Article III of the State Constitution, Council Substitute for Committee Substitute for House Bill 1565, enacted during the 2010 Regular Session of the Legislature, shall take effect November 17, 2010, the veto of the Governor notwithstanding.

—a companion measure, was substituted for **SJR 20-A** and by two-thirds vote read the second time in full.

On motion by Senator Bennett, by two-thirds vote **HJR 9-A** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—34

Alexander	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Flores	Negron	Wise
Gaetz	Norman	
Garcia	Oelrich	

Nays—4

Altman	Bullard	Fasano
Rich		

SPECIAL ORDER CALENDAR

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

SB 6-A—A bill to be entitled An act relating to energy efficiency rebate programs; authorizing the Florida Energy and Climate Commission to pay certain rebates pursuant to the Florida ENERGY STAR Residential HVAC Rebate Program; authorizing the Florida Energy and Climate Commission to pay certain rebates pursuant to the Solar Energy System Incentives Program; providing appropriations; providing a penalty; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 6-A**, on motion by Senator Bennett, by two-thirds vote **HB 15-A** was withdrawn from the Committee on Rules.

On motion by Senator Bennett—

HB 15-A—A bill to be entitled An act relating to energy efficiency rebate programs; authorizing the Florida Energy and Climate Commission to pay certain rebates pursuant to the Florida ENERGY STAR Residential HVAC Rebate Program; authorizing the Florida Energy and Climate Commission to pay certain rebates pursuant to the Solar Energy System Incentives Program; providing appropriations; providing a penalty; providing an effective date.

—a companion measure, was substituted for **SB 6-A** and by two-thirds vote read the second time by title.

On motion by Senator Bennett, by two-thirds vote **HB 15-A** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—2

Bullard	Norman
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ADOPTION OF RESOLUTIONS

On motion by Senator Lynn—

By Senators Lynn and Thrasher—

SR 24-A—A resolution recognizing the value provided to this state by NASCAR, the Homestead-Miami Speedway, and the Ford Championship Weekend.

WHEREAS, Florida has long been the preeminent site in the nation for professional motorsports racing, and

WHEREAS, Florida is the birthplace of the National Association for Stock Car Auto Racing, the most popular form of motorsports in the world, with more of the top 20 highest-attended sporting events in the United States than any other sport, and

WHEREAS, the champions of NASCAR's three national racing series, the Camping World Truck Series, the Nationwide Series, and the Sprint Cup Series, will be crowned during the upcoming Ford Championship Weekend, November 19 through 21, at the Homestead-Miami Speedway, and

WHEREAS, tens of thousands of fans from across the United States and around the world will travel to South Florida to watch these world-class events and enjoy the hospitality and this beautiful state, while millions more nationwide will watch the broadcasts of these events, and

WHEREAS, the State of Florida benefits from more than \$250 million in annual economic impact that is generated by events at the Homestead-Miami Speedway, and

WHEREAS, professional motorsports events annually create more than \$2 billion in economic impact and more than 38,000 jobs for this state, NOW, THEREFORE,

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

That the enormous value of NASCAR, the Homestead-Miami Speedway, and the Ford Championship Weekend are hereby recognized, and all residents and businesses of this state are encouraged to join in supporting NASCAR's Ford Championship Weekend at the Homestead-Miami Speedway.

—was introduced out of order and read by title. On motion by Senator Lynn, **SR 24-A** was read the second time in full and adopted.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE BUSINESS

The following Executive Order was filed with the Secretary:

EXECUTIVE ORDER NUMBER 10-222
(Executive Order of Suspension)

WHEREAS, Stephanie Kraft is presently serving as a member of the School Board of Broward County; and

Robert L. "Bob" Ward, Clerk

WHEREAS, on October 4, 2010, the State Attorney's Office for the Seventeenth Judicial Circuit, Broward County, Florida, issued an Information charging Stephanie Kraft with one count of unlawful compensation, in violation of sections 838.016(1), (2), and 777.011, Florida Statutes; one count of bribery, in violation of sections 838.015(1) and 777.011, Florida Statutes; one count of official misconduct, in violation of section 838.022, Florida Statutes; and one count of conspiracy to commit unlawful compensation, bribery and/or official misconduct, in violation of sections 838.016, 838.015, 777.011, and 777.04(3), Florida Statutes; and

WHEREAS, article IV, section 7, Florida Constitution, provides that the Governor may suspend from office any county officer for "malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform official duties, or commission of a felony [.]"

WHEREAS, these violations of sections 777.04(3), 838.013, 838.016, and 838.022 constitute felonies, and, individually or collectively, constitute malfeasance and/or misfeasance; and

WHEREAS, it is in the best interest of the residents of Broward County, and the citizens of the State of Florida, that Stephanie Kraft be immediately suspended from the public office, which she now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, CHARLIE CRIST, Governor of Florida, pursuant to article IV, section 7, Florida Constitution, do find as follows:

A. Stephanie Kraft is, and at all times material was, a member of the School Board of Broward County.

B. The office of School Board of Broward County is within the purview of the suspension powers of the Governor, pursuant to article IV, section 7, Florida Constitution.

C. The attached Information alleges that Stephanie Kraft committed acts in violation of the laws of Florida. This suspension is predicated upon the attached Information which alleges the commission of felonies, and which alleged conduct constitutes malfeasance and/or misfeasance, and is incorporated as if fully set forth in this Executive Order.

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

Section 1. Stephanie Kraft is suspended from the public office which she now holds, to wit: member of the School Board of Broward County.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 4th day of October, 2010.

Charlie Crist
GOVERNOR

ATTEST:

Dawn K. Roberts

INTERIM SECRETARY OF STATE

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HJR 1-A, HJR 3-A, HJR 5-A, HJR 7-A, HJR 9-A, HJR 11-A, HB 15-A and requests the concurrence of the Senate.

By Representative(s) Hukill—

HJR 1-A—A joint resolution establishing a new effective date for House Bill 545, an act relating to residential property sales, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

—was referred to the Committee on Rules.

By Representative(s) Hooper—

HJR 3-A—A joint resolution establishing a new effective date for Committee Substitute for House Bill 569, an act relating to solid waste disposal, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

—was referred to the Committee on Rules.

By Representative(s) Grimsley—

HJR 5-A—A joint resolution establishing a new effective date for Council Substitute for Committee Substitute for Committee Substitute for House Bill 981, an act relating to agriculture, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

—was referred to the Committee on Rules.

By Representative(s) Nelson—

HJR 7-A—A joint resolution establishing a new effective date for Council Substitute for Committee Substitute for House Bill 1385, an act relating to petroleum contamination site cleanup, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

—was referred to the Committee on Rules.

By Representative(s) Dorworth—

HJR 9-A—A joint resolution establishing a new effective date for Council Substitute for Committee Substitute for House Bill 1565, an act relating to rulemaking, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

—was referred to the Committee on Rules.

By Representative(s) Grimsley—

HJR 11-A—A joint resolution establishing a new effective date for Specific Appropriation 185 of chapter 2010-152, Laws of Florida, an act making appropriations, which act was passed by both houses of the Legislature during the 2010 Regular Session and thereafter Specific Appropriation 185 (SPECIAL CATEGORIES, GRANTS AND AIDS – SHANDS TEACHING HOSPITAL, FROM GENERAL REVENUE FUND) of that act and the proviso to that appropriation were vetoed by the Governor.

—was referred to the Committee on Rules.

By Representative(s) McKeel—

HB 15-A—A bill to be entitled An act relating to energy efficiency rebate programs; authorizing the Florida Energy and Climate Commission to pay certain rebates pursuant to the Florida ENERGY STAR Residential HVAC Rebate Program; authorizing the Florida Energy and Climate Commission to pay certain rebates pursuant to the Solar Energy System Incentives Program; providing appropriations; providing a penalty; providing an effective date.

—was referred to the Committee on Rules.

RETURNING MESSAGES — FINAL ACTION

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed SB 2-A, SJR 8-A and SJR 10-A; passed CS for CS for SB 1516 and CS for CS for SB 1842 by the required constitutional two-thirds vote of the members present in the House; and adopted SM 4-A.

Robert L. "Bob" Ward, Clerk

The bills contained in the foregoing messages were ordered enrolled.

COMMUNICATION

The Honorable Dawn K. Roberts
Interim Secretary of State

November 16, 2010

Dear Secretary Roberts:

I hand you herewith Committee Substitute for Committee Substitute for Senate Bill 1516 of the 2010 Regular Session of the Florida Legislature, entitled:

An act relating to state-owned lands;

which has passed the Senate and the House of Representatives by the required Constitutional two-thirds vote of the members voting in each house in accordance with Article III, Section 8, of the State Constitution, the Governor's objections to the contrary notwithstanding.

Respectfully yours,

R. Philip Twogood
Secretary of the Senate

Robert L. "Bob" Ward
Clerk of the House

The Honorable Dawn K. Roberts
Interim Secretary of State

November 16, 2010

Dear Secretary Roberts:

I hand you herewith Committee Substitute for Committee Substitute for Senate Bill 1842 of the 2010 Regular Session of the Florida Legislature, entitled:

An act relating to transportation projects;

which has passed the Senate and the House of Representatives by the required Constitutional two-thirds vote of the members voting in each house in accordance with Article III, Section 8, of the State Constitution, the Governor's objections to the contrary notwithstanding.

Respectfully yours,

R. Philip Twogood
Secretary of the Senate

Robert L. "Bob" Ward
Clerk of the House

ENROLLING REPORTS

SM 4-A, SJR 8-A and SJR 10-A have been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on November 16, 2010.

R. Philip Twogood, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of July 20, Special Session C, was corrected and approved.

CO-INTRODUCERS

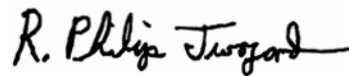
Senators Lynn—SB 2-A; Storms—SB 2-A

ADJOURNMENT

On motion by Senator Thrasher, the Senate in Special Session adjourned sine die at 6:01 p.m.

CERTIFICATE

THIS IS TO CERTIFY that the foregoing pages, numbered 1 through 15, inclusive, are and constitute a complete, true and correct journal and record of the proceedings of the Senate of the State of Florida in Special Session, convened at 3:00 p.m. on the 16th day of November 2010, and adjourned at 6:01 p.m. on the 16th day of November 2010. Additionally, there has been included a record of the transmittal of Acts and Resolutions and actions taken by the Governor subsequent to the sine die adjournment of the Special Session.



R. Philip Twogood
Secretary of the Senate

Tallahassee, Florida
January 19, 2011



Journal of the Senate

Final Reports After Adjournment Sine Die

2010 Special Session A

ENROLLING REPORTS

SB 2-A has been enrolled, signed by the required Constitutional Officers and presented to the Governor on January 4, 2011.

R. Philip Twogood, Secretary

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State the following bills which he approved—

SB 2-A on January 19, 2011.

JOURNAL OF THE SENATE

MEMBERS OF THE SENATE; BILLS, RESOLUTIONS AND MEMORIALS INTRODUCED

**SPECIAL SESSION A
November 16, 2010**

[Source: Office of Legislative Services]

(Boldfaced bill numbers passed both houses—adopted one-house resolutions also boldfaced.)

ALEXANDER, JD—17th District

Introduced: 16A, 22A

ALTMAN, THAD—24th District

Introduced: 12A

BENNETT, MICHAEL S. “MIKE”—21st District

Introduced: 6A, **10A**, 20A

DEAN, CHARLES S. “CHARLIE”, SR.—3rd District

Co-Introduced: **2A**

DETERT, NANCY C.—23rd District

Co-Introduced: **2A**

EVERS, GREG—2nd District

Co-Introduced: **2A**

GAETZ, DON—4th District

Introduced: **2A**, 14A

HAYS, ALAN—20th District

Introduced: 18A

Co-Introduced: **2A**

LYNN, EVELYN J.—7th District

Introduced: **24A**

Co-Introduced: **2A**

NEGRON, JOE—28th District

Introduced: **4A**

Co-Introduced: **2A**

RING, JEREMY—32nd District

Introduced: **8A**

STORMS, RONDA—10th District

Co-Introduced: **2A**

THRASHER, JOHN—8th District

Co-Introduced: **24A**

JOURNAL OF THE SENATE
SPECIAL SESSION A

November 16, 2010

MISCELLANEOUS SUBJECT INDEX

Subject	Page	Subject	Page
Communication		HB 545	8
R. Philip Twogood	15	CS for HB 569	9
Robert L. "Bob" Ward	15	CS for CS for CS for HB 981	9
EXECUTIVE BUSINESS		CS for CS for HB 1385	10
Suspensions	13	CS for CS for HB 1565	12
MEMBERS		HB 5001	11
Vote, Disclosure		VETOED BILLS	
Alexander	10	2010 Regular Session	
PROCLAMATIONS	1	CS for CS for SB 6	3
VETOED BILL CONSIDERATION		CS for CS for SB 1004	4
2010 Regular Session		CS for CS for SB 1516	4
CS for CS for SB 1516	5	CS for CS for SB 1842	4
CS for CS for SB 1842	6	CS for CS for SB 1964	4
		CS for CS for SB 2044	5

**Subject Index of Senate and House
Bills, Resolutions and Memorials**

**SPECIAL SESSION A
November 16, 2010**

[Source: Office of Legislative Services]

This index embraces all measures introduced in both the Senate and House. The house of origin is identified by the letter preceding each bill: S-Senate, H-House. House bills shown in this index include those never received by the Senate, and their inclusion here is only for the convenience of the user interested in all bills introduced in the Legislature on a particular subject.

(Boldfaced bill numbers passed both houses—adopted one-house resolutions also boldfaced.)

A	R
<p>ADMINISTRATIVE PROCEDURES, H1565(2010-279), S20-A, H9-A(PASSED)</p> <p>AGRICULTURE, H981(2010-277), S16-A, H5-A(PASSED)</p> <p>APPROPRIATIONS Energy and Climate Commission, S6-A, H15-A(2010-282)</p>	<p>REAL PROPERTY Sale, Disclosure Windstorm mitigation rating, H545(2010-275), S12-A, H1-A(PASSED)</p> <p>RESOLUTIONS NASCAR, Homestead-Miami Speedway, and Ford Championship Weekend, S24-A(ADOPTED)</p>
E	S
<p>ENERGY Consumer rebate programs, S6-A, H15-A(2010-282) Energy and Climate Commission, S6-A, H15-A(2010-282)</p> <p>ENVIRONMENTAL PROTECTION Pollution Control Contaminated Sites Rehabilitation, H1385(2010-278), S18-A, H7-A(PASSED)</p>	<p>SOLID WASTE Landfills Generally, H569(2010-276), S14-A, H3-A(PASSED)</p>
H	T
<p>HEALTH, DEPARTMENT OF Onsite Sewage Treatment and Disposal Systems See: WATER AND WASTEWATER</p> <p>HOSPITALS Teaching Hospitals Shands Teaching Hospital (Specific Appropriation 185 of 2010-152), S22-A, H11-A(PASSED)</p>	<p>TRANSPORTATION State Highway System Access of adjacent property owners; DOT may not divide state highways or erect media barriers in areas zoned for business use, exceptions, S1842(2010-281), S10-A(PASSED)</p>
J	V
<p>JOINT RESOLUTIONS, VETOED BILLS-2010 REGULAR SESSION, OVERRIDDEN Appropriations Shands Teaching Hospital (Specific Appropriation 185 of 2010-152), S22-A, H11-A(PASSED) H545(2010-275), effective date 11/17/10, S12-A, H1-A(PASSED) H569(2010-276), effective date 11/17/10, S14-A, H3-A(PASSED) H981(2010-277), effective date 11/17/10, S16-A, H5-A(PASSED) H1385(2010-278), effective date 11/17/10, S18-A, H7-A(PASSED) H1565(2010-279), effective date 11/17/10, S20-A, H9-A(PASSED) S1516(2010-280), effective date 11/17/10, S8-A(PASSED) S1842(2010-281), effective date 11/17/10, S10-A(PASSED)</p>	<p>VETOED BILLS-2010 REGULAR SESSION Abortion, H1143 Administrative procedures, H1565 Agriculture, H981, H7103 Appropriations General Appropriations Bill, 2010-2011, line-item vetoes, H5001 2010-2011, implementing bill, line-item vetoes, H5003 Campaign financing, H1207 Community development districts, H7203 Design professionals, S1964 Education personnel, S6 Financial Services Department, H5603 Insurance, S2044 Local governments, competitive bidding, S1004 Management Services Department, H5611 Petroleum contamination site cleanup, H1385 Residential property sales, H545 Retirement, H5607 Solid waste disposal, H569 State-owned lands, S1516 Transportation projects, S1842</p>
L	W
<p>LANDS State-owned lands, S1516(2010-280), S8-A(PASSED)</p>	<p>WATER AND WASTEWATER Onsite Sewage Treatment and Disposal Systems Evaluation program, S2-A(2010-283), H17-A</p>
M	
<p>MEMORIALS Medicaid program, S4-A(ADOPTED)</p>	

JOURNAL OF THE SENATE

**SENATE BILLS, RESOLUTIONS AND MEMORIALS BY NUMBER
WITH SUBJECT, INTRODUCER AND DISPOSITION**

**SPECIAL SESSION A
November 16, 2010**

(To Obtain the Number of a Bill, see Subject Index)

Abbreviations

BA — Bill Action
Ch. — Chapter Number, Bill Passed
CO — Co-Introducers
CR — Committee Report
CS — Committee Substitute
FR — First Reading
MO — Motion
RC — Reference Change
Boldfaced Page Numbers — Passage of Bill

Types of Bills

SB/HB — Senate/House Bill
SCR/HCR — Senate/House Concurrent Resolution
SJR/HJR — Senate/House Joint Resolution
SM/HM — Senate/House Memorial
SR — Senate Resolution

Final Disposition

Adopted
CSP — Companion or Similar Bill Passed
DCC — Died in Conference Committee
DCH — Died on House Calendar
DCS — Died on Senate Calendar
DHC — Died in House Committee
DM — Died in Messages
DNI — Died, Not Introduced
DSC — Died in Senate Committee
FPH — Failed to Pass House
FPS — Failed to Pass Senate
LTH — Laid on Table in House
LTS — Laid on Table in Senate
Passed
UHC — Unfavorable Report, House Committee
USC — Unfavorable Report, Senate Committee
Vetoed
WNI — Withdrawn, Not Introduced
WS — Withdrawn from the Senate

SB		SJR	
2-A	Public Health (Gaetz and others) (FR)2, (MO)3, (BA)6, (CO)15 2010-283	14-A	Solid Waste Disposal/H 569 New Effective Date (Gaetz) (FR)2, (MO)3, (BA)9 LTS/CSP-HJR 3-A
SM		16-A	Agriculture/H 981 New Effective Date (Alexander) (FR)2, (MO)3, (BA)10 LTS/CSP-HJR 5-A
4-A	Florida Medicaid Program (Negron) (FR)2, (MO)3, (BA)7,8, 15 Passed	18-A	Petroleum Contamination Site Cleanup/H 1385 (Hays) (FR)2, (MO)3, (BA)11 LTS/CSP-HJR 7-A
SB		20-A	Rulemaking/H 1565 New Effective Date (Bennett) (FR)2, (MO)3, (BA)12, (BA)13 LTS/CSP-HJR 9-A
6-A	Energy Efficiency Rebate Programs (Bennett) (FR)2, (MO)3, (BA)13 LTS/CSP-HB 15-A	22-A	Appropriations/Shands Teaching Hospital (Alexander) (FR)3, (MO)3, (BA)11, (BA)12 LTS/CSP-HJR 11-A
SJR		SR	
8-A	State-owned Lands/S 1516 New Effective Date (Ring) (FR)2, (MO)3, (BA)5, 6, 15 Passed	24-A	NASCAR/Homestead-Miami Speedway/Ford Championship (Lynn and others) (FR)13 Adopted
10-A	Transportation Projects/S 1842 New Effective Date (Bennett) (FR)2, (MO)3, (BA)6, 15 Passed		
12-A	Residential Property Sales/H 545 Effective Date (Altman) (FR)2, (MO)3, (BA)8 LTS/CSP-HJR 1-A		

HOUSE BILLS, RESOLUTIONS AND MEMORIALS RECEIVED IN SENATE

HJR		HJR	
1-A	Residential Property Sales/H 545 Effective Date (Hukill) (BA)8, (FR)14 Passed	9-A	Rulemaking/H 1565 New Effective Date (Dorworth) (BA)12, (BA)13, (FR)14 Passed
3-A	Solid Waste Disposal/H 569 New Effective Date (Hooper) (BA)9, (FR)14 Passed	11-A	Appropriations/Shands Teaching Hospital (Grimsley) (BA)12, (FR)14 Passed
5-A	Agriculture/H 981 New Effective Date (Grimsley) (BA)10, (FR)14 Passed	HB	
7-A	Petroleum Contamination Site Cleanup/H 1385 (Nelson) (BA)11, (FR)14 Passed	15-A	Energy Efficiency Rebate Programs (McKeel) (BA)13, (FR)14 2010-282

Journal
of the
S E N A T E
State of Florida



FORTY-THIRD REGULAR SESSION

UNDER THE CONSTITUTION AS REVISED IN 1968

MARCH 8 THROUGH MAY 7, 2011

MEMBERS OF THE SENATE

(28 Republicans, 12 Democrats)

REGULAR SESSION

March 8 through May 7, 2011

- District 1: Anthony C. "Tony" Hill, Sr. (D), Jacksonville***
Parts of Duval, Flagler, Putnam, St. Johns and Volusia
- District 2: Greg Evers (R), Baker****
Holmes, Washington, and parts of Bay, Escambia, Okaloosa, Santa Rosa and Walton
- District 3: Charles S. "Charlie" Dean, Sr. (R), Inverness***
Baker, Dixie, Hamilton, Lafayette, Suwannee, Taylor and parts of Citrus, Columbia, Jefferson, Leon, Levy, Madison and Marion
- District 4: Don Gaetz (R), Niceville****
Parts of Bay, Escambia, Okaloosa, Santa Rosa and Walton
- District 5: Stephen R. Wise (R), Jacksonville***
Parts of Clay, Duval, Nassau and St. Johns
- District 6: Bill Montford (D), Tallahassee****
Calhoun, Franklin, Gadsden, Gulf, Jackson, Liberty, Wakulla and parts of Bay, Jefferson, Leon and Madison
- District 7: Evelyn J. Lynn (R), Ormond Beach***
Parts of Clay, Marion, Putnam and Volusia
- District 8: John Thrasher (R), St. Augustine****
Parts of Duval, Flagler, Nassau, St. Johns and Volusia
- District 9: Andy Gardiner (R), Orlando***
Parts of Orange, Osceola and Seminole
- District 10: Ronda Storms (R), Valrico****
Parts of Hillsborough, Pasco and Polk
- District 11: Mike Fasano (R), New Port Richey***
Parts of Citrus, Hernando, Pasco and Pinellas
- District 12: Jim Norman (R), Tampa****
Parts of Hillsborough and Pasco
- District 13: Dennis L. Jones, D.C. (R), Seminole***
Part of Pinellas
- District 14: Steve Oelrich (R), Gainesville****
Alachua, Bradford, Gilchrist, Union and parts of Columbia, Levy, Marion and Putnam
- District 15: Paula Dockery (R), Lakeland***
Parts of Hernando, Lake, Osceola, Polk and Sumter
- District 16: Jack Latvala (R), Clearwater****
Parts of Hillsborough and Pinellas
- District 17: JD Alexander (R), Lake Wales***
Hardee, Highlands, and parts of DeSoto, Glades, Okeechobee, Polk and St. Lucie
- District 18: Arthenia L. Joyner (D), Tampa****
Parts of Hillsborough, Manatee and Pinellas
- District 19: Gary Siplin (D), Orlando***
Parts of Orange and Osceola
- District 20: Alan Hays (R), Umatilla****
Parts of Lake, Marion, Seminole, Sumter and Volusia
- District 21: Michael S. "Mike" Bennett (R), Bradenton***
Parts of Charlotte, DeSoto, Lee, Manatee and Sarasota
- District 22: David Simmons (R), Maitland****
Parts of Orange and Seminole
- District 23: Nancy C. Detert (R), Venice***
Parts of Charlotte, Manatee and Sarasota
- District 24: Thad Altman (R), Viera****
Parts of Brevard, Orange and Seminole
- District 25: Ellyn Setnor Bogdanoff (R), Fort Lauderdale****
Parts of Broward and Palm Beach
- District 26: Mike Haridopolos (R), Melbourne****
Parts of Brevard, Indian River, Osceola and St. Lucie
- District 27: Lizbeth Benacquisto (R), Wellington****
Parts of Charlotte, Glades, Hendry, Lee and Palm Beach
- District 28: Joe Negron (R), Stuart****
Martin and parts of Indian River, Okeechobee, Palm Beach and St. Lucie
- District 29: Christopher L. "Chris" Smith (D), Ft. Lauderdale***
Parts of Broward and Palm Beach
- District 30: Maria Lorts Sachs (D), Boca Raton****
Parts of Broward and Palm Beach
- District 31: Eleanor Sobel (D), Hollywood***
Part of Broward
- District 32: Jeremy Ring (D), Margate****
Part of Broward
- District 33: Oscar Braynon II (D), Miami Gardens*****
Part of Miami-Dade
- District 34: Nan H. Rich (D), Weston****
Parts of Broward and Miami-Dade
- District 35: Gwen Margolis (D), Coconut Grove****
Parts of Broward and Miami-Dade
- District 36: Miguel Diaz de la Portilla (R), Coral Gables****
Part of Miami-Dade
- District 37: Garrett Richter (R), Naples***
Parts of Collier and Lee
- District 38: Anitere Flores (R), Miami****
Part of Miami-Dade
- District 39: Larcenia J. Bullard (D), Miami***
Monroe and parts of Broward, Collier, Hendry, Miami-Dade and Palm Beach
- District 40: Rene Garcia (R), Hialeah****
Part of Miami-Dade

* Holdovers

** Elected General Election November 2, 2010, for a term of 2 years

*** Elected Special General Election March 1, 2011, for a term of 2 years

OFFICERS OF THE SENATE

Mike Haridopolos, *President*

Michael S. "Mike" Bennett, *President Pro Tempore*

Andy Gardiner, *Majority (Republican) Leader*

Nan H. Rich, *Minority (Democratic) Leader*

Non-member Elected Officer

R. Philip Twogood, *Secretary of the Senate*

**MEMBERS AND OFFICERS OF THE SENATE
THE 2010-2012 FLORIDA SENATE**

President



Mike Haridopolos (R)
Melbourne
District 26

**President Pro
Tempore**



Michael S. "Mike" Bennett (R)
Bradenton
District 21

**Majority
(Republican)
Leader**



Andy Gardiner (R)
Orlando
District 9

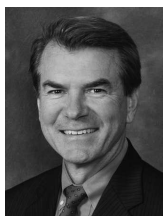
**Minority
(Democratic)
Leader**



Nan H. Rich (D)
Weston
District 34



JD Alexander (R)
Lake Wales
District 17



Thad Altman (R)
Viera
District 24



Lizbeth Benacquisto (R)
Wellington
District 27



Ellyn Setnor Bogdanoff
(R)
Fort Lauderdale
District 25



Oscar Braynon II (D)
Miami Gardens
District 33



Larcenia J. Bullard (D)
Miami
District 39



Charles S. "Charlie"
Dean, Sr. (R)
Inverness
District 3



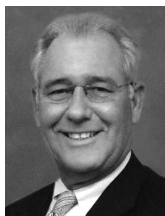
Nancy C. Detert (R)
Venice
District 23



Miguel Diaz de la Portilla
(R)
Coral Gables
District 36



Paula Dockery (R)
Lakeland
District 15



Greg Evers (R)
Baker
District 2



Mike Fasano (R)
New Port Richey
District 11



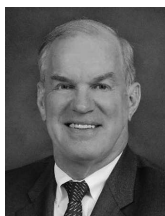
Anitere Flores (R)
Miami
District 38



Don Gaetz (R)
Niceville
District 4



Rene Garcia (R)
Hialeah
District 40



Alan Hays (R)
Umatilla
District 20



Anthony C. "Tony" Hill,
Sr. (D)
Jacksonville
District 1



Dennis L. Jones, D.C. (R)
Seminole
District 13



Arthenia L. Joyner (D)
Tampa
District 18



Jack Latvala (R)
Clearwater
District 16

**MEMBERS AND OFFICERS OF THE SENATE
THE 2010-2012 FLORIDA SENATE**



Evelyn J. Lynn (R)
Ormond Beach
District 7



Gwen Margolis (D)
Coconut Grove
District 35



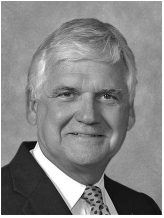
Bill Montford (D)
Tallahassee
District 6



Joe Negron (R)
Stuart
District 28



Jim Norman (R)
Tampa
District 12



Steve Oelrich (R)
Gainesville
District 14



Garrett Richter (R)
Naples
District 37



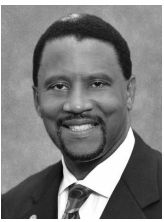
Jeremy Ring (D)
Margate
District 32



Maria Lorts Sachs (D)
Boca Raton
District 30



David Simmons (R)
Maitland
District 22



Gary Siplin (D)
Orlando
District 19



Christopher L. "Chris"
Smith (D)
Ft. Lauderdale
District 29



Eleanor Sobel (D)
Hollywood
District 31



Ronda Storms (R)
Valrico
District 10



John Thrasher (R)
St. Augustine
District 8



Stephen R. Wise (R)
Jacksonville
District 5

Includes new member in District 33 elected at a special election on March 1, 2011

Non-member Elected Officer



R. Philip Twogood
Secretary of the Senate

Sergeant at Arms



Donald Severance



Journal of the Senate

Number 1—Regular Session

Tuesday, March 8, 2011

Beginning the Forty-third Regular Session of the Legislature of Florida convened under the Florida Constitution as revised in 1968, and subsequently amended, and the 113th Regular Session since Statehood in 1845, at the Capitol, in the City of Tallahassee, Florida, on Tuesday, the 8th of March, A.D., 2011, being the day fixed by the Constitution of the State of Florida for convening the Legislature.

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 10:00 a.m.
A quorum present—38:

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Excused: Senators Alexander and Bullard

PRAYER

The following prayer was offered by Staff Sergeant Andrew Wildes. Staff Sergeant Wildes is an Operation Iraqi Freedom Veteran, having deployed from September 2004 through November 2005, earning a meritorious service medal for his actions:

Let us pray.

Heavenly Father, we come before you today as the citizens of this great state, facing uncertain times. We pray for wisdom and courage over this legislative body as it faces difficult decisions that will have a direct impact on so many people. May this session yield a renewed sense of hope.

We pray that the leaders before us today have the ability to guide us into prosperity. God bless this Senate and bless the great State of Florida. In your most heavenly name, we pray. Amen.

PLEDGE

Sergeant First Class Andrew Riehle led the Senate in the pledge of allegiance to the flag of the United States of America. Sergeant First Class Riehle is an Operation Iraqi Freedom Veteran, serving one deployment in Iraq from March 2003 through mid-2004. He was awarded the Combat Infantry Badge. He also served in Kuwait from January to December 2010, where he earned a meritorious service medal.

DOCTOR OF THE DAY

The President recognized Dr. Stephen Badolato of Indian Harbour Beach, who he sponsored, as doctor of the day. Dr. Badolato specializes in Family Practice and Sports Medicine.

MOMENT OF SILENCE

President Haridopolos asked the Senate to observe a moment of silence for Senator Bullard, who is at home recovering from an illness.

SPECIAL PERFORMANCE

President Haridopolos introduced Harry Burney, a creative consultant for the New York Public School System, the Brooklyn Library System, and Walt Disney World Entertainment. He was also Artist-in-Residence at the Museum of Arts and Sciences as well as at Bethune-Cookman College in Daytona Beach, performing and developing ethnomusicology projects. Mr. Burney sang *America the Beautiful*.

CERTIFICATE RECEIVED

The Secretary announced that the Honorable Kurt S. Browning, Secretary of State, had certified the election of Senator Oscar Braynon II as follows:

STATE OF FLORIDA
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

I, **KURT S. BROWNING**, Secretary of State of the State of Florida, do hereby certify that the following candidate was duly elected at the Special General Election held on the First day of March, A.D., 2011, to the office of Member, State Senate, as shown by the records of this office:

SENATE DISTRICT	ELECTED SENATOR
--------------------	-----------------

33	Oscar Braynon II
----	------------------



GIVEN under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the 7th day of March, A.D., 2011

Kurt S. Browning
SECRETARY OF STATE

OATH OF OFFICE ADMINISTERED

The oath of office was administered by Senator Braynon's uncle, the Honorable Harold L. Braynon, former Municipal Court Judge.

MOTION

On motion by Senator Thrasher, Rule 3.7 was waived and 12:00 noon, March 18, 2011, was established as the deadline for Senator Braynon to file bills for introduction.

SPECIAL GUESTS

President Haridopolos introduced the following guests: Governor Rick Scott and his wife, Ann; Lieutenant Governor Jennifer Carroll, former Representative; Commissioner of Agriculture Adam Putnam, former Congressman; and Chief Financial Officer Jeff Atwater, former Senate President.

President Haridopolos announced that in addition to former Senate President Gwen Margolis, who still serves in the Senate, the Senate was honored by the presence of the following former Senate Presidents: Tom Lee and his wife, Laurel; Jim Scott; and John Vogt.

President Haridopolos also recognized former Senators Dave Aronberg; Al Lawson; Steve Geller; Carey Baker; Burt Saunders; Curt Kiser; John Grant; Ron Silver; Van Poole; and Congressman Daniel Webster.

President Haridopolos recognized Senator Sobel, who acknowledged Dr. Stephanie Haridopolos, First Lady of the Florida Senate, and all Senate spouses present in the chamber.

President Haridopolos introduced his parents, Ernie and Georgia Haridopolos, who were present in the gallery.

On motion by Senator Thrasher, by unanimous consent—

By Senator Thrasher—

SCR 6000—A concurrent resolution providing that the Senate and the House of Representatives convene in Joint Session for the purpose of receiving a message from the Governor.

WHEREAS, His Excellency, Governor Rick Scott, has expressed a desire to address the Legislature in Joint Session, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That the Senate and the House of Representatives convene in Joint Session in the Chamber of the House of Representatives at 5:30 p.m. this day, March 8, 2011, for the purpose of receiving a message of the Governor.

—was introduced out of order and read the first time in full. On motions by Senator Thrasher, by two-thirds vote **SCR 6000** was read the second time by title, unanimously adopted and immediately certified to the House.

REMARKS BY PRESIDENT MIKE HARIDOPOLOS

In November, 1942, after three grim years of defeat, the British won a great victory in North Africa that proved to be a turning point in World War II. Winston Churchill famously said at the time that it was not the end, or even the beginning of the end. But, perhaps, it was the end of the beginning.

For more than three years—for what seems like forever—Florida has been battered by an economic storm the likes of which has not been seen since the Great Depression. Life savings have been swept away as families looked on helplessly. Wave after wave of home foreclosures have washed over us. Unemployment has mounted higher and higher still, month after month, year after year. And government revenues at every level have plummeted, rendering budgetary fat an unaffordable luxury, which is good, and necessitating cuts to the bone and beyond, which is not.

We are certainly not at the end of this recession, but I hope we can go Churchill one better—perhaps we are at the beginning of the end. There is hardship yet to be endured, hard decisions yet to be made. Too many homes still teeter on the edge of foreclosure. Too many people who want work still cannot find work. And we will cut billions more from the state budget at a time when unfunded mandates from the Federal government and the needs of our citizens demand more from us, not less.

So, if it is true that adversity builds character, then every one of you can count on being a much better person by the time we adjourn in 60 days. I believe it is not too early for us to take stock, to reflect on the lessons of the recession as they apply to our state government, and to chart a new course for the future.

I recognize that we are bit players in the international economic drama. In fact, it is doubtful that we alone can do much to impact the national economy in all its vastness and complexity.

But, fortunately, we are not alone. We may rely upon the fact that our colleagues in Congress and our brethren in every state legislature share our goals of prosperity with justice, and freedom with security. And we can be sure that farmers in Nebraska are not so very different from construction workers in Florida in the ways that matter most.

Edmund Burke wrote that the building blocks of any community, of every nation, are the little platoons—families, churches, charities, civic organizations. We are just such a little platoon in the big picture of things. But if we do our part, and others do theirs, then together we will achieve our shared goals as a people, as a state, and as a nation.

But, what is to be done? I say let's shoot the sharks nearest the boat first. Let's concentrate on what we can reasonably expect to accomplish today without dissipating our energy and losing our focus in futile pursuit of things that ought to be done some day.

For it is written: "Therefore do not worry about tomorrow, for tomorrow will worry about its own things. Sufficient for the day is its own troubles." This is great advice, probably because Matthew had it on pretty good authority.

The troubles we face today are the programmatic remnants of a government that was too large, too complacent and too wasteful. A government whose structural weaknesses were harshly exposed by the stress test that is this recession. We will have countless opportunities this year to address these troubles.

But my personal priorities for this session can be summed up as the two Rs—Reform and Restraint. When looking at opportunities for reform, two leap out at me.

Pension Reform and Medicaid Reform

First, we must reform the Florida Retirement System. Defined benefit plans are rapidly becoming a thing of the past. This has already happened in the private sector because of their prohibitive cost. And unlike most other states we have defined benefit plans, to which the public employees make no contributions. This is the dinosaur we have nurtured in Florida.

Make no mistake: I yield to no one in my high regard for our public employees. My experience is that these men and women are able and dedicated professionals, and I am grateful for their hard work, as we all should be. But while public service may be a calling, it is still a job, not a magic cloak that can hide one from reality.

Pension reform must be a priority this year. Medicaid reform is essential. I applaud Speaker Cannon for his leadership on this issue. Senators Negron, Gaetz and Garcia have already done outstanding work. We can realize the savings that result from competition and managed care in Medicaid without sacrificing quality and always putting patients first. This is a massive undertaking, a real paradigm shift. But coming to grips with Medicaid is a duty we cannot shirk. The increasing Medicaid population, rising health care costs, and unfunded Federal mandates have created a black hole that will swallow the state budget sooner than later if we do not act promptly.

My second R, restraint, may be a goal more difficult to achieve than reform. It is always hard to change long-standing programs and laws, each with its own powerful and vocal constituency. But changing ourselves is something else altogether. Anyone knows what I mean if they have ever tried to lose weight, stop smoking, exercise regularly or in the case of most politicians, listen when someone else is talking. And while we have done much better of late, primarily because of necessity, restraint has not historically been one of the distinguishing characteristics of any legislature. But it is my belief that we can learn restraint, and even institutionalize it in some cases. We must, of course, continue to hold the line against new taxes, however great the strain. I doubt any of you thinks that now is the time to increase the tax burden of Floridians. I know most of us believe that the appropriate frequency of tax increases roughly coincides with appearances of Haley's comet. And I agree with you; taxes have no more ruthless enemy than me. Whether we can actually reduce taxes, at the present time, in a responsible way, remains to be seen. If anyone can show me how we can realistically feed the increasing multitude with even fewer fish and less bread than we have now, then I will gladly follow him.

Another area where restraint can go a long way in aiding recovery is what I think of as responsible regulation. I compliment Governor Scott for his bold initiatives in this area. He can count on my unstinting support for vetting our regulations past and future with new standards based on real need and common sense. When it comes to regulation, government should require no more of its people than their actual health, safety and welfare demands. More than that is meddling, and arrogance to boot. When it comes to regulation, my personal belief is less is more and a little humility will go a long way. And speaking of humility and restraint, the legislature has room to show more respect in its dealings with local governments than it has during the past decade.

We say we believe in the principle of representative democracy, in home rule, but it is a principle more often honored in the breach than in the observance.

Our hands certainly are not clean on this issue. But the arrogance and reckless disregard for unfunded mandates with which the new Federal health care regime has been imposed on us has made me re-think relations between state and local governments. I have a renewed appreciation for home rule. And what is good for the goose is good for the gander. So let's not roll anything downhill to DeLand, DeBary, and DeFuniak Springs this session.

My final priority under the R of restraint is a meaningful statutory limitation on state spending coupled with new reserves that will help soften the blow of the next economic downturn. There is a state spending limitation currently on the books, but the fact that it has never operated

to limit one dime in spending is proof positive of its inadequacy. I call my plan Smart Cap, because it is both. But it could be called the Old Testament Option, as the concept was originally Joseph's. In the good years, don't eat all the corn. Save some, so that in the bad years you don't have to eat sand. Very wise, and very much needed if we do not want our spending in the past to be the prologue to our spending in the future.

Smart Cap is also an opportunity to walk the walk on home rule. We will lead by example, not coercion. Smart Cap will apply only to state government. Local governments will choose their own paths in consultation with their constituents.

The agenda I have outlined is an ambitious one. Getting good grades in the two Rs will not be easy. But I know we are up to it. Experience tells me that.

For three years we have labored mightily to meet the challenges of this recession. I am proud of the job we and our colleagues in the House, led by Dean Cannon, have done in cutting spending, holding down taxes, and preserving needed services under tremendous pressure.

But as I said at the outset, we are only at the beginning of the end, and there is much more to be done. So, I welcome to the job all those who are just now getting to work. There cannot be too many willing hands turned to the task before us.

So, on this opening day...I close by saying to you: "Once more into the breach, dear friends...once more."

COMMITTEE APPOINTED

On motion by Senator Bennett that a committee be appointed to notify the House of Representatives that the Senate was convened and ready to proceed to the business of the session, the President appointed Senator Bennett, Chair; and Senators Braynon; Latvala; Sachs; and Storms. The committee was excused.

COMMITTEE DISCHARGED

The committee appointed to notify the House of Representatives appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

COMMITTEE RECEIVED

A committee from the House of Representatives composed of Representative T. Williams, Chair; and Representatives Kreegel; Glorioso; Porth; and Sands was received and informed the Senate that the House of Representatives was convened and ready to proceed to the business of the session. The committee then withdrew from the chamber.

RECESS

On motion by Senator Thrasher, the Senate recessed at 11:04 a.m. to reconvene at 3:00 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by President Haridopolos at 3:02 p.m. A quorum present—38:

Mr. President	Evers	Latvala
Altman	Fasano	Lynn
Benacquisto	Flores	Margolis
Bennett	Gaetz	Montford
Bogdanoff	Garcia	Negron
Braynon	Gardiner	Norman
Dean	Hays	Oelrich
Detert	Hill	Rich
Diaz de la Portilla	Jones	Richter
Dockery	Joyner	Ring

Sachs	Smith	Thrasher
Simmons	Sobel	Wise
Siplin	Storms	

ADOPTION OF RESOLUTIONS

On motion by Senator Joyner—

By Senator Joyner—

SR 1442—A resolution commending Dolores Keen, Rose Louis-Paul Dodson, and Renee Roundtree as Women of Great Valor.

WHEREAS, Dolores Keen, Rose Louis-Paul Dodson, and Renee Roundtree demonstrated tremendous valor and bravery through their actions in the early morning hours of June 29, 2010, when they witnessed the shooting of two officers from the Tampa Police Department, and

WHEREAS, upon hearing gunfire, Dolores Keen called 911 without hesitation to report to the Tampa Police Department that two officers had been shot by an unknown assailant, and

WHEREAS, Rose Louis-Paul Dodson and Renee Roundtree ran to the aid of the fallen officers, Officer David Curtis and Officer Jeffrey Kocab, in an effort to offer lifesaving assistance and comfort as they lay dying, and

WHEREAS, these upstanding citizens truly “did the right thing” without concern for their personal welfare in a community where such incidents are more often ignored due to the potential for criticism, retribution, and threat of being ostracized by neighbors, friends, family members of the perpetrator, or gangs, and

WHEREAS, through their actions, Dolores Keen, Rose Louis-Paul Dodson, and Renee Roundtree have set a premier example of valor, bravery, and most of all, human compassion, NOW, THEREFORE,

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

That the Senate does pause in its deliberations to pay its respects to Dolores Keen, Rose Louis-Paul Dodson, and Renee Roundtree for their brave actions of human compassion and kindness which set an exemplary standard for every person, young and old, throughout the State of Florida, thereby creating a better quality of life for every man, woman, and child in this great state.

—was introduced out of order and read by title. On motion by Senator Joyner, **SR 1442** was read the second time in full and adopted.

On motion by Senator Diaz de la Portilla—

By Senator Diaz de la Portilla—

SR 820—A resolution honoring the memory of Officer Roger Castillo and Officer Amanda Haworth of the Miami-Dade County Police Department.

WHEREAS, on January 20, 2011, Officer Roger Castillo of Davie, Florida, a 21-year veteran of the Miami-Dade County Police Department, and Officer Amanda Haworth of Miramar, Florida, a 23-year veteran of the Miami-Dade County Police Department, were shot and killed by a violent fugitive as they attempted to execute a homicide warrant in Miami, Florida, and

WHEREAS, Officer Castillo, who was 41 years of age, leaves behind a wife, Debbie, and three sons, and Officer Haworth, who was 44 years of age, leaves behind a 13-year-old son, and

WHEREAS, Officer Castillo and Officer Haworth risked their lives for the greater good of their community by promoting a safe and secure environment that was free from crime, and

WHEREAS, in the daily performance of their duties as law enforcement officers, Officer Castillo and Officer Haworth not only upheld the principles and values embodied in the United States Constitution and the Constitution of the State of Florida, they also honored the mission

statement of the Miami-Dade County Police Department by practicing the department’s core values of integrity, respect, service, and fairness throughout their careers and by committing themselves to the highest performance standards, ethical conduct, and truthfulness in all of their relationships, and

WHEREAS, throughout our nation’s history, nearly 19,000 members of the law enforcement community have made the ultimate sacrifice and given their lives while providing for the safety and protection of others, and

WHEREAS, in honoring the lives of Officer Roger Castillo and Officer Amanda Haworth for their valiant dedication, sacrifice, and service to the south Florida community, we should also be reminded of the tens of thousands of law enforcement officers who have died similarly in the line of duty and of those law enforcement officers who serve our communities every day to provide for our safety and protection, at risk of the same peril, NOW, THEREFORE,

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

That the Florida Senate, with great sadness, marks the tragic and untimely passing of Officer Roger Castillo and Officer Amanda Haworth of the Miami-Dade County Police Department.

BE IT FURTHER RESOLVED that the Florida Senate extends its deepest sympathy and condolences to the families of each officer, and hereby honors Officer Roger Castillo and Officer Amanda Haworth for their 44 years of dedicated service as law enforcement officers to the citizens of Miami-Dade County.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the families of Officer Roger Castillo and Officer Amanda Haworth as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Diaz de la Portilla, **SR 820** was read the second time in full and adopted.

On motion by Senator Sobel—

By Senators Sobel and Gaetz—

SR 192—A resolution encouraging the donation of surplus fire equipment and materials to Florida’s volunteer fire departments.

WHEREAS, about 80 percent of the fire departments in the United States are manned by volunteers, and

WHEREAS, surplus fire equipment and materials have been donated to countries overseas by municipal and other fire departments, and

WHEREAS, the expenses of volunteer fire departments in this state could be lessened by almost half by such donations, and

WHEREAS, the equipment and materials paid for by taxpayers should be donated to sister fire departments in this state, and

WHEREAS, the City of Hallandale Beach, the Broward County League of Cities, the Florida League of Cities, the United States Conference of Mayors, and the National League of Cities have adopted resolutions encouraging the donation of surplus fire equipment and materials to domestic volunteer fire departments, NOW, THEREFORE,

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

That the Florida Senate strongly encourages the donation of surplus fire equipment and materials to Florida’s volunteer fire departments.

—was introduced out of order and read by title. On motion by Senator Sobel, **SR 192** was read the second time in full and adopted.

On motion by Senator Fasano—

By Senator Fasano—

SR 294—A resolution recognizing February 6, 2011, as “Ronald Reagan Day” in the State of Florida.

WHEREAS, President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good as an entertainer, union leader, corporate spokesperson, governor of California, and, ultimately, President of the United States, and

WHEREAS, Ronald Reagan served with honor and distinction for two terms as the 40th president of the United States, winning the popular vote in 49 of the 50 states prior to his second term — a record unsurpassed in the history of American presidential elections — and earning the confidence of three-fifths of the electorate, and

WHEREAS, in 1981, when Ronald Reagan was inaugurated President, he inherited a disillusioned nation that was shackled by rampant inflation and high unemployment, and

WHEREAS, during his presidency, Ronald Reagan worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to government, which led to unprecedented economic expansion and opportunity for millions of Americans, and

WHEREAS, Ronald Reagan’s commitment to an active social policy agenda for the nation’s children helped lower crime and drug use in neighborhoods, and

WHEREAS, Ronald Reagan’s commitment to the Armed Forces contributed to the restoration of pride and values in America and to those values cherished by the free world, and prepared this nation’s Armed Forces to meet 21st Century challenges, and

WHEREAS, Ronald Reagan’s vision of “peace through strength” led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people, and

WHEREAS, February 6, 2011, is the 100th anniversary of Ronald Reagan’s birth, and the 7th since his passing, NOW, THEREFORE,

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

That February 6, 2011, is recognized as “Ronald Reagan Day” in the State of Florida.

—was introduced out of order and read by title. On motion by Senator Fasano, **SR 294** was read the second time in full and adopted.

On motion by Senator Storms—

By Senator Storms—

SR 1134—A resolution recognizing the Florida Guardian ad Litem Program for its commitment and many years of service representing the dependent children of this state.

WHEREAS, the Florida Guardian ad Litem Program’s sole mission is to represent the best interests of abused and neglected children involved in dependency court proceedings, and

WHEREAS, for more than 30 years, the Florida Guardian ad Litem Program has provided independent advocacy for hundreds of thousands of dependent children in this state, and

WHEREAS, the Florida Guardian ad Litem Program coordinates and oversees the work of nearly 8,000 volunteers, and

WHEREAS, studies have shown that children in the dependency system have greatly benefited from participation in the Florida Guardian ad Litem Program, with volunteers not only serving in an advocacy role, but also serving as educational surrogates, and

WHEREAS, each year volunteers with the Florida Guardian ad Litem Program donate time, services, and support worth millions of dollars to this state and provide an invaluable service to dependency court judges, and

WHEREAS, the Florida Guardian ad Litem Program strives to achieve permanency for children in the dependency system and has played a key role in making this state the national leader in adoption, NOW, THEREFORE,

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

That the Florida Guardian ad Litem Program is commended for its many years of service representing the best interests of Florida’s dependent children.

—was introduced out of order and read by title. On motion by Senator Storms, **SR 1134** was read the second time in full and adopted.

MOMENT OF SILENCE

The President recognized Senator Dean who asked the Senate to observe a moment of silence for the fallen soldier, Corporal Johnathan W. Taylor, 23, of Homosassa, who died while conducting combat operations in Helmand Province, Afghanistan. Corporal Taylor was assigned to the 2nd Battalion, 8th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, N.C. He was a graduate of Lecanto High School.

SPECIAL ORDER CALENDAR

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

SCR 1202—A concurrent resolution establishing the Joint Rules of the Florida Legislature for the 2010-2012 term.

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That the following joint rules shall govern the Florida Legislature for the 2010-2012 term:

JOINT RULES

Joint Rule One—Lobbyist Registration and Compensation Reporting

1.1—Those Required to Register; Exemptions; Committee Appearance Records

(1) All lobbyists before the Florida Legislature must register with the Lobbyist Registration Office in the Division of Legislative Information Services of the Office of Legislative Services. Registration is required for each principal represented.

(2) As used in Joint Rule One, unless the context otherwise requires, the term:

(a) “Compensation” means payment, distribution, loan, advance, reimbursement, deposit, salary, fee, retainer, or anything of value provided or owed to a lobbying firm, directly or indirectly, by a principal for any lobbying activity.

(b) “Division” means the Division of Legislative Information Services within the Office of Legislative Services.

(c) “Legislative action” means introduction, sponsorship, testimony, debate, voting, or any other official action on any measure, resolution, amendment, nomination, appointment, or report of, or any matter that may be the subject of action by, either house of the Legislature or any committee thereof.

(d) “Lobby” or “lobbying” means influencing or attempting to influence legislative action or nonaction through oral or written communication or an attempt to obtain the goodwill of a member or employee of the Legislature.

(e) “Lobbying firm” means any business entity, including an individual contract lobbyist, that receives or becomes entitled to receive any compensation for the purpose of lobbying and where any partner, owner, officer, or employee of the business entity is a lobbyist. “Lobbying firm” does not include an entity that has employees who are lobbyists if the entity does not derive compensation from principals for lobbying or if such compensation is received exclusively from a subsidiary or affiliate corporation of the employer. As used in this paragraph, an affiliate corporation is a corporation that directly or indirectly shares the same

ultimate parent corporation as the employer and does not receive compensation for lobbying from any unaffiliated entity.

(f) “Lobbyist” means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. An employee of the principal is not a “lobbyist” unless the employee is principally employed for governmental affairs. “Principally employed for governmental affairs” means that one of the principal or most significant responsibilities of the employee to the employer is overseeing the employer’s various relationships with government or representing the employer in its contacts with government. Any person employed by the Governor, the Executive Office of the Governor, or any executive or judicial department of the state or any community college of the state who seeks to encourage the passage, defeat, or modification of any legislation by personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, is a lobbyist.

(g) “Payment” or “salary” means wages or any other consideration provided in exchange for services but does not include reimbursement for expenses.

(h) “Principal” means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; the individual members of the association are not principals merely because of their membership in the association.

(i) “Unusual circumstances,” with respect to any failure of a person to satisfy a filing requirement, means uncommon, rare, or sudden events over which the person has no control and which directly result in the failure to satisfy the filing requirement.

(3) For purposes of this rule, the terms “lobby” and “lobbying” do not include any of the following:

(a) Response to an inquiry for information made by any member, committee, or staff of the Legislature.

(b) An appearance in response to a legislative subpoena.

(c) Advice or services that arise out of a contractual obligation with the Legislature, a member, a committee, any staff, or any legislative entity to render the advice or services where such obligation is fulfilled through the use of public funds.

(d) Representation of a client before the House of Representatives or the Senate, or any member or committee thereof, when the client is subject to disciplinary action by the House of Representatives or the Senate, or any member or committee thereof.

(4) For purposes of registration and reporting, the term “lobbyist” does not include any of the following:

(a) A member of the Legislature.

(b) A person who is employed by the Legislature.

(c) A judge who is acting in that judge’s official capacity.

(d) A person who is a state officer holding elective office or an officer of a political subdivision of the state holding elective office and who is acting in that officer’s official capacity.

(e) A person who appears as a witness or for the purpose of providing information at the written request of the chair of a committee, subcommittee, or legislative delegation.

(f) A person employed by any executive or judicial department of the state or any community college of the state who makes a personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, while that person is on approved leave or outside normal working hours and who does not otherwise meet the definition of lobbyist.

(5) When a person, regardless of whether the person is registered as a lobbyist, appears before a committee of the Legislature, that person

must submit a Committee Appearance Record as required by the respective house.

(6) The responsibilities of the division and of the Lobbyist Registration Office under Joint Rule One may be assigned to another entity by agreement of the President of the Senate and the Speaker of the House of Representatives for a contract period not to extend beyond December 1 following the Organization Session of the next biennium, provided that the powers and duties of the President, the Speaker, the General Counsel of the Office of Legislative Services, and any legislative committee referenced in Joint Rule One may not be delegated.

1.2—Method of Registration

(1) Each person who is required to register must register on forms furnished by the Lobbyist Registration Office, on which that person must state, under oath, that person’s full legal name, business address, and telephone number, the name and business address of each principal that person represents, and the extent of any direct business association or partnership that person has with any member of the Legislature. In addition, if the lobbyist is a partner, owner, officer, or employee of a lobbying firm, the lobbyist must state the name, address, and telephone number of each lobbying firm to which the lobbyist belongs. The Lobbyist Registration Office or its designee is authorized to acknowledge the oath of any person who registers in person. Any changes to the information provided in the registration form must be reported to the Lobbyist Registration Office in writing within 15 days on forms furnished by the Lobbyist Registration Office.

(2) Any person required to register must do so with respect to each principal prior to commencement of lobbying on behalf of that principal. At the time of registration, the registrant shall provide a statement on a form provided by the Lobbyist Registration Office, signed by the principal or principal’s representative, that the registrant is authorized to represent the principal. On the authorization statement, the principal or principal’s representative shall also identify and designate the principal’s main business pursuant to a classification system approved by the Office of Legislative Services that shall be the North American Industry Classification System (NAICS) six-digit numerical code that most accurately describes the principal’s main business.

(3) Any person required to register must renew the registration annually for each calendar year.

(4) A lobbyist shall promptly send a notice to the Lobbyist Registration Office, on forms furnished by the Lobbyist Registration Office, canceling the registration for a principal upon termination of the lobbyist’s representation of that principal. A notice of cancellation takes effect the day it is received by the Lobbyist Registration Office. Notwithstanding this requirement, the Lobbyist Registration Office may remove the name of a lobbyist from the list of registered lobbyists if the principal notifies the Lobbyist Registration Office that the lobbyist is no longer authorized to represent that principal.

(5) The Lobbyist Registration Office shall retain all original registration documents submitted under this rule.

(6) A person who is required to register under Joint Rule One, or who chooses to register, shall be considered a lobbyist of the Legislature for the purposes of ss. 11.045, 112.3148, and 112.3149, Florida Statutes.

1.3—Registration Costs; Exemptions

(1) To cover the costs incurred in administering Joint Rule One, each person who registers under Joint Rule 1.1 must pay an annual registration fee to the Lobbyist Registration Office. The annual period runs from January 1 to December 31. These fees must be paid at the time of registration.

(2) The following persons are exempt from paying the fee, provided they are designated in writing by the agency head or person designated in this subsection:

(a) Two employees of each department of the executive branch created under chapter 20, Florida Statutes.

(b) Two employees of the Fish and Wildlife Conservation Commission.

(c) Two employees of the Executive Office of the Governor.

- (d) Two employees of the Commission on Ethics.
- (e) Two employees of the Florida Public Service Commission.
- (f) Two employees of the judicial branch designated in writing by the Chief Justice of the Florida Supreme Court.

10,000-19,999	15,000
20,000-29,999	25,000
30,000-39,999	35,000
40,000-49,999	45,000
50,000 or more	Actual amount reported

(3) The annual fee is up to \$50 per each house for a person to register to represent one principal and up to an additional \$10 per house for each additional principal that the person registers to represent. The amount of each fee shall be established annually by the President of the Senate and the Speaker of the House of Representatives. The fees set shall be adequate to ensure operation of the lobbyist registration and reporting operations of the Lobbyist Registration Office. The fees collected by the Lobbyist Registration Office under this rule shall be deposited in the State Treasury and credited to the Legislative Lobbyist Registration Trust Fund specifically to cover the costs incurred in administering Joint Rule One.

(3) The reporting statements shall be filed no later than 45 days after the end of each reporting period. The four reporting periods are from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31, respectively. The statements shall be rendered in the identical form provided by the respective houses and shall be open to public inspection. Reporting statements shall be filed by electronic means through the electronic filing system developed by the division, conforming to subsection (4).

1.4—Reporting of Lobbying Firm Compensation

(1)(a) Each lobbying firm shall file a compensation report with the division for each calendar quarter during any portion of which one or more of the firm’s lobbyists were registered to represent a principal. The report shall include the:

(4) The electronic filing system for compensation reporting shall include the following:

1. Full name, business address, and telephone number of the lobbying firm;
2. Registration name of each of the firm’s lobbyists; and
3. Total compensation provided or owed to the lobbying firm from all principals for the reporting period, reported in one of the following categories: \$0; \$1 to \$49,999; \$50,000 to \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to \$999,999; or \$1 million or more.

(a) As used in this rule, the term “electronic filing system” means an Internet system for recording and reporting lobbying compensation and other required information by reporting period.

(b) For each principal represented by one or more of the firm’s lobbyists, the lobbying firm’s compensation report shall also include the:

(b) A report filed pursuant to this rule must be completed and filed through the electronic filing system not later than 11:59 p.m. of the day designated in subsection (3). A report not filed by 11:59 p.m. of the day designated is a late-filed report and is subject to the penalties under Joint Rule 1.5(1).

1. Full name, business address, and telephone number of the principal; and
2. Total compensation provided or owed to the lobbying firm for the reporting period, reported in one of the following categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or more. If the category “\$50,000 or more” is selected, the specific dollar amount of compensation must be reported, rounded up or down to the nearest \$1,000.

(c) Each person given secure sign-on credentials to file via the electronic filing system is responsible for protecting the credentials from disclosure and is responsible for all filings made by use of such credentials, unless and until the division is notified that the person’s credentials have been compromised. Each report filed by electronic means pursuant to this rule shall be deemed certified in accordance with paragraph (1)(d) by the person given the secure sign-on credentials and, as such, subjects the person and the lobbying firm to the provisions of s. 11.045(8), Florida Statutes, as well as any discipline provided under the rules of the Senate or House of Representatives.

(c) If the lobbying firm subcontracts work from another lobbying firm and not from the original principal:

(d) The electronic filing system shall:

1. The lobbying firm providing the work to be subcontracted shall be treated as the reporting lobbying firm’s principal for reporting purposes under this paragraph; and
2. The reporting lobbying firm shall, for each lobbying firm identified as the reporting lobbying firm’s principal under paragraph (b), identify the name and address of the principal originating the lobbying work.

1. Be based on access by means of the Internet.
2. Be accessible by anyone with Internet access using standard web-browsing software.
3. Provide for direct entry of compensation-report information as well as upload of such information from software authorized by the division.
4. Provide a method that prevents unauthorized access to electronic filing system functions.
5. Provide for the issuance of an electronic receipt to the person submitting the report indicating and verifying the date and time that the report was filed.

(d) The senior partner, officer, or owner of the lobbying firm shall certify to the veracity and completeness of the information submitted pursuant to this rule; certify that no compensation has been omitted from this report by deeming such compensation as “consulting services,” “media services,” “professional services,” or anything other than compensation; and certify that no officer or employee of the firm has made an expenditure in violation of s. 11.045, Florida Statutes, as amended by chapter 2005-359, Laws of Florida.

(5) The division shall provide reasonable public notice of the electronic filing procedures and of any significant changes in such procedures. If, whenever they deem it necessary, the President of the Senate and the Speaker of the House of Representatives jointly declare the electronic system not to be operable, the reports shall be filed in the manner required prior to April 1, 2007, as provided by House Concurrent Resolution 7011 (2007), enrolled, unless the President of the Senate and the Speaker of the House of Representatives direct use of an alternate means of reporting. The division shall develop and maintain such alternative means as may be practicable. Public notice of changes in filing procedures and any declaration or direction of the President of the Senate and the Speaker of the House of Representatives may be provided by publication for a continuous period of reasonable time on one or more Internet websites maintained by the Senate and the House of Representatives.

(2) For each principal represented by more than one lobbying firm, the division shall aggregate the reporting-period and calendar-year compensation reported as provided or owed by the principal. Compensation reported within a category shall be aggregated as follows:

Category (dollars)	Dollar amount to use aggregating
0	0
1-9,999	5,000

1.5—Failure to File Timely Compensation Report; Notice and Assessment of Fines; Appeals

(1) Upon determining that the report is late, the person designated to review the timeliness of reports shall immediately notify the lobbying firm as to the failure to timely file the report and that a fine is being assessed for each late day. The fine shall be \$50 per day per report for each late day, not to exceed \$5,000 per report.

(2) Upon receipt of the report, the person designated to review the timeliness of reports shall determine the amount of the fine based on when the report is actually received by the division or when the electronic receipt issued by the electronic filing system is dated, whichever is earlier.

(3) Such fine shall be paid within 30 days after the notice of payment due is transmitted by the person designated to review the timeliness of reports, unless appeal is made to the division. The moneys shall be deposited into the Legislative Lobbyist Registration Trust Fund.

(4) A fine shall not be assessed against a lobbying firm the first time the report for which the lobbying firm is responsible is not timely filed. However, to receive the one-time fine waiver, the report for which the lobbying firm is responsible must be filed within 30 days after notice that the report has not been timely filed is transmitted by the person designated to review the timeliness of reports. A fine shall be assessed for any subsequent late-filed reports.

(5) Any lobbying firm may appeal or dispute a fine, based upon unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the General Counsel of the Office of Legislative Services, who shall recommend to the President of the Senate and the Speaker of the House of Representatives, or their respective designees, that the fine be waived in whole or in part for good cause shown. The President of the Senate and the Speaker of the House of Representatives, or their respective designees, may by joint agreement concur in the recommendation and waive the fine in whole or in part. Any such request shall be made within 30 days after the notice of payment due is transmitted by the person designated to review the timeliness of reports. In such case, the lobbying firm shall, within the 30-day period, notify the person designated to review the timeliness of reports in writing of his or her intention to request a hearing.

(6) A lobbying firm may request that the filing of a report be waived upon good cause shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services, who shall make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives may, by joint agreement, grant or deny the request.

(7)(a) All lobbyist registrations for lobbyists who are partners, owners, officers, or employees of a lobbying firm that fails to timely pay a fine are automatically suspended until the fine is paid or waived and all late reports have been filed or waived. The division shall promptly notify all affected principals, the President of the Senate, and the Speaker of the House of Representatives of any suspension or reinstatement. All lobbyists who are partners, owners, officers, or employees of a lobbying firm are jointly and severally liable for any outstanding fine owed by a lobbying firm.

(b) No such lobbyist may be reinstated in any capacity representing any principal until the fine is paid and all late reports have been filed or waived or until the fine is waived as to that lobbyist and all late reports for that lobbyist have been filed or waived. A suspended lobbyist may request a waiver upon good cause shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services who shall, as soon as practicable, make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives may, by joint agreement, grant or deny the request.

(8) The person designated to review the timeliness of reports shall notify the director of the division of the failure of a lobbying firm to file a report after notice or of the failure of a lobbying firm to pay the fine imposed.

1.6—Open Records; Internet Publication of Registrations and Compensation Reports

(1) All of the lobbyist registration forms and compensation reports received by the Lobbyist Registration Office shall be available for public inspection and for duplication at reasonable cost.

(2) The division shall make information filed pursuant to Joint Rules 1.2 and 1.4 reasonably available on the Internet in an easily understandable and accessible format. The Internet website shall include, but not be limited to, the names and business addresses of lobbyists, lobbying firms, and principals, the affiliations between lobbyists and principals, and the classification system designated and identified with respect to principals pursuant to Joint Rule 1.2.

1.7—Records Retention and Inspection and Complaint Procedure

(1) Each lobbying firm and each principal shall preserve for a period of 4 years all accounts, bills, receipts, computer records, books, papers, and other documents and records necessary to substantiate compensation reports.

(2) Upon receipt of a complaint based upon the personal knowledge of the complainant made pursuant to the Senate Rules or Rules of the House of Representatives, any such documents and records may be inspected when authorized by the President of the Senate or the Speaker of the House of Representatives, as applicable. The person authorized to perform the inspection shall be designated in writing and shall be a member of The Florida Bar or a certified public accountant licensed in Florida. Any information obtained by such an inspection may only be used for purposes authorized by law, this Joint Rule One, Senate Rules, or Rules of the House of Representatives, which purposes may include the imposition of sanctions against a person subject to Joint Rule One, the Senate Rules, or the Rules of the House of Representatives. Any employee who uses that information for an unauthorized purpose is subject to discipline. Any member who uses that information for an unauthorized purpose is subject to discipline under the applicable rules of each house.

(3) The right of inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.

1.8—Questions Regarding Interpretation of this Joint Rule One

(1) A person may request in writing an informal opinion from the General Counsel of the Office of Legislative Services as to the application of this Joint Rule One to a specific situation involving that person's conduct. The General Counsel shall issue the opinion within 10 days after receiving the request. The informal opinion may be relied upon by the person who requested the informal opinion. A copy of each informal opinion that is issued shall be provided to the presiding officer of each house. A committee of either house designated pursuant to s. 11.045(5), Florida Statutes, may revise any informal opinion rendered by the General Counsel through an advisory opinion to the person who requested the informal opinion. The advisory opinion shall supersede the informal opinion as of the date the advisory opinion is issued.

(2) A person in doubt about the applicability or interpretation of this Joint Rule One with respect to that person's conduct may submit in writing the facts for an advisory opinion to the committee of either house designated pursuant to section 11.045(5), Florida Statutes, and may appear in person before the committee in accordance with s. 11.045(5), Florida Statutes.

1.9—Effect of Readoption and Revision

All obligations existing under Joint Rule One as of the last day of the previous legislative biennium are hereby ratified, preserved, and re-imposed pursuant to the terms thereof as of that date. The provisions of Joint Rule One are imposed retroactively to the first day of the present legislative biennium except that provisions new to this revision are effective on the date of adoption or as otherwise expressly provided herein.

Joint Rule Two—General Appropriations Review Period

2.1—General Appropriations and Related Bills; Review Periods

(1) A general appropriations bill shall be subject to a 72-hour public review period before a vote is taken on final passage of the bill in the form that will be presented to the Governor.

(2) If a bill is returned to the house in which the bill originated and the originating house does not concur in all the amendments or adds addi-

tional amendments, no further action shall be taken on the bill by the nonoriginating house, and a conference committee shall be established by operation of this rule to consider the bill.

(3) If a bill is referred to a conference committee by operation of this rule, a 72-hour public review period shall be provided prior to a vote being taken on the conference committee report by either house.

(4) A copy of the bill, a copy of the bill with amendments adopted by the nonoriginating house, or the conference committee report shall be furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet. Copies for the Governor, Chief Justice, and members of the Cabinet shall be furnished to the official's office in the Capitol or Supreme Court Building.

(5)(a) Copies required to be furnished under subsection (4) shall be furnished to members of the Legislature as follows:

1. A printed copy may be placed on each member's desk in the appropriate chamber; or

2. An electronic copy may be furnished to each member. The Legislature hereby deems and determines that a copy shall have been furnished to the members of the Legislature when an electronic copy is made available to every member of the Legislature. An electronic copy is deemed to have been made available when it is accessible via the Internet or other information network consisting of systems ordinarily serving the members of the Senate or the House of Representatives.

(b) An official other than a member of the Legislature who is to be furnished a copy of a general appropriations bill under subsection (4) may officially request that an electronic copy of the bill be furnished in lieu of a printed copy, and, if practicable, the copy may be furnished to the official in the manner requested.

(6) The Secretary of the Senate shall be responsible for furnishing copies under this rule for Senate bills, House bills as amended by the Senate, and conference committee reports on Senate bills. The Clerk of the House shall be responsible for furnishing copies under this rule for House bills, Senate bills as amended by the House, and conference committee reports on House bills.

(7) The 72-hour public review period shall begin to run upon completion of the furnishing of copies required to be furnished under subsection (4). The Speaker of the House of Representatives and the President of the Senate, as appropriate, shall be informed of the completion time, and such time shall be announced on the floor prior to vote on final passage in each house and shall be entered in the journal of each house. Saturdays, Sundays, and holidays shall be included in the computation under this rule.

(8) An implementing or conforming bill recommended by a conference committee shall be subject to a 24-hour public review period before a vote is taken on the conference committee report by either house, if the conference committee submits its report after the furnishing of a general appropriations bill to which the 72-hour public review period applies.

(9) With respect to each bill that may be affected, a member of the Senate or the House of Representatives may not raise a point of order under this rule after a vote is taken on the bill. Except as may be required by the Florida Constitution, noncompliance with any requirement of this rule may be waived by a two-thirds vote of those members present and voting in each house.

2.2—General Appropriations and Related Bills; Definitions

As used in Joint Rule Two, the term:

(1) "Conforming bill" means a bill that amends the Florida Statutes to conform to a general appropriations bill.

(2) "General appropriations bill" means a bill that provides for the salaries of public officers and other current expenses of the state and contains no subject other than appropriations. A bill that contains appropriations that are incidental and necessary solely to implement a substantive law is not included within this term. For the purposes of Joint Rule Two and Section 19(d) of Article III of the Florida Constitu-

tion, the Legislature hereby determines that, after a general appropriations bill has been enacted and establishes governing law for a particular fiscal year, a bill considered in any subsequent session that makes net reductions in such enacted appropriations or that makes supplemental appropriations shall not be deemed to be a general appropriations bill unless such bill provides for the salaries of public officers and other current expenses of the state for a subsequent fiscal year.

(3) "Implementing bill" means a bill, effective for one fiscal year, implementing a general appropriations bill.

Joint Rule Three—Joint Offices and Policies

3.1—Joint Legislative Offices

(1) The following offices of the Legislature are established:

(a) Office of Economic and Demographic Research.

(b) Office of Legislative Information Technology Services.

(c) Office of Legislative Services.

(d) Office of Program Policy Analysis and Government Accountability.

(2) Offices established under this rule shall provide support services to the Legislature that are determined by the President of the Senate and the Speaker of the House of Representatives to be necessary and that can be effectively provided jointly to both houses and other units of the Legislature. Each office shall be directed by a coordinator selected by and serving at the pleasure of the President of the Senate and the Speaker of the House of Representatives. Upon the initial adoption of these joint rules in a biennium, each coordinator position shall be deemed vacant until an appointment is made.

(3) Within the monetary limitations of the approved operating budget, the salaries and expenses of the coordinator and the staff of each office shall be governed by joint policies.

(4) The Office of Legislative Services shall provide legislative support services other than those prescribed in subsections (5)-(7). The Division of Statutory Revision and the Division of Legislative Information shall be two of the divisions within the Office of Legislative Services.

(5) The Office of Legislative Information Technology Services shall provide support services to assist the Legislature in achieving its objectives through the application of cost-effective information technology.

(6) The Office of Economic and Demographic Research shall provide research support services, principally regarding forecasting economic and social trends that affect policymaking, revenues, and appropriations.

(7) The Office of Program Policy Analysis and Government Accountability shall:

(a) Perform independent examinations, program reviews, and other projects as provided by general law, as provided by concurrent resolution, as directed by the Legislative Auditing Committee, or as directed by the President of the Senate or the Speaker of the House and shall provide recommendations, training, or other services to assist the Legislature.

(b) Transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by office reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues.

3.2—Joint Policies

(1) The President of the Senate and the Speaker of the House of Representatives shall jointly adopt policies they consider advisable to carry out the functions of the Legislature. Such policies shall be binding on all employees of joint offices and joint committees.

(2) The employees of all joint committees and joint legislative offices shall be under the exclusive control of the Legislature. No officer or

agency in the executive or judicial branch shall exercise any manner of control over legislative employees with respect to the exercise of their duties or the terms and conditions of their employment.

Joint Rule Four—Joint Committees

4.1—Standing Joint Committees

(1) The following standing joint committees are established:

- (a) Administrative Procedures Committee.
- (b) Committee on Public Counsel Oversight.
- (c) Legislative Auditing Committee.

(2) No other joint committee shall exist except as agreed to by the presiding officers or by concurrent resolution approved by the Senate and the House of Representatives.

(3) Appointments to each standing joint committee shall be made or altered and vacancies shall be filled by the Senate and the House of Representatives in accordance with their respective rules. There shall be appointed to each standing joint committee no fewer than five and no more than seven members from each house.

(4)(a) The President of the Senate shall appoint a member of the Senate to serve as the chair, and the Speaker of the House of Representatives shall appoint a member of the House of Representatives to serve as the vice chair for:

1. The Legislative Auditing Committee and the Committee on Public Counsel Oversight, for the period from the Organization Session until noon on December 1 of the calendar year following the general election.

2. The Administrative Procedures Committee for the period from noon on December 1 of the calendar year following the general election until the next general election.

(b) The Speaker of the House of Representatives shall appoint a member of the House of Representatives to serve as the chair, and the President of the Senate shall appoint a member of the Senate to serve as the vice chair for:

1. The Legislative Auditing Committee and the Committee on Public Counsel Oversight, for the period from noon on December 1 of the calendar year following the general election until the next general election.

2. The Administrative Procedures Committee for the period from the Organization Session until noon on December 1 of the calendar year following the general election.

(c) A vacancy in an appointed chair or vice chair shall be filled in the same manner as the original appointment.

4.2—Procedures in Joint Committees

The following rules shall govern procedures in joint committees other than conference committees:

(1) A quorum for a joint committee shall be a majority of the appointees of each house. No business of any type may be conducted in the absence of a quorum.

(2)(a) Joint committees shall meet only within the dates, times, and locations authorized by both the President of the Senate and the Speaker of the House of Representatives.

(b) Joint committee meetings shall meet at the call of the chair. In the absence of the chair, the vice chair shall assume the duty to convene and preside over meetings and such other duties as provided by law or joint rule. During a meeting properly convened, the presiding chair may temporarily assign the duty to preside at that meeting to another joint committee member until the assignment is relinquished or revoked.

(c) Before any joint committee may hold a meeting, a notice of such meeting shall be provided to the Secretary of the Senate and the Clerk of the House of Representatives no later than 4:30 p.m. of the 7th day before the meeting. For purposes of effecting notice to members of the house to which the chair does not belong, notice to the Secretary of the

Senate shall be deemed notice to members of the Senate and notice to the Clerk of the House shall be deemed notice to members of the House of Representatives. Noticed meetings may be canceled by the chair with the approval of at least one presiding officer.

(d) If a majority of its members from each house agree, a joint committee may continue a properly noticed meeting after the expiration of the time called for the meeting. However, a joint committee may not meet beyond the time authorized by the presiding officers without special leave granted by both presiding officers.

(3) The presiding officers shall interpret, apply, and enforce rules governing joint committees by agreement when the rule at issue is a joint rule. Unless otherwise determined or overruled by an agreement of the presiding officers, the chair shall determine all questions of order arising in joint committee meetings, but such determinations may be appealed to the committee during the meeting.

(4) Each question, including any appeal of a ruling of the chair, shall be decided by a majority vote of the members of the joint committee of each house present and voting.

4.3—Powers of Joint Committees

(1) A joint committee may exercise the subpoena powers vested by law in a standing committee of the Legislature. A subpoena issued under this rule must be approved and signed by the President of the Senate and the Speaker of the House of Representatives and attested by the Secretary of the Senate and the Clerk of the House.

(2) A joint committee may adopt rules of procedure that do not conflict with the Florida Constitution or any law or joint rule, subject to the joint approval of the President of the Senate and the Speaker of the House of Representatives.

(3) A joint committee may not create subcommittees or workgroups unless authorized by both presiding officers.

4.4—Administration of Joint Committees

(1) Within the monetary limitations of the approved operating budget, the expenses of the members and the salaries and expenses of the staff of each joint committee shall be governed by joint policies adopted under Joint Rule 3.2. Within such operating budget, the chair of each joint committee shall approve all authorized member expenses.

(2) Subject to joint policies adopted under Joint Rule 3.2, the presiding officers shall appoint and remove the staff director and, if needed, a general counsel and any other staff necessary to assist each joint committee. All joint committee staff shall serve at the pleasure of the presiding officers. Upon the initial adoption of these joint rules in a biennium, each joint committee staff director position shall be deemed vacant until an appointment is made.

4.5—Special Powers and Duties of the Legislative Auditing Committee

(1) The Legislative Auditing Committee may direct the Auditor General or the Office of Program Policy Analysis and Government Accountability to conduct an audit, review, or examination of any entity or record described in s. 11.45(2) or (3), Florida Statutes.

(2) The Legislative Auditing Committee may receive requests for audits and reviews from legislators and any audit request, petition for audit, or other matter for investigation directed or referred to it pursuant to general law. The committee may make any appropriate disposition of such requests or referrals and shall, within a reasonable time, report to the requesting party the disposition of any audit request.

(3) The Legislative Auditing Committee may review the performance of the Auditor General and report thereon to the Senate and the House of Representatives.

4.6—Special Powers and Duties of the Administrative Procedures Committee

The Administrative Procedures Committee shall:

(1) Maintain a continuous review of the statutory authority on which each administrative rule is based and, whenever such authority is

eliminated or significantly changed by repeal, amendment, holding by a court of last resort, or other factor, advise the agency concerned of the fact.

(2) Maintain a continuous review of administrative rules and identify and request an agency to repeal any rule or any provision of any rule that reiterates or paraphrases any statute or for which the statutory authority has been repealed.

(3) Review administrative rules and advise the agencies concerned of its findings.

(4) Exercise the duties prescribed by chapter 120, Florida Statutes, concerning the adoption and promulgation of rules.

(5) Generally review agency action pursuant to the operation of chapter 120, Florida Statutes, the Administrative Procedure Act.

(6) Report to the President of the Senate and the Speaker of the House of Representatives at least annually, no later than the first week of the regular session, and recommend needed legislation or other appropriate action. Such report shall include the number of objections voted by the committee, the number of suspensions recommended by the committee, the number of administrative determinations filed on the invalidity of a proposed or existing rule, the number of petitions for judicial review filed on the invalidity of a proposed or existing rule, and the outcomes of such actions. Such report shall also include any recommendations provided to the standing committees during the preceding year under subsection (11).

(7) Consult regularly with legislative standing committees that have jurisdiction over the subject areas addressed in agency proposed rules regarding legislative authority for the proposed rules and other matters relating to legislative authority for agency action.

(8) Subject to the approval of the President of the Senate and the Speaker of the House of Representatives, have standing to seek judicial review, on behalf of the Legislature or the citizens of this state, of the validity or invalidity of any administrative rule to which the committee has voted an objection and that has not been withdrawn, modified, repealed, or amended to meet the objection. Judicial review under this subsection may not be initiated until the Governor and the head of the agency making the rule to which the committee has objected have been notified of the committee's proposed action and have been given a reasonable opportunity, not to exceed 60 days, for consultation with the committee. The committee may expend public funds from its appropriation for the purpose of seeking judicial review.

(9) Maintain a continuous review of the administrative rulemaking process, including a review of agency procedure and of complaints based on such agency procedure.

(10) Establish measurement criteria to evaluate whether agencies are complying with the delegation of legislative authority in adopting and implementing rules.

(11) Maintain a continuous review of statutes that authorize agencies to adopt rules and shall make recommendations to the appropriate standing committees of the Senate and the House of Representatives as to the advisability of considering changes to the delegated legislative authority to adopt rules in specific circumstances.

4.7—Special Powers and Duties of the Committee on Public Counsel Oversight

(1) The Committee on Public Counsel Oversight shall appoint a Public Counsel.

(2) The Committee on Public Counsel Oversight may file a complaint with the Commission on Ethics alleging a violation of chapter 350, Florida Statutes, by a current or former public service commissioner, an employee of the Public Service Commission, or a member of the Public Service Commission Nominating Council.

(3) Notwithstanding Joint Rule 4.4(2), the Committee on Public Counsel Oversight shall not have any permanent staff but shall be served as needed by other legislative staff selected by the President of the Senate and the Speaker of the House of Representatives.

Joint Rule Five—Auditor General

5.1—Rulemaking Authority

The Auditor General shall make and enforce reasonable rules and regulations necessary to facilitate audits that he or she is authorized to perform.

5.2—Budget and Accounting

(1) The Auditor General shall prepare and submit annually to the President of the Senate and the Speaker of the House of Representatives for their joint approval a proposed budget for the ensuing fiscal year.

(2) Within the limitations of the approved operating budget, the salaries and expenses of the Auditor General and the staff of the Auditor General shall be paid from the appropriation for legislative expenses or any other moneys appropriated by the Legislature for that purpose. The Auditor General shall approve all bills for salaries and expenses for his or her staff before the same shall be paid.

5.3—Audit Report Distribution

(1) A copy of each audit report shall be submitted to the Governor, to the Chief Financial Officer, and to the officer or person in charge of the state agency or political subdivision audited. One copy shall be filed as a permanent public record in the office of the Auditor General. In the case of county reports, one copy of the report of each county office, school district, or other district audited shall be submitted to the board of county commissioners of the county in which the audit was made and shall be filed in the office of the clerk of the circuit court of that county as a public record. When an audit is made of the records of the district school board, a copy of the audit report shall also be filed with the district school board, and thereupon such report shall become a part of the public records of such board.

(2) A copy of each audit report shall be made available to each member of the Legislative Auditing Committee.

(3) The Auditor General shall transmit a copy of each audit report to the appropriate substantive and fiscal committees of the Senate and House of Representatives.

(4) Other copies may be furnished to other persons who, in the opinion of the Auditor General, are directly interested in the audit or who have a duty to perform in connection therewith.

(5) The Auditor General shall transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by audit reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues. The Auditor General may also transmit recommendations at other times of the year when the information would be timely and useful for the Legislature.

(6) A copy required to be provided under this rule may be provided in an electronic or other digital format if the Auditor General determines that the intended recipient has appropriate resources to review the copy. Copies to members, committees, and offices of the Legislature shall be provided in electronic format as may be provided in joint policies adopted under Joint Rule 3.2.

Joint Rule Six—Joint Legislative Budget Commission

6.1—General Responsibilities

(1) The commission, as provided in chapter 216, Florida Statutes, shall receive and review notices of budget and personnel actions taken or proposed to be taken by the executive and judicial branches and shall approve or disapprove such actions.

(2) Through its chair, the commission shall advise the Governor and the Chief Justice of actions or proposed actions that exceed delegated authority or that are contrary to legislative policy and intent.

(3) To the extent possible, the commission shall inform members of the Legislature of budget amendments requested by the executive or judicial branches.

(4) The commission shall consult with the Chief Financial Officer and the Executive Office of the Governor on matters as required by chapter 216, Florida Statutes.

(5) The President of the Senate and the Speaker of the House of Representatives may jointly assign other responsibilities to the commission in addition to those assigned by law.

(6) The commission shall develop policies and procedures necessary to carry out its assigned responsibilities, subject to the joint approval of the President of the Senate and the Speaker of the House of Representatives.

(7) The commission, with the approval of the President of the Senate and the Speaker of the House of Representatives, may appoint subcommittees as necessary to facilitate its work.

6.2—Organizational Structure

(1) The commission is not subject to Joint Rule Four. The commission shall be composed of seven members of the Senate appointed by the President of the Senate and seven members of the House of Representatives appointed by the Speaker of the House of Representatives.

(2) The commission shall be jointly staffed by the appropriations committees of both houses. The Senate shall provide the lead staff when the chair of the commission is a member of the Senate. The House of Representatives shall provide the lead staff when the chair of the commission is a member of the House of Representatives.

6.3—Notice of Commission Meetings

Not less than 7 days prior to a meeting of the commission, a notice of the meeting, stating the items to be considered, date, time, and place, shall be filed with the Secretary of the Senate when the chair of the commission is a member of the Senate or with the Clerk of the House when the chair of the commission is a member of the House of Representatives. The Secretary of the Senate or the Clerk of the House shall distribute notice to the Legislature and the public, consistent with the rules and policies of their respective houses.

6.4—Effect of Adoption; Intent

This Joint Rule Six replaces all prior joint rules governing the Joint Legislative Budget Commission and is intended to implement constitutional provisions relating to the Joint Legislative Budget Commission existing as of the date of the rule's adoption.

—was read the second time in full. On motions by Senator Thrasher, **SCR 1202** was adopted and by two-thirds vote immediately certified to the House. The vote on adoption was:

Yeas—37

Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	
Gaetz	Oelrich	

Nays—None

Vote after roll call:

Yea—Mr. President

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

SB 1204—A bill to be entitled An act relating to joint legislative organizations; repealing ss. 11.511 and 11.513, F.S., relating to the Office of Program Policy Analysis and Government Accountability; repealing s. 11.60, F.S., relating to the Joint Administrative Procedures Committee; repealing s. 11.70, F.S., relating to the Legislative Committee on Intergovernmental Relations; repealing s. 11.80, F.S., relating to the Joint Legislative Committee on Everglades Oversight; repealing ss. 11.901-11.920, F.S., relating to the Florida Government Accountability Act; repealing s. 163.3247(4)(g), F.S., relating to creation of a joint select committee to review the findings and recommendations of the Century Commission for a Sustainable Florida for potential action; repealing ss. 216.0446, 216.163(2)(f), and 282.322, F.S., relating to the review of information technology resources needs and a special monitoring process for designated information resources management projects; repealing s. 350.012, F.S., relating to the Committee on Public Counsel Oversight; repealing ss. 450.201, 450.221, 450.231, and 450.241, F.S., relating to the Legislative Commission on Migrant and Seasonal Labor; amending s. 1.01, F.S.; defining the terms “Administrative Procedures Committee,” “Legislative Auditing Committee,” “Office of Program Policy Analysis and Government Accountability,” and “Office of Economic and Demographic Research,” applicable throughout the statutes; amending s. 11.147, F.S.; revising provisions relating to creation and duties of the Office of Legislative Services; amending s. 11.40, F.S.; revising duties of the Legislative Auditing Committee; conforming provisions to changes made by the act; amending s. 11.51, F.S.; revising provisions relating to creation and duties of the Office of Program Policy Analysis and Government Accountability; amending s. 409.146, F.S.; revising reporting duties of the Department of Children and Family Services with respect to the children and families client and management information system; conforming provisions to changes made by the act; amending s. 1000.01, F.S.; deleting provisions relating to creation of the Council for Education Policy Research and Improvement; amending ss. 11.45, 29.0085, 112.313, 112.3189, 112.324, 125.045, 163.055, 163.3245, 166.021, 189.421, 216.181, 218.32, 218.38, 287.0943, 288.7001, 350.061, 350.0614, 373.026, 373.036, 373.45926, 450.261, and 590.33, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote **SB 1204** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	
Gaetz	Oelrich	

Nays—None

Vote after roll call:

Yea—Flores

SENATOR BENNETT PRESIDING

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

CS for SJR 2—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution, relating to health care services.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SJR 2** was placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING**MOTIONS RELATING TO
COMMITTEE REFERENCE**

On motion by Senator Jones, by two-thirds vote **SB 394** was withdrawn from the committees of reference and further consideration.

RECESS

On motion by Senator Thrasher, the Senate recessed at 3:41 p.m., and pursuant to **SCR 6000** the Senate will meet in joint session at 5:30 p.m. this day for the purpose of receiving a message from the Governor.

(See remainder of Senate business following the joint session.)

JOINT SESSION

Pursuant to **SCR 6000**, the Senate formed in processional order and marched in a body to the chamber of the House of Representatives where they were received in due form. The joint session was called to order by The Honorable Dean Cannon, Speaker of the House of Representatives.

The Lieutenant Governor, members of the Cabinet, Justices of the Supreme Court and members of the Florida Congressional Delegation were received and seated.

The Speaker invited Senator Haridopolos, President of the Senate, to the rostrum, and requested that the President preside over the joint session.

THE PRESIDENT PRESIDING

The President declared a quorum of the joint session present.

Representative Dwayne Taylor delivered the prayer.

Senate President Pro Tempore Mike Bennett and House Speaker Pro Tempore John Legg led the pledge of allegiance to the flag of the United States of America.

SPECIAL PERFORMANCE

President Haridopolos introduced Lilly Forbes, sponsored by Speaker Cannon, who sang the *National Anthem*.

On motion by Representative Nehr that a committee be appointed to notify the Governor that the joint session was assembled to receive his message, the President appointed Senator Benacquisto, Co-chair; Senators Flores, Garcia, Joyner, Norman, Simmons and Smith; and on behalf of the Speaker, appointed Representative Grimsley, Co-chair; Representatives Hukill, McKeel, Precourt, Proctor, Schenck, Snyder, Gibbons and Thurston. The committee withdrew from the chamber.

The committee appointed to wait upon the Governor subsequently returned to the chamber escorting His Excellency, The Honorable Rick Scott, Governor, who was escorted to the rostrum.

SPECIAL GUESTS

The President recognized the following guests: First Lady of the Senate, Stephanie Haridopolos, M.D.; First Lady of the House of Representatives, Ellen Cannon; the First Lady of Florida, Ann Scott; and spouses of the House and Senate members.

The President presented the Governor to the joint assembly.

**ADDRESS BY GOVERNOR
RICK SCOTT**

President Haridopolos, Speaker Cannon, Chief Justice Canady, members of the Supreme Court, members of the Cabinet, members of the Legislature and my fellow Floridians: It is an honor to appear before this body for the first time as Governor of the Great State of Florida.

I want to recognize our Lt Governor, Jennifer Carroll, and her husband Nolan. The new first lady of Florida is here, who's been my first lady for 38 years, Ann Scott.

Tonight we are honored to be joined by General Titshaw, members of the Florida National Guard, and Florida soldiers and airmen who have returned from duty abroad. We are safe and comfortable here tonight because men and women like them stand guard in hard and dangerous places.

There are many humbling moments in life, but none more so than visiting with a wounded warrior, seeing the sacrifice and the courage. And we are joined tonight by two of those brave men who received the Purple Heart for their service: Staff Sergeant Alberto D. Porro and Air Force Staff Sergeant Christopher "Mark" McDuffie.

We are also honored by the presence of Phillip and Maureen Miller, the parents of Staff Sergeant Robert J. Miller, a Special Forces soldier who gave his life serving our country in Afghanistan.

Staff Sergeant Miller was awarded the Medal of Honor for giving his life so that his fellow team members could move out of an ambush kill zone. His courage is an inspiration to all of us. On behalf of the people of Florida, we thank all of you for your service.

We also want to recognize the bravery and the sacrifices of our law enforcement officers here in Florida. In the last two months, six public safety officers have lost their lives serving our state in the line of duty, including three brave men in St. Petersburg in just one month.

We're honored tonight by the presence of Donna Malloy and her daughter Payton, the family of Colonel Greg Malloy, who laid down his life just a few weeks ago, while hunting down a fugitive. Thank you for joining us here tonight and representing the families of our fallen law enforcement heroes. We honor their memory and pray that God will comfort their families.

We gather tonight at a momentous time in our state's history. Bold reforms are underway.

Thousands of our fellow Floridians have assembled here in our Capital, some to criticize our budget priorities, and far more to thank us for our willingness to make hard choices.

For years, politicians have not dared to face the full extent of our financial problems. Politics prevailed, even when the numbers did not add up. All the cans that have been kicked down the road are now piled up in front of us. Floridians have been encouraged to believe that government could take care of us.

But government always takes more than it gives back.

Some thought that businesses could tolerate a strangling web of regulations, and that government could grow without starving the private sector or destroying jobs. The result of that experiment is in: government grew way beyond its ability to pay for its promises, and the jobs disappeared.

The first step to better times is acknowledging that government cannot afford what some have come to expect.

Doing what must be done will not make me "Most Popular," but I'm determined to make Florida "Most Likely to Succeed."

On my first day in office, I ordered a review of every regulation in the pipeline and every contract exceeding \$1 million.

These steps sent two clear signals. First, that Florida will not allow unreasonable regulations to stand in the way of job creation. And second, that we intend to watch state spending like a hawk. On my watch we will never allow another wasteful project like the "Taj Mahal" Courthouse to slip under the radar.

We also sold the state airplanes as I had promised to do. And we created the most fiscally conservative state budget in the country.

Our "jobs" budget is targeted to create private sector jobs, increase accountability, and reduce the size of government.

Every day since elected Governor, I've gone job hunting for the people of Florida. In my business career I was never shy about picking up the phone and making a cold call to try to make something good happen. As Governor, I've been making those calls every day to recruit job creators, and I will continue making those calls until every Floridian has the opportunity to get back to work.

As we meet tonight, unemployment in Florida stands at 12 percent. While this legislative session is a regular session, it is, in many ways, an emergency session.

For the 1.1 million Floridians who are out of work, this is an emergency. They are running out of options. The unemployed have heard enough talk. They're saying, "Show me the jobs."

And tonight, I am here to show you some new jobs. We have a long way to go, but we're on our way.

Joining us tonight are four business leaders: one who decided to move a business to Florida, and three who decided to expand their business here. I'd like to recognize them now.

Armand Lauzon is president of Chromalloy, an aviation parts manufacturing company that just opened a new, manufacturing plant in Tampa and created 400 jobs in Hillsborough County.

And we're also joined tonight by David Meers, the Chief Operating Officer of Vision Airlines, a company that helps put tourists onto Florida's beaches. Vision recently began flying to 23 cities from Destin less than a year after the economic damage from the Deepwater Horizon oil spill.

In Southwest Florida, Rheinhold Schmieding is founder and president of Arthrex, manufacturer of state-of-the-art medical devices. Tonight he's here to announce that Arthrex is breaking ground on a 160,000-square-foot facility that will create 150 new jobs every year for the next five years.

And finally, Dean Minardi, CFO of Bing Energy, is here with us. Bing Energy, a California-based company, was courted by offers from several other states. Bing decided to come to Florida in December.

The reason Florida won? Mr. Minardi said it was our plan to eliminate the corporate tax.

These leaders, like me, share a positive view of Florida's economic potential. On behalf of the people of Florida, I want to thank all of you for your faith in Florida's future.

I urge every member of the Legislature to join me in making job recruitment a daily task. I want to encourage each of you to become a "Jobs Ambassador" and direct new prospects to me, so we can work together to recruit potential job creators.

Ask Florida business owners, "What can we do to help you expand your business?"

Ask business leaders around the world, "Why not move to Florida?"

Last July I submitted a detailed plan to the people of Florida to create 700,000 jobs over seven years. They reviewed the plan and voted to enact it.

Last month, I delivered to you a budget that puts that plan into action and cuts taxes by \$2 billion. These tax cuts put money back in the hands of families and business owners who will grow private sector jobs.

An important priority in our "jobs" budget is to consolidate government's economic development efforts into a single, highly focused agency. Working with our public-private partner, we will have the resources to be effective, and the flexibility to adapt to particularly promising opportunities. This agency will be headquartered two doors down from my office, and its work will never be far from my mind.

I come to the job of Governor after a 35-year career in the private sector. I want to use that business experience on behalf of the people of Florida. I'm asking this legislature and the people of Florida to give me the tools and hold me accountable for results.

Our "jobs" budget makes sure government is held accountable for every spending decision. And by focusing on the core missions of government – and only the core missions – this budget will give Florida a competitive edge in attracting jobs.

I know the members of this body have thoughtful, constructive modifications to our "jobs" budget.

But we must not lose our focus or blunt our momentum.

Business people in Florida and around the world are watching what we do in the weeks ahead. They can locate anywhere. They will be deciding whether to invest in Florida, based, in part, on our ability to work together to remove the obstacles to business success. I am convinced that putting this plan into action will put our state on the road to prosperity.

On behalf of the millions of Floridians who are desperate for new jobs, I ask you to pass our "jobs" budget promptly.

We also need to focus on our incredible opportunity to improve our K-through-12 education system. We now have real innovators offering a 21st century approach to education. And many of those new approaches offer better outcomes without increasing costs.

With so many Floridians out of work, and the exhaustion of one-time federal handouts, Florida educators will face challenges in managing limited resources. But our commitment to positive change must not waiver.

Let's begin by agreeing on a few basic principles.

First, that individual student learning must be the touchstone for all our decisions. Practices that improve student learning must be adopted. Practices that impair student learning must be abolished.

Second, I think we can all also agree that the single most important factor in student learning is the quality of teaching. Florida has to recruit, train, support and promote great teachers, great school principals and great school superintendents.

Great educators are priceless. Every one of us has a teacher in our past who made a lifelong difference in our lives. Educators, like other professionals, should be rewarded based on the effectiveness of their work, not the length of their professional life. That's why Florida needs to pay the best educators more and end the practice of guaranteeing educators a job for life regardless of their performance.

The third principle worth remembering is that we all improve through competition. Think of how exciting it will be when schools are recruiting our children, when every school in the state focuses on continual improvement in order to outperform every other school in attracting students. We need to expand the eligibility for opportunity scholarships to harness the power of engaged parents.

And I am calling for an increase in the number of charter schools – which are public schools that are allowed to work independently of their school board and can innovate in ways that encourage all schools to improve.

With us here today is the principal of a very successful charter school – Sonia Mitchell of Florida International Academy. This charter school moved from an "F" school to an "A" school. Ms. Mitchell attributes their success to the passion of great educators and weekly measurements of student outcomes.

And finally, we can all agree that measuring results is a key aspect of education. We must test our students, and we must evaluate our educators. Those measurements need to be fair and thoughtful, and they need to have rewards and consequences.

We must also analyze how much education money is spent in the classroom versus the amount spent on administration or capital outlays.

With these principles in mind, Florida can become the most innovative and effective place in the country to educate the workforce of the future.

In other areas where government has a role to play, we are offering cost-conscious reforms. Most Floridians have had to tighten their belts. The state needs to do the same thing.

We are streamlining the functions of state agencies to save money and provide better service for taxpayers. Reviewing every activity in every agency with a fresh eye, we are simplifying the structure of state government.

For example, I have asked the Division of Emergency Management to report directly to me. If a hurricane comes our way, I will be personally and continuously engaged in solving problems. Direct, clear lines of authority will expedite our efforts.

We will also modernize our state government. Florida is currently the only state where taxpayers pay for the entire pension of state workers. We need to secure the state's pension system and be fair to the taxpayers of Florida. We will bring Florida's retirement system in line with other states by having government workers contribute towards their own retirement, just like everyone else.

Providing a modern, health care safety net for our low-income and disabled citizens is an important state function, but the costs of this program have been spiraling out of control. Yet there are ways to save money and provide better care by adopting market principles and giving patients more choice.

Unfortunately, the federal government requires Florida to get approval before expanding the use of these innovative, cost-saving programs. The federal government seems to forget that federal revenues were recently the hard earned dollars of Floridians. But, with or without the cooperation of the federal government, we will find a way to meet these health care needs without jeopardizing other priorities.

Another government program with good intentions and potentially dangerous side-effects is our system of unemployment compensation. In times of high unemployment, the system provides a critical safety net. But its rising costs, which are borne by the very employers who are struggling to stay in business, threaten to create even more job losses.

The costs of unemployment insurance cannot be allowed to deter job creation. By working with the legislature, we will bring those costs down.

And finally, we need lawsuit reform.

Every Floridian should have access to the courts for redress of harm. At the same time, we can't allow frivolous suits and unreasonable awards to give our state a reputation that frightens away new jobs.

I ask everyone to look beyond the short-term and imagine with me what Florida will be like once we turn our state around. Florida will be the leading job creator over the next eight years.

With no income tax, a phase out of the business tax, the expansion of the Panama Canal, the expansion of the economies of Central and South America, our beautiful weather, our beaches, the Everglades, world-class theme parks, Florida oranges, our universities and colleges, and the hardest working people in the world, Florida will become the most exciting place to live, work, and play.

With more than 700,000 new jobs, families will be able to build their own version of the American dream with the security of steady employment opportunities. Entrepreneurs will create a business climate that continually offers new goods and services. State government will be smart, lean, affordable and focused only on its core missions.

Let me close with this: It's a rare blessing in life to be in a position to improve the lives of millions of people. The leaders in this room have the power to make that kind of difference. We have a unique opportunity to put government back in its proper place and show the nation how private-sector growth leads to prosperity.

Such a moment may not come again.

My "jobs" budget has plenty of critics. Some critics are accustomed to big government and will fight to protect special interests, and there are others who agree on our policy but say that our agenda is too bold – that we need to trim the sails of our imagination and settle for small improvements.

They're wrong.

I did not fight to become the 45th Governor of the greatest state in the nation to settle for a status quo that does not promote the enormous potential of our people. I am completely committed to this mission. It is achievable.

A vast majority of legislators were elected, as I was, on our promise of smaller government, lower taxes, less regulation, support for job creation, individual opportunity, individual accountability, and more freedom.

Don't blink. Don't let special interests persuade you to turn your back on the people who elected you.

Keep faith with the Floridians who supported you because you said, "I believe in the American Dream." Remember their faces when you decide what to do in the weeks ahead.

Working together we can do incredible things if we stand together with the courage of our convictions.

Ronald Reagan once described America as a place "Unimpressed with what others say is impossible." I think that's especially true about Florida.

We are a state that has regularly done the impossible. We build magic kingdoms. We launch ships that fly to the moon. Florida can be the place where the American Dream continues to be a reality.

The world is watching, and God is watching over us. Our success will be the model for the nation.

With new jobs and an education system full of new energy, we'll plot the course for a brighter future. May God bless our great state and all of you. Let's get to work!

DISSOLUTION OF JOINT SESSION

Following the Governor's address, the previously appointed committee escorted the Governor from the rostrum and from the House chamber, followed by the Lieutenant Governor, members of the Cabinet, Justices of the Supreme Court and members of the Florida Congressional Delegation.

On motion by Senator Thrasher, the joint session was dissolved at 6:38 p.m. and the Senators were escorted from the House chamber by the Senate Sergeant at Arms.

(Remainder of Senate Business taken up prior to joint session.)

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senators Haridopolos, Lynn, Wise, Gaetz, Dean, Benacquisto, Hays, Fasano, Bennett, Diaz de la Portilla, Oelrich, Negron, Storms, Evers, Flores, Simmons, Jones, Gardiner, Garcia, Alexander, Latvala, Altman, Thrasher, Detert, Norman, Richter, Dockery, and Bogdanoff—

SJR 2—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution, relating to health care services.

—was referred to the Committees on Health Regulation; Judiciary; and Budget.

Senate Bills 4-10—Not used.

By Senator Bogdanoff—

SB 12—A bill to be entitled An act for the relief of Charles Pandrea by the North Broward Hospital District; providing for an appropriation to compensate Charles Pandrea, husband of Janet Pandrea, for the death of Janet Pandrea as a result of the negligence of the North Broward Hospital District; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senator Joyner—

SB 14—A bill to be entitled An act for the relief of Dennis Darling, Sr., and Wendy Smith, parents of Devaughn Darling, deceased; providing an appropriation to compensate them for the loss of their son, Devaughn Darling, whose death occurred while he was engaged in football pre-season training on the Florida State University campus; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

By Senator Ring—

SB 16—A bill to be entitled An act for the relief of Laron S. Harris, Jr., by and through his parents, Melinda Williams and Laron S. Harris, Sr., and Melinda Williams and Laron S. Harris, Sr., individually, by the North Broward Hospital District, d/b/a Coral Springs Medical Center; providing for an appropriation to compensate them for injuries sustained as a result of the negligence of the Coral Springs Medical Center; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senator Jones—

SB 18—A bill to be entitled An act for the relief of Daniel and Amara Estrada; providing an appropriation to compensate Daniel and Amara Estrada, parents and guardians of Caleb Estrada, for the wrongful birth of Caleb Estrada and for damages sustained by Daniel and Amara Estrada as a result of negligence by employees of the University of South Florida Board of Trustees; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

By Senator Hill—

SB 20—A bill to be entitled An act for the relief of the Estate of Dr. Sherrill Lynn Aversa; providing an appropriation to compensate the Estate of Dr. Sherrill Lynn Aversa for Dr. Aversa's death as result of the negligence of the Department of Transportation; requiring the Executive Office of the Governor to establish spending authority from unappropriated trust fund balances of the department for compensation to the Estate of Dr. Sherrill Lynn Aversa; providing for attorney's fees and costs; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

By Senator Hill—

SB 22—A bill to be entitled An act for the relief of the Estate of Cesar Solomon by the Jacksonville Transportation Authority; providing for an appropriation to compensate the Estate of Cesar Solomon for Mr. Solomon's death, which was the result of negligence by a bus driver of the Jacksonville Transportation Authority; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senator Ring—

SB 24—A bill to be entitled An act for the relief of Ashraf Kamel and Marguerite Dimitri by the Palm Beach County School Board; providing

for an appropriation to compensate Ashraf Kamel and Marguerite Dimitri for the wrongful death of their minor child, Jean A. Pierre Kamel, as a result of the negligence of the Palm Beach County School Board; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senator Rich—

SB 26—A bill to be entitled An act for the relief of Lawrence Femminella by the Palm Beach County Sheriff's Office; providing for an appropriation to compensate Lawrence Femminella for loss of consortium, false arrest, and the negligent training and hiring of deputy sheriffs by the Palm Beach County Sheriff's Office; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senator Ring—

SB 28—A bill to be entitled An act for the relief of L.T., a minor; providing an appropriation to compensate L.T., a minor, by and through Vicki McSwain, the Permanent Custodian for L.T., for injuries and damages sustained as a result of the negligence of employees of the Department of Children and Family Services; providing a limitation of the payment of attorney's fees, lobbying fees, costs, and other similar expenses relating to the claim; providing an effective date.

—was referred to the Special Master on Claim Bills.

By Senator Fasano—

SB 30—A bill to be entitled An act for the relief of Amie Draiemann Stephenson, individually and as Personal Representative of the Estate of Christian Darby Stephenson, deceased, and for the relief of Hailey Morgan Stephenson and Christian Darby Stephenson, II, as surviving minor children of the decedent; providing an appropriation to compensate them for the wrongful death of Christian Darby Stephenson, which was due in part to the negligence of the Department of Transportation; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

By Senator Dean—

SB 32—A bill to be entitled An act for the relief of Yvonne Morton; providing an appropriation to compensate her for injuries and damages sustained as a result of the negligence of the Department of Health; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

By Senator Dean—

SB 34—A bill to be entitled An act for the relief of Angela Isham by the City of Ft. Lauderdale; providing for an appropriation to compensate Angela Isham, individually, and as co-personal representative of the Estate of David Isham, deceased, for the death of Mr. Isham, which was due to the negligence of employees of the City of Ft. Lauderdale; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

SB 36—Withdrawn prior to introduction.

By Senator Fasano—

SB 38—A bill to be entitled An act for the relief of Marcus Button by the Pasco County School Board; providing for an appropriation to compensate Marcus Button for injuries sustained as a result of the negligence of an employee of the Pasco County School Board; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

SB 40—Withdrawn prior to introduction.

By Senator Benacquisto—

SB 42—A bill to be entitled An act for the relief of Eric Brody by the Broward County Sheriff's Office; providing for an appropriation to compensate Eric Brody for injuries sustained as a result of the negligence of the Broward County Sheriff's Office; authorizing the Sheriff of Broward County, in lieu of payment, to execute to Eric Brody and his legal guardians an assignment of all claims that the Broward County Sheriff's Office has against its insurer arising out of the insurer's handling of the claim against the sheriff's office; clarifying that such assignment does not impair the ability or right of the assignees to pursue the final judgment and cost judgment against the insurer; providing a limitation on the payment of fees and costs related to the claim against the Broward County Sheriff's Office and an exception to that limitation as to any assigned claims brought against the insurer; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senator Fasano—

SB 44—A bill to be entitled An act for the relief of the victims who were abused while confined to the Florida Reform School for Boys located in Marianna and Okeechobee; providing an appropriation to compensate them for injuries and damages sustained as result of the abuses perpetrated by the personnel of the reform schools; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

By Senator Haridopolos—

SB 46—A bill to be entitled An act for the relief of William Dillon, who was wrongfully incarcerated for 27 years and exonerated by a court after DNA testing; providing an appropriation to compensate Mr. Dillon for his wrongful incarceration; directing the Chief Financial Officer to draw a warrant for the purchase of an annuity; providing for a waiver of certain tuition and fees; providing conditions for payment; providing that the act does not waive certain defenses or increase the state's liability; providing a limitation on the payment of fees and costs; providing that certain benefits are void upon a finding that Mr. Dillon is not innocent of the alleged crime; providing an effective date.

—was referred to the Special Master on Claim Bills.

By Senator Joyner—

SB 48—A bill to be entitled An act for the relief of Laura D. Strazza; providing an appropriation to compensate her for injuries she sustained as a result of the negligence of an employee of the Department of Agriculture and Consumer Services; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

By Senator Smith—

SB 50—A bill to be entitled An act for the relief of Jennifer Wohlgemuth by the Pasco County Sheriff's Office; providing for an appropriation to compensate Jennifer Wohlgemuth whose injuries were due to the negligence of the Pasco County Sheriff's Office; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

SB 52—Withdrawn prior to introduction.

By Senator Storms—

SB 54—A bill to be entitled An act for the relief of Melvin and Alma Colindres by the City of Miami; providing for an appropriation to compensate them for the wrongful death of their son, Kevin Colindres, sustained as a result of the negligence of police officers of the City of Miami; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senator Storms—

SB 56—A bill to be entitled An act for the relief of Dennis Gay; providing an appropriation to compensate Dennis Gay for injuries sustained as a result of the negligence of the Department of Transportation; providing for the use of funds; providing for the reversion of funds to the state; providing a limitation on the total amount paid for attorney's fees, lobbying fees, costs, and other similar expenses relating to the claim; providing an effective date.

—was referred to the Special Master on Claim Bills.

SB 58—Withdrawn prior to introduction.

By Senator Bogdanoff—

SB 60—A bill to be entitled An act for the relief of Monica Cantillo Acosta and Luis Alberto Cantillo Acosta, surviving children of Nhora Acosta by Miami-Dade County; providing for an appropriation to compensate them for the wrongful death of their mother, Nhora Acosta, due to injuries sustained as a result of the negligence of a Miami-Dade County bus driver; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

SB 62—Withdrawn prior to introduction.

By Senator Siplin—

SB 64—A bill to be entitled An act for the relief of Ronald Miller by the City of Hollywood; providing for an appropriation to compensate him for injuries sustained as a result of the negligence of the City of Hollywood; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senator Siplin—

SB 66—A bill to be entitled An act for the relief of Timothy Kulik and Theresa Ann Kulik; providing an appropriation to compensate them for injuries and damages sustained as a result of the negligence of an employee of the Department of Highway Safety and Motor Vehicles; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

By Senator Fasano—

SB 68—A bill to be entitled An act for the relief of Irving Hoffman and Marjorie Weiss, parents of Rachel Hoffman, deceased, individually and as co-personal representatives of the Estate of Rachel Hoffman, by the City of Tallahassee; providing an appropriation to compensate them for the wrongful death of their daughter, Rachel Hoffman, as a result of negligence by employees of the Tallahassee Police Department; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senator Negron—

SB 70—A bill to be entitled An act for the relief of Carl Abbott by the Palm Beach County School Board; providing for an appropriation to compensate Carl Abbott for injuries sustained as a result of the negligence of the Palm Beach County School District; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senator Wise—

SB 72—A bill to be entitled An act for the relief of Karen W. Stripling; providing an appropriation to compensate her for damages sustained as a result of a breach of contract by the Department of Education; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

SB 74—Withdrawn prior to introduction.

By Senator Siplin—

SB 76—A bill to be entitled An act for the relief of Marissa Amora in furtherance of chapter 2008-258, Laws of Florida; providing a continuing appropriation to compensate Marissa Amora for injuries and damages sustained as a result of negligence by employees of the Department of Children and Family Services; requiring a specified legislative budget request; providing a limitation on the payment of attorney's fees and costs; providing legislative intent as to the waiver of all lien interests held by the state; providing an effective date.

—was referred to the Special Master on Claim Bills.

By Senator Lynn—

SB 78—A bill to be entitled An act relating to an environmental surcharge on bottled water; establishing a surcharge on bottled water sold at retail in this state; providing an exception; requiring that moneys collected from the surcharge be deposited into the Ecosystem Management and Restoration Trust Fund; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Commerce and Tourism; and Budget.

By Senators Lynn and Margolis—

SB 80—A bill to be entitled An act relating to state uniform traffic control; prohibiting the use of electronic communication devices to send or receive text-based communications while operating a motor vehicle; providing exceptions; providing a penalty; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Budget.

By Senators Lynn and Dean—

SB 82—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; revising legislative intent; eliminating provisions directing the Department of Health to create and administer a statewide septic tank evaluation program; eliminating procedures and criteria for the evaluation program; amending s. 381.0066, F.S.; eliminating provisions authorizing the department to collect an evaluation report fee; eliminating provisions relating to disposition of fee proceeds and a revenue-neutral fee schedule; repealing s. 381.00656, F.S., to terminate the grant program for repair of onsite sewage treatment disposal systems identified pursuant to the evaluation program, to conform; providing an effective date.

—was referred to the Committees on Health Regulation; Environmental Preservation and Conservation; and Budget.

By Senators Lynn, Gaetz, Thrasher, and Wise—

SB 84—A bill to be entitled An act relating to St. Johns River Community College; amending s. 1000.21, F.S.; renaming St. Johns River Community College as “St. Johns River State College”; amending ss. 1004.74 and 1004.75, F.S., relating to the Florida School of the Arts and the consolidation of certain training schools; conforming provisions; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

By Senator Dockery—

SB 86—A bill to be entitled An act relating to voting conflicts; providing a short title; amending s. 112.3143, F.S.; providing an exception to provisions relating to voting conflicts, to conform to changes made by the act; creating s. 112.31435, F.S.; providing definitions; prohibiting a member of the Legislature from voting upon or participating in any legislation inuring to the personal gain or loss of the member or his or her relative; prohibiting a member of the Legislature from participating in any legislation inuring to the personal gain or loss of a business associate, employer, board on which the member sits, principal by whom the member is retained, or parent corporation or subsidiary of such principal; requiring that a member disclose all such interests to the applicable legislative body or committee before such legislation is considered; requiring that the member disclose the specific nature of any such interests within a specified period after the date on which a vote on the legislation occurs; requiring that such disclosure be made by written memorandum and filed with the Secretary of the Senate or the Clerk of the House of Representatives; requiring that the memorandum be recorded in the journal of the house of which the legislator is a member; providing an effective date.

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

By Senator Gaetz—

SB 88—A bill to be entitled An act relating to public officers; prohibiting severance pay for nonelected public officers except under specified circumstances; prohibiting certain limitations on discussing an employment dispute or settlement; providing an effective date.

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

By Senator Gaetz—

SB 90—A bill to be entitled An act relating to financial emergencies; amending s. 163.07, F.S.; requiring a plan of a county or municipality to improve the efficiency, accountability, and coordination of the delivery of local government services to include a structural and services consolidation plan if the county or municipality is subject to review and oversight by the Governor; amending s. 218.503, F.S.; authorizing a financial emergency review board for a local governmental entity or district school board to consult with other governmental entities for the consolidation of all administrative direction and support services; authorizing the Governor or Commissioner of Education to require a local governmental entity or district school board to develop a plan for the consolidation, sourcing, or discontinuance of all administrative direction and support services; providing an effective date.

—was referred to the Committees on Community Affairs; Education Pre-K - 12; Governmental Oversight and Accountability; and Budget.

By Senator Gaetz—

SB 92—A bill to be entitled An act relating to group insurance for public employees; amending s. 112.08, F.S.; requiring that school districts procure certain types of insurance through interlocal agreements; providing an exception; requiring that each school district in this state enter into a specified type of interlocal agreement and establish the School District Insurance Consortium; providing purposes of the consortium; requiring that the consortium be governed by a board of directors consisting of a specified number of members; providing requirements for membership on the board; specifying terms of office for board members; authorizing the board to employ staff or contract for staffing services to be provided to the consortium; requiring that the Department of Management Services provide technical services to the consortium as requested by the board; requiring the consortium to advertise for competitive bids for health, accident, or hospitalization insurance, as well as certain insurance plans; requiring that the contracts for such insurance be let upon the basis of such bids; requiring that the consortium take certain actions and consider certain factors when defining coverage regions; authorizing the awarding of bids on a statewide or regional basis and the selection of multiple insurance providers; requiring that school districts engage in collective bargaining with the certified bargaining agent for any unit of employees for which health, accident, or hospitalization insurance is provided; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Oversight and Accountability; and Budget.

By Senator Gaetz—

SB 94—A bill to be entitled An act relating to blood establishments; amending s. 381.06014, F.S.; defining the term “volunteer donor”; prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit organization or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as for-profit organizations or not-for-profit organizations when determining service fees for selling blood or blood components; requiring that certain blood establishments disclose specified information on the Internet; amending s. 483.201, F.S.; providing for disciplinary action against clinical laboratories that fail to disclose specified information on the Internet; providing a maximum annual administrative fine that may be imposed annually against certain clinical laboratories for failure to comply with such disclosure requirement; amending s. 499.003, F.S.; redefining the term “health care entity” to clarify that a blood establishment may be a health care entity and engage in certain activities; amending s. 499.005, F.S.; clarifying provisions prohibiting the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted pre-

scription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute under a restricted prescription drug distributor permit; authorizing the Department of Health to adopt rules; providing an effective date.

—was referred to the Committees on Health Regulation; Community Affairs; and Budget.

By Senator Ring—

SB 96—A bill to be entitled An act relating to mammogram reports; amending ss. 627.6418, 627.6613, and 641.31095, F.S.; requiring that all mammography reports include information and a notice about breast density; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

SB 98—Withdrawn prior to introduction.

By Senator Ring—

SB 100—A bill to be entitled An act relating to autism; creating s. 381.986, F.S.; requiring that a physician refer a minor to an appropriate specialist for screening for autism spectrum disorder under certain circumstances; defining the term “appropriate specialist”; amending ss. 627.6686 and 641.31098, F.S.; defining the term “direct patient access”; requiring that certain insurers and health maintenance organizations provide direct patient access to an appropriate specialist for screening for or evaluation or diagnosis of autism spectrum disorder; requiring certain insurance policies and health maintenance organization contracts to provide a minimum number of visits per year for screening for or evaluation or diagnosis of autism spectrum disorder; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

By Senator Ring—

SB 102—A bill to be entitled An act relating to the Office of the Chief Technology Officer; creating the Office of the Chief Technology Officer within the Department of Financial Services; requiring that the Chief Technology Officer be appointed by the Governor and Cabinet; requiring that the office be composed of three divisions; providing duties of such divisions; requiring that the Chief Technology Officer develop a multi-year plan of action for the purpose of meeting specified objectives; providing an effective date.

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

By Senator Ring—

SB 104—A bill to be entitled An act relating to misdemeanor pretrial substance abuse programs; amending s. 948.16, F.S.; providing that a person who has previously been admitted to a pretrial program may qualify for a misdemeanor pretrial substance abuse program; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Ring—

SB 106—A bill to be entitled An act relating to public records; defining the term “publicly owned performing arts center”; creating an exemption from public-records requirements for information that identifies a donor or prospective donor of a donation made for the benefit of a publicly owned performing arts center if the donor desires to remain anonymous; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; amending s. 272.136, F.S.;

creating an exemption from public-records requirements for information identifying a donor or prospective donor to the direct-support organization of the Legislative Research Center and Museum at the Historic Capitol; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Community Affairs; Commerce and Tourism; and Governmental Oversight and Accountability.

By Senator Ring—

SB 108—A bill to be entitled An act relating to public K-12 health education; amending s. 1003.46, F.S.; deleting the requirement that schools teach abstinence from sexual activity outside of marriage as the expected standard for all school-age students as part of instruction in human sexuality; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; and Children, Families, and Elder Affairs.

Senate Resolutions 110-114—Not referenced.

By Senator Bullard—

SB 116—A bill to be entitled An act relating to debtors and creditors; creating s. 687.072, F.S.; requiring lenders or creditors to verify the identity of persons applying for a loan, credit card, or extension of credit; providing that the knowing and willful use of personal identifying information of another individual creates a rebuttable presumption; providing for the forfeiture of the right to collect an indebtedness for failure to verify an applicant's identity; providing an effective date.

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

By Senator Bullard—

SB 118—A bill to be entitled An act relating to bicycle safety; amending s. 316.2065, F.S.; revising safety standard requirements for bicycle helmets that must be worn by certain riders and passengers; providing for enforcement of requirements for bicycle lighting equipment; providing penalties for violations; providing for dismissal of the charge following a first offense under certain circumstances; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Budget.

By Senator Bullard—

SB 120—A bill to be entitled An act relating to consumer protection; amending s. 501.005, F.S.; requiring the Department of Corrections to provide each inmate in a correctional facility the opportunity to place a security freeze on his or her consumer report; requiring the department, at the request of the inmate, to provide the appropriate forms to the inmate to initiate the security freeze process; requiring that the inmate pay all fees and expenses incurred in the application for a security freeze; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; and Budget.

By Senator Bullard—

SB 122—A bill to be entitled An act relating to sudden unexpected infant death; creating the "Stillbirth and SUID Education and Awareness Act"; providing legislative findings; defining terms; requiring the State Surgeon General to implement a public health awareness and education campaign in order to provide information that is focused on decreasing the risk factors for sudden unexpected infant death and sudden unexplained death in childhood; requiring the State Surgeon

General to conduct a needs assessment of the availability of personnel, training, technical assistance, and resources for investigating and determining the causes of sudden unexpected infant death and sudden unexplained death in childhood; requiring the State Surgeon General to develop guidelines for increasing collaboration in the investigation of stillbirth, sudden unexpected infant death, and sudden unexplained death in childhood; specifying the duties of the State Surgeon General related to maternal and child health programs; requiring the State Surgeon General to establish a task force to develop a research plan to determine the causes of stillbirth, sudden unexpected infant death, and sudden unexplained death in childhood and how to prevent them; providing for the membership of the task force; providing for reimbursement of per diem and travel expenses; requiring that the State Surgeon General submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a specified date; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

By Senator Bullard—

SB 124—A bill to be entitled An act relating to probation and community control; amending ss. 948.03, 948.11, 948.101, and 948.30, F.S.; requiring the Department of Corrections to electronically monitor a person who is sentenced to probation or to community control; providing an effective date.

—was referred to the Committees on Criminal Justice; and Judiciary.

By Senator Bullard—

SB 126—A bill to be entitled An act relating to private correctional facilities; amending s. 957.04, F.S.; requiring that a contractor provide certain minimum services at designated visiting areas in a private correctional facility; providing for application of the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Bullard—

SB 128—A bill to be entitled An act relating to public printing; amending s. 283.31, F.S.; revising the record requirements for agency publications; requiring the record to include the reasons for printing and distributing a publication and whether the publication is available electronically; requiring such justification to be included in the agency's legislative budget request; providing an effective date.

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

By Senators Dean and Gaetz—

SB 130—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; revising legislative intent; eliminating provisions directing the Department of Health to create and administer a statewide septic tank evaluation program; eliminating procedures and criteria for the evaluation program; repealing s. 381.00656, F.S., to terminate the grant program for repair of onsite sewage treatment disposal systems identified pursuant to the evaluation program, to conform; amending s. 381.0066, F.S.; eliminating provisions authorizing the department to collect an evaluation report fee; eliminating provisions relating to disposition of fee proceeds and a revenue-neutral fee schedule; providing an effective date.

—was referred to the Committees on Health Regulation; Environmental Preservation and Conservation; and Budget.

By Senators Joyner and Dockery—

SB 132—A bill to be entitled An act relating to contamination notification; amending s. 376.30702, F.S.; revising contamination notification provisions; requiring individuals responsible for site rehabilitation to provide notice of site rehabilitation to specified entities; revising provisions relating to the content of such notice; requiring the Department of Environmental Protection to provide notice of site rehabilitation to specified entities and certain property owners; providing an exemption; requiring the department to verify compliance with notice requirements; authorizing the department to pursue enforcement measures for noncompliance with notice requirements; revising the department’s contamination notification requirements for certain public schools; requiring the department to provide specified notice to private K-12 schools and child care facilities; requiring the department to provide specified notice to public schools within a specified area; providing notice requirements, including directives to extend such notice to certain other persons; requiring local governments to provide specified notice of site rehabilitation; authorizing the local government and the department to recover notification costs from responsible parties; providing a statement of important state interest; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Education Pre-K - 12; Community Affairs; and Budget.

By Senators Joyner and Dockery—

SB 134—A bill to be entitled An act relating to sealing criminal history records; providing a short title; amending s. 943.059, F.S.; authorizing a court to seal a criminal history record of a person who had a prior criminal history record sealed or expunged under certain circumstances; providing an effective date.

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

By Senators Bennett, Lynn, Gaetz, Norman, and Dockery—

SB 136—A bill to be entitled An act relating to the enforcement of immigration laws; creating s. 943.0536, F.S.; providing legislative intent; prohibiting the state or its political subdivisions from limiting or restricting the enforcement of immigration laws; requiring a law enforcement officer to request citizenship information under certain circumstances; authorizing a law enforcement agency to transport an alien to a federal facility; requiring judicial authorization for the transfer of an alien outside the state; allowing governmental entities to share information regarding citizenship; authorizing citizens to sue the state or a political subdivision of the state if the state or political subdivision is restricting the enforcement of federal immigration laws; providing for recovery of attorney’s fees; providing for criminal penalties; prohibiting the probation or release of an alien who does not possess registration documents; requiring that the act be implemented consistent with federal law; prohibiting law enforcement officers from using race as a determining factor in an assessment under the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senators Bennett, Gaetz, and Dockery—

SB 138—A bill to be entitled An act relating to military veterans convicted of criminal offenses; creating s. 921.00242, F.S.; providing that persons convicted of criminal offenses who allege that the offenses resulted from posttraumatic stress disorder, substance abuse, or psychological problems stemming from service in a combat theater in the United States military may have a hearing on that issue before sentencing; providing that defendants found to have committed offenses due to such causes and who are otherwise eligible for probation or community control may be placed in treatment programs for an equal period of time in certain circumstances; providing for sentence credit for such defendants placed in treatment; providing a preference for treatment programs with histories of successfully treating such combat veterans; providing an effective date.

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

By Senator Ring—

SJR 140—A joint resolution proposing an amendment to Section 8 of Article V of the State Constitution to increase the period of time that a person must be a member of The Florida Bar before becoming eligible for the offices of circuit court or county court judge.

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

By Senators Richter and Gaetz—

SB 142—A bill to be entitled An act relating to negligence; amending s. 768.81, F.S.; defining the terms “negligence action” and “products liability action”; requiring the trier of fact to consider the fault of all persons who contributed to an accident when apportioning damages in a products liability action alleging an additional or enhanced injury; providing legislative intent to overrule a judicial opinion; providing a legislative finding that fault should be apportioned among all responsible persons in a products liability action; providing for retroactive application of the act; providing a legislative finding that the retroactive application of the act does not impair vested rights; providing an effective date.

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

By Senator Smith—

SB 144—A bill to be entitled An act relating to elderly inmates; providing legislative intent; creating s. 947.148, F.S.; providing a short title; creating the Elderly Rehabilitated Inmate Supervision Program to authorize the Parole Commission to approve the early release of certain elderly inmates; providing eligibility requirements for an inmate to participate in the program; requiring that the petition to participate in the program include certain documents; authorizing members of the public to be present at meetings of the commission held to determine an inmate’s eligibility for the program; authorizing a victim to make an oral statement or provide a written statement regarding the granting, denying, or revoking of an inmate’s supervised release under the program; requiring that the commission notify the victim or the victim’s family within a specified period regarding the filing of a petition, the date of the commission’s meeting, and the commission’s decision; authorizing the commission to approve an inmate’s participation in the program under certain conditions; providing eligibility requirements that the commission must review; requiring an examiner to interview within a specified time an inmate who has filed a petition for supervised release under the program; authorizing the postponement of the interview; requiring the examiner to explain and review certain criteria during the interview; requiring that the examiner recommend a release date for the inmate; providing certain conditions under which an inmate may not be released; requiring a panel of commissioners to establish terms and conditions of the supervised release under certain circumstances; requiring that the inmate participate in community service, submit to electronic monitoring, and provide restitution to victims as a condition for participating in the program; authorizing the commission to impose special conditions of supervision; authorizing the inmate to request a review of the terms and conditions of his or her program supervision; requiring a panel of commissioners to render a decision within a specified period regarding a request to modify or continue the supervised release; providing that participation in the program is voluntary; requiring the commission to specify in writing the terms and conditions of supervision and provide a certified copy to the inmate; authorizing the trial court judge to enter an order to retain jurisdiction over the offender; providing a limitation of the trial court’s jurisdiction; providing for gain-time to accrue; providing procedures if the trial court retains jurisdiction of the inmate; requiring a correctional probation officer to supervise an inmate who is released under the program; authorizing the Department of Corrections to conduct the program using departmental employees or private agencies; requiring the department to adopt rules; creating s. 947.1481, F.S.; creating the Restorative Justice Pilot Program; requiring the Department of Corrections to develop a pilot program patterned after the juvenile justice program offered by Neighborhood Restorative Justice

Centers; requiring that inmates who are eligible to participate in the Elderly Rehabilitated Inmate Supervision Program be given priority for participating in the pilot program; providing that the pilot program be developed after consultation with specified persons; authorizing the department to conduct the pilot program using departmental employees or private agencies; requiring the department to adopt rules; amending s. 947.141, F.S.; conforming provisions to changes made by the act; authorizing a law enforcement officer to arrest an inmate under certain circumstances who has been released under the Elderly Rehabilitated Inmate Supervision Program; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senators Smith, Lynn, and Dockery—

SB 146—A bill to be entitled An act relating to criminal justice; providing a short title; providing legislative intent; requiring state agencies and regulatory boards to prepare reports that identify and evaluate restrictions on licensing and employment for ex-offenders; amending s. 112.011, F.S.; prohibiting state agencies from denying an application for a license, permit, certificate, or employment based on a person's lack of civil rights; providing an exception; amending s. 768.096, F.S.; requiring an employer to review the results of a criminal background investigation; requiring an employer not to place an employee who has a criminal record in a position where conduct similar to the employee's past criminal conduct would be facilitated; requiring an employer to determine that the criminal background investigation does not demonstrate that the employee is unsuitable for the particular work to be performed or the context of the employment in general; amending s. 943.0585, F.S.; clarifying under what circumstances a person may legally deny the existence of an expunged criminal history record; authorizing the disclosure of the contents of an expunged record upon receipt of a written, notarized request from the record subject; requiring clerks of the court to post information relating to procedures to seal or expunge criminal history records on the clerk's website; amending s. 943.059, F.S.; clarifying under what circumstances a person may legally deny the existence of a sealed criminal history record; authorizing a court to seal a criminal history record of a person who had a prior criminal history record sealed or expunged; providing an effective date.

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

By Senator Smith—

SB 148—A bill to be entitled An act relating to criminal prosecution of juveniles; amending s. 985.557, F.S.; providing additional circumstances for the direct filing of charges against certain juveniles; providing criteria for determining when a case against a juvenile should be recommended to the court to be transferred for criminal prosecution; providing criteria for consideration of a child's request to an adult court to return a criminal case to the juvenile justice system; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Smith—

SB 150—A bill to be entitled An act relating to career and education planning; amending s. 1003.4156, F.S.; revising the general requirements for middle grades promotion to require that a course in career and education planning explore the National Career Clusters; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Commerce and Tourism; and Budget.

By Senator Bullard—

SB 152—A bill to be entitled An act relating to congenital craniofacial anomalies; requiring the Agency for Health Care Administration, in consultation with the Office of Insurance Regulation, to conduct a study

concerning the medical necessity, costs, and efficacy of mandating coverage for certain treatments and therapies; requiring that the agency report its findings and recommendations to the Legislature; providing an appropriation; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Budget.

By Senator Bullard—

SB 154—A bill to be entitled An act relating to juvenile justice education programs; amending s. 1003.52, F.S.; requiring that the Department of Education submit to the Legislature an annual report that includes student learning gains and student progression in juvenile justice education programs and details the methodology that the department uses to ensure that the student performance data is complete and reliable; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Criminal Justice; and Budget.

By Senator Detert—

SB 156—A bill to be entitled An act relating to renewable energy; amending s. 366.91, F.S.; requiring that a purchase contract offered to producers of renewable energy contain payment provisions for energy and capacity based upon a public utility's equivalent cost-recovery rate for certain clean energy projects rather than the utility's full avoided costs; providing an effective date.

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

By Senators Detert, Margolis, Dockery, and Lynn—

SB 158—A bill to be entitled An act relating to the use of wireless communications devices while driving; creating s. 316.305, F.S.; creating the "Florida Ban on Texting While Driving Law"; providing legislative intent; prohibiting the operation of a motor vehicle while using a wireless communications device for certain purposes; providing a definition; providing exceptions; specifying information that is admissible as evidence of a violation; providing penalties; providing for enforcement as a secondary action; amending s. 322.27, F.S.; providing for points to be assessed against a driver's license for the unlawful use of a wireless communications device resulting in a crash; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Budget.

By Senator Joyner—

SB 160—A bill to be entitled An act relating to parole for juvenile offenders; providing a short title; amending s. 947.16, F.S.; providing definitions; providing that a juvenile offender who was less than 18 years of age at the time of commission of a nonhomicide offense and who is sentenced to life imprisonment is eligible for parole if the offender has been incarcerated for a minimum period; requiring an initial eligibility interview to determine whether the juvenile offender has demonstrated maturity and reform for parole; providing criteria to determine maturity and reform; providing eligibility for a reinterview after a specified period for juvenile offenders denied parole; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Sobel—

SB 162—A bill to be entitled An act relating to tanning facilities; amending s. 381.89, F.S.; requiring that the operator or proprietor of a tanning facility witness the signing of a written statement by the parent or legal guardian of a minor before the minor is allowed to use a tanning device; providing requirements for the written statement; prohibiting a minor younger than a certain age from using a tanning device at a

tanning facility; deleting provisions authorizing the use of a tanning device by certain minors if accompanied by a parent or legal guardian; allowing use of a tanning device by certain minors as treatment prescribed by a health care provider; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; and Budget.

By Senator Sobel—

SB 164—A bill to be entitled An act relating to the public broadcasting program system; amending s. 1001.26, F.S.; including certain television stations licensed by the Federal Communications Commission for which support and funding may be given; providing an effective date.

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

By Senator Hill—

SB 166—A bill to be entitled An act relating to forensic services; amending s. 916.105, F.S.; providing legislative intent that forensic services be provided to a person charged with a misdemeanor as well as a felony offense; amending ss. 916.106, 916.107, 916.13, and 916.302, F.S., relating to definitions, the rights of forensic clients, the involuntary commitment of a defendant with mental illness, and the involuntary commitment of a defendant determined to be incompetent; conforming provisions to changes made by the act; providing an effective date.

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

By Senators Evers and Gaetz—

SB 168—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; deleting legislative intent relating to onsite sewage treatment and disposal systems; eliminating provisions directing the Department of Health to create and administer a statewide septic tank evaluation program; eliminating procedures and criteria for the evaluation program; amending s. 381.0066, F.S.; eliminating provisions authorizing the department to collect an evaluation report fee; eliminating provisions relating to disposition of fee proceeds and a revenue-neutral fee schedule; repealing s. 381.00656, F.S., relating to the grant program for the repair of onsite sewage treatment disposal systems identified pursuant to the evaluation program, to conform; providing an effective date.

—was referred to the Committees on Health Regulation; Environmental Preservation and Conservation; and Budget.

By Senator Bennett—

SB 170—A bill to be entitled An act relating to electronic filing of court documents; creating ss. 27.341 and 27.5112, F.S.; providing legislative intent; requiring that each state attorney and public defender implement a system by which the state attorney and public defender can electronically file court documents with the clerk of the court; requiring that the Florida Prosecuting Attorneys Association and the Florida Public Defender Association report to the President of the Senate and the Speaker of the House of Representatives by a specified date on the progress made in implementing the electronic filing system; providing an effective date.

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

By Senator Bennett—

SB 172—A bill to be entitled An act relating to security cameras; reenacting s. 163.31802, F.S., relating to prohibited standards for security cameras; providing for retroactive operation of the act; providing for an exception under specified circumstances; providing an effective date.

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

By Senators Bennett and Gaetz—

SB 174—A bill to be entitled An act relating to growth management; reenacting s. 1, chapter 2009-96, Laws of Florida, relating to a short title; reenacting s. 163.3164(29) and (34), F.S., relating to the definition of “urban service area” and “dense urban land area” for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act; reenacting s. 163.3177(3)(b) and (f), (6)(h), and (12)(a) and (j), F.S., relating to certain required and optional elements of a comprehensive plan; reenacting s. 163.3180(5), (10), and (13)(b) and (e), F.S., relating to concurrency requirements for transportation facilities; reenacting s. 163.31801(3)(d), F.S., relating to a required notice for a new or increased impact fee; reenacting s. 163.3184(1)(b) and (3)(e), F.S., relating to the process for adopting a comprehensive plan or plan amendment; reenacting s. 163.3187(1)(b), (f), and (q), F.S., relating to amendments to a comprehensive plan; reenacting s. 163.32465(2), F.S., relating to a pilot program to provide an alternative to the state review process for local comprehensive plans; reenacting s. 171.091, F.S., relating to the recording of any change in municipal boundaries; reenacting s. 186.509, F.S., relating to a dispute resolution process for reconciling differences concerning planning and growth management issues; reenacting s. 380.06(7)(a), (24), (28), and (29), F.S., relating to certain exemptions from review provided for proposed developments of regional impact; reenacting ss. 13, 14, and 34 of chapter 2009-96, Laws of Florida, relating to a study and report concerning a mobility fee, the extension and renewal of certain permits issued by the Department of Environmental Protection or a water management district, and a statement of important state interest; providing a legislative finding of important state interest; providing for retroactive operation of the act with respect to provisions of law amended or created by chapter 2009-96, Laws of Florida; providing for an exception under specified circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senators Bennett and Gaetz—

SB 176—A bill to be entitled An act relating to affordable housing; reenacting s. 159.807(4), F.S., relating to the state allocation pool used to confirm private activity bonds; reenacting s. 193.018, F.S., relating to lands that are owned by a community land trust and used to provide affordable housing; reenacting s. 196.196(5), F.S., relating to a tax exemption provided to organizations that provide low-income housing; reenacting s. 196.1978, F.S., relating to a property exemption for affordable housing owned by a nonprofit entity; reenacting s. 212.055(2)(d), F.S., relating to the use of a local government infrastructure surtax; reenacting s. 163.3202(2), F.S., relating to requirements for local land development regulations; reenacting s. 420.503(25), F.S., relating to a definition under the Florida Housing Finance Corporation Act; reenacting s. 420.507(47), F.S., relating to powers of the corporation to select developers and general contractors; reenacting s. 420.5087(6)(c) and (l), F.S., relating to the State Apartment Incentive Loan Program; reenacting s. 420.622(5), F.S., relating to the State Office on Homelessness; reenacting s. 420.628, F.S., relating to affordable housing for children and young adults leaving foster care; reenacting s. 420.9071(4), (8), (16), (25), (29), and (30), F.S., relating to definitions under the State Housing Initiatives Partnership Act; reenacting s. 420.9072(6) and (7), F.S., relating to the distribution of funds under the State Housing Initiatives Partnership Program; reenacting s. 420.9073(1), (2), (5), (6), and (7), F.S., relating to distributions of local housing funds; reenacting s. 420.9075(1), (3), (5), (8), (10)(a) and (h), (13)(b), and (14), F.S., relating to local housing assistance plans; reenacting s. 420.9076(2)(h), (5), (6), and (7)(a), F.S., relating to the adoption of affordable housing incentive strategies by the governing board of a county or municipality; repealing s. 420.9078, F.S., relating to the state administration of funds remaining in the Local Government Housing Trust Fund; reenacting s. 420.9079, F.S., relating to the Local Government Housing Trust Fund; reenacting s. 1001.43(12), F.S., relating to the use by school districts of certain lands for affordable housing; providing for retroactive operation of the act with respect to provisions of law amended, created, or repealed by chapter 2009-96,

Laws of Florida; providing for an exception under specified circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senator Oelrich—

SB 178—A bill to be entitled An act relating to commercial insurance rates; amending s. 627.062, F.S.; exempting certain liability and property insurance lines from specific rate standards and filing requirements; revising certain reporting and recordkeeping requirements for such exempt insurers and certain rating organizations regarding rate changes; deleting a provision that permits the Office of Insurance Regulation of the Financial Services Commission to require such insurers to provide certain information regarding rates at the insurer's expense; amending s. 627.0651, F.S.; exempting certain commercial motor vehicle insurance from specific rate standards and filing requirements; revising certain reporting and recordkeeping requirements for such exempt insurers and certain rating organizations regarding rate changes; deleting a provision that permits the Office of Insurance Regulation of the Financial Services Commission to require such insurers to provide certain information regarding rates at the insurer's expense; providing an effective date.

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

By Senator Sobel—

SB 180—A bill to be entitled An act relating to health insurance; creating ss. 627.6404, 627.6572, and 641.31093, F.S.; requiring all antiretroviral agents to be included on health plan formularies; prohibiting access-limiting procedures used to restrict antiretroviral agents prescribed to treat a person with HIV; amending s. 627.6515, F.S.; including reference to such requirements on policies issued by out-of-state groups; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Budget.

By Senator Sobel—

SB 182—A bill to be entitled An act relating to primary sponsors of legislation; authorizing the naming of certain primary sponsors of legislation in the short title of a bill and its companion when agreed to by all primary sponsors of the bill and its companion; providing an effective date.

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

Senate Resolutions 184-194—Not referenced.

By Senator Fasano—

SB 196—A bill to be entitled An act relating to Choose Life license plates; amending s. 320.08058, F.S.; providing for the annual use fees to be distributed to Choose Life, Inc., rather than the counties; providing for Choose Life, Inc., to redistribute a portion of such funds to non-governmental, not-for-profit agencies that assist certain pregnant women; authorizing Choose Life, Inc., to use a portion of the funds to administer and promote the Choose Life license plate program; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Budget.

By Senator Fasano—

SB 198—A bill to be entitled An act relating to placement agents; amending s. 215.47, F.S.; prohibiting state investment funds from being used to pay the fees or commissions of placement agents; requiring the

State Board of Administration to deal directly with private equity firms and companies issuing securities; providing an effective date.

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

By Senator Fasano—

SB 200—A bill to be entitled An act relating to nuclear and integrated gasification combined cycle power plants; repealing s. 366.93, F.S., relating to cost recovery for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Regulated Industries; and Budget.

By Senators Fasano and Sobel—

SB 202—A bill to be entitled An act relating to ice skating rinks; amending s. 381.006, F.S.; requiring the Department of Health to include in its environmental health program the testing of the air in enclosed ice skating rinks; authorizing the department to adopt rules relating to air quality standards, monitoring, testing, recordkeeping, the maintenance and operation of equipment that affects air quality, assessment of fees, enforcement, and penalties; authorizing the department to enter and inspect an enclosed ice skating rink at reasonable hours to determine compliance with applicable air quality statutes or rules; amending s. 381.0061, F.S.; authorizing the department to impose a fine, which may not exceed a specified amount, for a violation of air quality standards for enclosed ice skating rinks; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

By Senator Wise—

SB 204—A bill to be entitled An act relating to controlled substances; amending s. 893.02, F.S.; defining the term "homologue" for purposes of the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 893.03, F.S.; including certain hallucinogenic substances on the list of controlled substances in Schedule I; reenacting ss. 893.13(1), (2), (4) and (5), 893.135(1)(l), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties regarding controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; Judiciary; and Budget.

By Senators Fasano, Rich, and Gaetz—

SB 206—A bill to be entitled An act relating to domestic violence against family pets; amending s. 741.28, F.S.; redefining the term "domestic violence" to include inflicting, or attempting to inflict, physical injury against an animal owned, possessed, leased, kept, or held by one family or household member by another family or household member, or placing a family or household member in fear of physical harm to an animal owned, possessed, leased, kept, or held by that family or household member; amending s. 741.30, F.S.; providing that a court may issue an injunction for protection against domestic violence granting the petitioner the exclusive care, custody, or control of any animal owned, possessed, leased, kept, or held by the petitioner, the respondent, or a minor child residing in the residence or household of the petitioner or respondent; amending s. 741.31, F.S.; providing that it is a first-degree misdemeanor for a person to willfully violate an injunction for protection against domestic violence by knowingly and intentionally injuring or threatening to injure any animal owned, possessed, leased, kept, or held by the petitioner, the respondent, or a minor child of the petitioner or respondent; providing criminal penalties; reenacting s. 901.15(7), F.S., relating to an arrest without warrant by a law enforcement officer, to

incorporate the amendment made to s. 741.31, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senators Fasano and Gaetz—

SB 208—A bill to be entitled An act relating to persons with disabilities; amending s. 393.13, F.S.; providing that persons with developmental disabilities have a right to be free from negligence; specifying that entities as well as individuals are liable for damages; amending s. 509.092, F.S.; prohibiting the operator of a public lodging or food establishment from discriminating on the basis of disability; amending s. 760.01, F.S.; conforming provisions to changes made by the act; substituting the term “disability” for the term “handicap”; reordering and amending s. 760.02, F.S.; conforming provisions to changes made by the act; redefining the term “public accommodations”; amending ss. 760.05, 760.07, 760.08, and 760.10, F.S.; conforming provisions to changes made by the act; substituting the term “disability” for the term “handicap”; amending s. 760.11, F.S.; applying administrative and civil remedies available under the Florida Civil Rights Act of 1992 to certain violations against persons with disabilities; creating s. 760.15, F.S.; creating the “Floridians with Disabilities Act”; providing legislative intent; adopting the federal Americans with Disabilities Act into state law and making it part of the Florida Civil Rights Act of 1992; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Commerce and Tourism; Judiciary; and Budget.

By Senators Fasano and Gaetz—

SJR 210—A joint resolution proposing an amendment to Section 4 of Article VII and the creation of a new section in Article XII of the State Constitution to prohibit increases in the assessed value of homestead property if the fair market value of the property decreases and to provide an effective date.

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

By Senators Fasano, Gaetz, and Dockery—

SB 212—A bill to be entitled An act relating to the Public Service Commission; amending s. 350.041, F.S.; revising the standards of conduct for commissioners of the Public Service Commission; requiring that commissioners observe and abide by the Code of Judicial Conduct while conducting docketed proceedings; providing for statutory preemption; providing for penalties; amending s. 350.042, F.S.; deleting references to “ex parte communications” and replacing such references with “prohibited communications”; providing a purpose; providing legislative intent; providing definitions; prohibiting a commissioner or the commissioner’s direct reporting staff from initiating, engaging in, or considering prohibited communications in any proceeding other than an undocketed workshop or an internal affairs meeting; prohibiting any individual from discussing any matter with a commissioner or the commissioner’s direct reporting staff which the individual reasonably foresees will be filed with the commission; requiring that any communication between a commissioner or the commissioner’s direct reporting staff and a representative of a utility be made available to the public; requiring that any communication be posted on the commission’s website within a specified time after the communication is made or received; requiring that the commission post on its website a copy of written communications received by the commission; requiring that the commission prepare a written summary of certain communications and post such summary on its website within a specified time after the communication is made or received; requiring that notice be posted on the commission’s website a minimum number of hours before the occurrence of any meeting, telephone conference call, or written communication between a commissioner or the commissioner’s direct reporting staff; authorizing the Office of Public Counsel to participate in such communications for limited purposes; providing an exception for certain commission staff or industry representatives; providing that the restrictions on prohibited communications apply to communications made to or from the Governor, a member of the Cabinet, or a member of the Legislature; providing pe-

alties for commissioners or members of a commissioner’s direct reporting staff who fail to report certain communications; amending s. 350.0605, F.S.; prohibiting former commissioners and members of a commissioner’s direct reporting staff from lobbying the legislative or executive branch of state government on behalf of any client or industry regulated by the commission for 4 years after termination of service or employment with the commission; defining the term “commissioner’s direct reporting staff”; prohibiting any former commissioner’s direct reporting staff from appearing before the commission representing any client or industry regulated by the commission for 4 years after termination of employment with the commission; providing that such prohibitions apply to commissioners and their direct reporting staff who are appointed or reappointed to or who terminate their employment with the commission on or after a specified date; prohibiting a former commissioner or member of a commissioner’s direct reporting staff from accepting employment by or compensation from certain entities regulated by the commission for a period of 4 years after termination of service or employment with the commission; providing that the prohibition applies to former commissioners and members of a commissioner’s direct reporting staff who are appointed or reappointed to or hired with the commission on or after a specified date; amending s. 350.061, F.S.; extending reconfirmation intervals for the Public Counsel from biennially to every 4 years; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Judiciary; and Governmental Oversight and Accountability.

By Senators Gaetz and Latvala—

SM 214—A memorial to the Congress of the United States, urging Congress to support the tax-relief provisions of H.R. 5699 and S. 3934, relating to the Deepwater Horizon Oil Spill of 2010.

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

By Senators Gaetz and Latvala—

SM 216—A memorial to the Congress of the United States, urging Congress to exempt from federal income tax payments made to victims of the Deepwater Horizon oil disaster and to extend the net operating loss carryback period from 2 years to 5 years.

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

By Senators Gaetz, Latvala, and Sobel—

SM 218—A memorial to the Congress of the United States, urging Congress to dedicate penalties collected from parties responsible for the Deepwater Horizon oil disaster to repairing the environmental and economic damage caused by the disaster.

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

By Senator Gaetz—

SM 220—A memorial to the Congress of the United States, urging Congress to enact a law providing unemployment assistance for individuals who become unemployed as a result of an oil spill.

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

By Senator Fasano—

SB 222—A bill to be entitled An act relating to game promotions; amending s. 849.094, F.S.; requiring operators of certain electronic-based game promotions to comply with specified requirements governing game promotions; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Regulated Industries; and Budget.

By Senator Dean—

SB 224—A bill to be entitled An act relating to local government accountability; amending s. 11.40, F.S., relating to the Legislative Auditing Committee; clarifying when the Department of Community Affairs may institute procedures for declaring that a special district is inactive; amending s. 30.49, F.S.; specifying the level of detail required for each fund in the sheriff's proposed budget; revising the categories for expenditures; amending s. 112.63, F.S., relating to the review of the actuarial reports and statements of retirement plans of governmental entities by the Department of Management Services; providing that the failure of a special district to make appropriate adjustments or provide additional information authorizes the department to seek a writ of certiorari; amending s. 129.01, F.S.; revising provisions relating to the preparation of county budgets; specifying the level of detail required for each fund in the budget; amending s. 129.02, F.S.; revising provisions relating to the preparation of special district budgets; specifying the level of detail required for each fund in the budget; amending s. 129.021, F.S.; conforming cross-references; amending s. 129.03, F.S.; deleting a time restriction on preparing and presenting a tentative county budget; requiring tentative county budgets to be posted on the county's website; amending s. 129.06, F.S.; revising provisions relating to the execution and amendment of county budgets; requiring revised budgets to be posted on the county's website; amending s. 129.07, F.S.; revising provisions relating to the prohibition against exceeding the county budget; amending s. 129.201, F.S.; conforming and revising provisions relating to the budget of the supervisor of elections; specifying the level of detail required for each fund in the proposed budget; revising expenditure categories; amending s. 166.241, F.S.; revising provisions relating to the preparation or amendment of municipal budgets; specifying the level of detail for each fund in the budget; requiring such budgets and amendments to such budgets to be posted on the website of the municipality or related county; amending s. 189.4044, F.S.; adding failure to file a registered office or agent with the department for 1 or more years as a criteria for declaring a special district inactive; amending s. 189.412, F.S.; adding the Legislative Auditing Committee to the list of entities that obtain special district noncompliance status reports; amending s. 189.418, F.S.; revising provisions relating to the preparation or amendment of special district budgets; specifying the level of detail for each fund in the budget; requiring such budgets to be posted on the website of the special district or related local general-purpose government or governing authority; specifying how the budget may be amended under certain circumstances; requiring special districts to comply with certain reporting requirements; authorizing a local governing authority to request certain financial information from special districts located solely within the boundaries of the authority; requiring special districts to cooperate with such requests; amending s. 189.419, F.S.; revising procedures relating to a special district's failure to file certain reports or information; amending s. 189.421, F.S.; revising procedures relating to the failure of a special district to disclose financial reports; authorizing the Department of Community Affairs to seek a writ of certiorari; amending s. 195.087, F.S.; requiring the final approved budget of the property appraiser and tax collector to be posted on their respective website or, if not available, the county's website; amending s. 218.32, F.S.; revising the schedule for submitting a local governmental entity's audit and annual financial reports to the Department of Financial Services; requiring the department to notify the Special District Information Program if it does not receive a financial report from a local governmental entity; requiring a local governmental entity to provide a link to the entity's financial report on the department's website; amending s. 218.35, F.S.; requiring the budget for certain county-related duties to be itemized in accordance with the uniform accounting system of the Department of Financial Services; specifying the level of detail for each fund in the clerk of the court's budget; requiring the court clerk's approved budget to be posted on the county's website; amending s. 218.39, F.S.; revising the timeframe for completing a local governmental entity's annual financial audit; requiring that an auditor prepare an audit report; requiring that such report be filed with the Auditor General within a specified time; requiring that the Auditor General notify the Legislative Auditing Committee of any audit report indicating that an audited entity has failed to take corrective action; requiring that the chair of a local governmental entity appear before the committee under certain circumstances; amending s. 218.503, F.S.; revising provisions relating to oversight by the Governor when an entity's financial statements show it cannot cover a deficit of funds; amending s. 373.536, F.S.; requiring that water management district budgets be posted on the district website; amending s. 1011.03, F.S.; requiring the summary of the tentative

budget, the tentative budget, and the budget of a district school board to be posted on the district's official website; amending s. 1011.051, F.S.; revising provisions relating to the guidelines for district school boards to maintain an ending fund balance for the general fund; amending s. 1011.64, F.S.; updating obsolete accounting terminology for school districts; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senators Smith and Gaetz—

SB 226—A bill to be entitled An act relating to human services; creating s. 287.0576, F.S.; providing definitions; allowing the national accreditation of human service providers to substitute for certain agency licensure and monitoring requirements; providing exceptions; requiring a single lead agency to be responsible for monitoring human services delivery for designated populations; requiring the lead agency to develop monitoring protocols, develop a plan for coordinating monitoring activities, adopt rules, provide a list of required documents, and develop forms by a certain date; providing that background screening conducted for one agency satisfies the screening requirements of other agencies; requiring the agency to accept all mandated reports and invoices electronically and to allow all core documents to be posted in secure electronic storage; requiring agencies to provide an analysis of every new governmental mandate to an affected contractor before the mandate may be required or imposed; requiring a contracting agency to negotiate a contract amendment for any material change to a contract that will have a financial impact on a contractor; requiring human service contracts to include a cost-of-living adjustment or allow the contractor to reduce services; providing an exception under certain circumstances; requiring a contract to ensure payment for undisputed issues, not allow a private entity performing contract monitoring to impose additional requirements, and allow unexpended funds to be carried forward; providing that failure by an agency to negotiate a contract amendment or provide a remedy to a material adverse impact of a new governmental mandate constitutes an agency action for the purposes of ch. 120, F.S.; requiring each agency to compile a list of contractor requirements and submit such list to the Governor; amending s. 216.136, F.S.; requiring the Social Services Estimating Conference to determine mental health, substance abuse, child welfare, and juvenile justice services needs; providing an effective date.

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

By Senator Siplin—

SB 228—A bill to be entitled An act relating to the code of student conduct; amending s. 1006.07, F.S.; requiring the district school board to include in the code of student conduct adopted by the board an explanation of the responsibilities of each student with regard to appropriate dress and respect for self and others and the role that appropriate dress and respect for self and others has on an orderly learning environment; requiring each district school board to adopt a dress code policy that prohibits a student, while on the grounds of a public school during the regular school day, from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment; providing disciplinary actions for students who violate the dress code; amending s. 1006.15, F.S.; providing that adherence to appropriate dress and other codes of student conduct is a prerequisite for a student to be eligible to participate in interscholastic extracurricular student activities; reenacting s. 1002.23(7), F.S., relating to a parent guide to successful student achievement to be adopted by each school district board, to incorporate the amendment made to s. 1006.07, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Judiciary; and Budget.

By Senators Detert and Dockery—

SB 230—A bill to be entitled An act relating to the enforcement of immigration laws; providing a short title; creating s. 287.0576, F.S.; providing definitions; prohibiting agencies from entering into a contract for contractual services with contractors that are not registered and participating by a specified date in a federal work-authorization program; providing procedures and requirements with respect to the registration of contractors and subcontractors; providing for enforcement; providing a schedule for phased compliance; requiring the Department of Management Services to adopt rules; creating s. 337.163, F.S.; providing definitions; prohibiting the Department of Transportation from entering into a contract for contractual services with contractors that are not registered and participating by a specified date in a federal work-authorization program; providing procedures and requirements with respect to the registration of contractors and subcontractors; providing for enforcement; providing a schedule for phased compliance; requiring the department to adopt rules; amending s. 943.0311, F.S.; requiring the Chief of Domestic Security to negotiate the terms of a memorandum of understanding between the state and certain Federal Government entities concerning the enforcement of federal immigration and customs laws, the detention and removal of individuals not lawfully present in the United States, investigations related to illegal immigration in the state, and the establishment of specified training standards and the creation of specified training programs for law enforcement officers; providing that the establishment of training standards and the creation of training programs is contingent upon federal funding; providing that law enforcement officers trained in accordance with such standards are authorized to enforce federal immigration and customs laws while performing within the scope of their authorized duties; creating s. 951.30, F.S.; providing requirements and procedures with respect to the determination of lawful immigration status of persons charged with a crime and confined to a county or municipal detention facility; providing for construction; requiring the Florida Sheriffs Association to prepare and issue specified guidelines and procedures; creating part IV of ch. 23, F.S.; requiring agencies to verify by a specified date the lawful presence in the United States of any natural person 18 years of age or older who has applied for state or local public benefits, or for federal public benefits, which are administered by the agency; providing for enforcement; providing exceptions; requiring the Board of Governors of the State University System to set forth policies regarding postsecondary education benefits; providing procedures and requirements with respect to verification by an agency of an individual's lawful presence in the United States; providing a penalty for knowingly and willfully making a false, fictitious, or fraudulent statement or representation in an affidavit attesting to citizenship or permanent legal residency; providing procedures with respect to verification of eligibility for benefits; prohibiting an agency from providing any state, local, or federal benefit in violation of the requirements of the act; providing for specified annual reports; clarifying that certain attestations do not constitute a crime; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; Higher Education; and Budget.

By Senator Bennett—

SB 232—A bill to be entitled An act relating to the Century Commission for a Sustainable Florida; amending s. 163.3247, F.S.; revising provisions relating to the Century Commission for a Sustainable Florida; revising the findings and intent to include the necessity for a specific strategic plan addressing the state's growth management system; revising the planning timeframes to include a 10-year horizon; revising membership of the commission; deleting obsolete provisions regarding initial appointments; providing for the election of a chair and excluding certain members from serving as chair during a specified period; requiring that the commission meet at least six times per fiscal year; deleting a provision that requires the commission to meet in different regions in the state; requiring that the executive director establish a meeting calendar with the commission's approval; authorizing the commission to form subcommittees by vote; providing for a majority vote of members on commission actions; providing for reimbursement for per diem and travel expenses; revising provisions relating to the commission's powers and duties; requiring that the commission, in cooperation with interested state agencies, local governments, and nongovernmental stakeholders, develop a strategic plan and submit the plan to the Governor and the Legislature by a specified date; requiring that the com-

mission also submit progress reports by specified dates; requiring that the commission make presentations to the Governor and the Legislature; providing that an executive director be appointed by the Secretary of Community Affairs and ratified by the commission; requiring that the Department of Community Affairs provide a specific line item in its annual legislative budget request to fund the commission during a specified period; authorizing the department to obtain additional funding through external grants; requiring that the department provide sufficient funding and staff support to assist the commission in its duties; providing for future expiration and the abolishment of the commission; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senators Evers, Dockery, Lynn, Hays, Norman, and Negron—

SB 234—A bill to be entitled An act relating to firearms; amending s. 790.06, F.S.; providing that a person in compliance with the terms of a concealed carry license may carry openly notwithstanding specified provisions; allowing the Division of Licensing of the Department of Agriculture and Consumer Services to take fingerprints from concealed carry license applicants; limiting a prohibition on carrying a concealed weapon or firearm into an elementary or secondary school facility, career center, or college or university facility to include only a public elementary or secondary school facility or administration building; providing that concealed carry licensees shall not be prohibited from carrying or storing a firearm in a vehicle for lawful purposes; repealing s. 790.28, F.S., relating to the purchase of rifles and shotguns in contiguous states; amending s. 790.065, F.S.; providing that specified provisions do not apply to certain firearms transactions by a resident of this state which take place in another state; providing applicable law; requiring a specified background check for such transactions; providing an effective date.

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

By Senator Hays—

SB 236—A bill to be entitled An act relating to state parks; amending s. 258.0145, F.S.; providing for the parents of certain deceased veterans to receive lifetime annual entrance passes to state parks at no charge; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Environmental Preservation and Conservation; and Budget.

By Senators Altman, Benacquisto, and Latvala—

SB 238—A bill to be entitled An act relating to child safety devices in motor vehicles; amending s. 316.613, F.S.; providing child-restraint requirements for children ages 4 through 7 years of age who are less than a specified height; providing certain exceptions; redefining the term "motor vehicle" to exclude certain vehicles from such requirements; providing a grace period; providing effective dates.

—was referred to the Committees on Transportation; Criminal Justice; and Budget.

By Senator Joyner—

SB 240—A bill to be entitled An act relating to violations of injunctions for protection; amending s. 784.047, F.S.; adding circumstances that violate an injunction for protection against repeat violence, sexual violence, or dating violence; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Joyner—

SB 242—A bill to be entitled An act relating to voter information cards; amending s. 97.071, F.S.; requiring that voter information cards contain the address of the polling place of the registered voter; requiring a supervisor of elections to issue a new voter information card to a voter upon a change in a voter's address of legal residence or a change in a voter's polling place address; providing instructions for implementation by the supervisors of elections; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; Judiciary; and Budget.

By Senator Bennett—

SB 244—A bill to be entitled An act relating to motor vehicles; creating the "Highway Safety Act"; providing legislative intent relating to road rage and aggressive careless driving; amending s. 316.003, F.S.; defining the term "road rage"; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving; specifying the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; requiring the Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver's license educational materials; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Transportation; Health Regulation; and Budget.

By Senators Joyner and Margolis—

SB 246—A bill to be entitled An act relating to human trafficking; creating s. 480.0535, F.S.; specifying documents that must be possessed by each person providing or offering to provide massage services in certain circumstances; requiring presentation of such documents upon request of a law enforcement officer; requiring operators of massage establishments to maintain valid work authorization documents on the premises for each employee who is not a United States citizen; requiring presentation of such documents upon request of a law enforcement officer; prohibiting a person from providing or offering to provide massage services without possession of a license and specified documentation; prohibiting the use of a massage establishment license for the purpose of lewdness, assignation, or prostitution; providing criminal penalties; amending s. 921.0022, F.S.; including within the severity ranking chart of the Criminal Punishment Code certain offenses prohibited by the act; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

By Senator Gaetz—

SB 248—A bill to be entitled An act relating to economic recovery from the Deepwater Horizon disaster; amending s. 220.191, F.S.; waiving the requirement that a facility located in certain counties of this state be in a high-impact sector in order to qualify for the capital investment tax credit; creating s. 252.363, F.S.; tolling and extending the expiration dates of certain building permits or other authorizations following the declaration of a state of emergency by the Governor; providing exceptions; providing for the laws, administrative rules, and ordinances in effect when the permit was issued to apply to activities described in a permit or other authorization; providing an exception; amending s. 253.02, F.S.; requiring the Board of Trustees of the Internal Improvement Trust Fund to recommend to the Legislature whether existing multistate compacts for mutual aid should be modified or if a new multistate compact is necessary to address the Deepwater Horizon event or similar future incidents; amending s. 288.106, F.S.; providing a special incentive under the tax refund program for a limited time for a

qualified target industry business that relocates from another state to certain counties in this state; temporarily exempting such businesses from the wage requirements of the program; exempting such businesses from the requirements for local financial support; amending s. 288.108, F.S.; temporarily exempting a business that relocates from another state to certain counties in this state from the requirement that the business be in a high-impact sector in order to be eligible for a high-impact sector performance grant; requiring that the Board of Trustees of the Internal Improvement Trust Fund appoint members to the Commission on Oil Spill Response Coordination; providing for the designation of the chair of the commission by the Governor; requiring the commission to prepare a report for review and approval by the board of trustees; specifying the subject matter of the report; temporarily exempting the sale of commercial vessels, recreational vessels, and marine equipment sold by registered dealers in certain counties from the sales tax; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation to the Department of Revenue to administer the sales tax exemptions; providing an appropriation to the Office of Tourism, Trade, and Economic Development to develop and implement an economic development program for Northwest Florida; specifying a preference for counties providing expedited permitting for certain purposes; providing for the appropriation to be placed in reserve by the Executive Office of the Governor for release as authorized by law or the Legislative Budget Commission; providing for the deposit of federal funds or entities involved in the Deepwater Horizon oil spill into applicable state trust funds; specifying permissible uses of such funds; designating the Department of Environmental Protection as the lead agency for expending funds for environmental restoration; designating the Office of Tourism, Trade, and Economic Development as the lead agency for funds designated for economic incentives and diversification efforts; authorizing the holder of a lease of sovereignty submerged lands to apply to the Department of Environmental Protection for the payment or the reimbursement of lease fees for the period of the state of emergency for the Deepwater Horizon oil spill; specifying conditions for eligibility; requiring an application to the Department of Environmental Protection; requiring the Chief Financial Officer to use the full extent of the law to recover payments from the responsible party or other independently administered claims process; providing a short title for certain sections of the act; providing an effective date.

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

By Senators Joyner and Dockery—

SB 250—A bill to be entitled An act relating to compensation for wrongful incarceration; amending s. 961.02, F.S.; defining the term "actual innocence" for purposes of the Victims of Wrongful Incarceration Compensation Act; redefining the term "wrongfully incarcerated person," to conform; amending s. 961.03, F.S.; requiring that a petition for compensation describe the existence of clear and convincing evidence of actual innocence; requiring the petitioner to submit fingerprints for criminal history records checks; providing that a failure to submit fingerprints within the prescribed timeframe does not warrant denial of compensation under the act; providing procedures for taking and submitting fingerprints; requiring that the results of the criminal history records checks be submitted to the clerk of the court; providing for use of the results by the court; specifying who will pay for the criminal history records checks; amending s. 961.05, F.S.; eliminating the requirement that a wrongfully incarcerated person provide certain court records and documentation from the Department of Corrections along with an application for compensation; requiring the Department of Legal Affairs to request certain records from the clerk of the court and the Department of Corrections; amending s. 961.06, F.S.; providing for compensation of reasonable attorney's fees and expenses, up to \$50,000, incurred for pursuing compensation for wrongful incarceration; directing the Chief Financial Officer to remit payment of attorney's fees directly to the attorney; precluding the attorney from receipt of additional fees from the wrongfully incarcerated person; requiring the Chief Financial Officer to draw a warrant to an insurance company or other financial institution authorized to issue annuity contracts to purchase an annuity selected by the wrongfully incarcerated person; authorizing the Chief Financial Officer to execute all necessary agreements to implement compensation and to maximize the benefit to the wrongfully incarcerated person; requiring that the wrongfully incarcerated person sign a waiver before the Department of Legal Affairs approves the application; precluding submission of an application for compensation if the wrongfully incarcerated

person has received a prior favorable judgment from a civil action arising out of the wrongful incarceration; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Budget.

SB 252—Withdrawn prior to introduction.

By Senator Sobel—

SB 254—A bill to be entitled An act relating to educational plant surveys; amending s. 1013.31, F.S.; authorizing an extension to a school district educational plant survey submission deadline; providing restrictions; providing requirements for the submission of a request for an extension to the Department of Education and requiring department approval; providing restrictions on school district construction during the extension period; requiring the State Board of Education to adopt rules; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senator Bullard—

SB 256—A bill to be entitled An act relating to legislative travel reimbursement; amending s. 11.13, F.S.; authorizing legislators and their staff members to be reimbursed by the state under certain circumstances for travel to visit an immediate family member in the case of death or serious illness; defining the term “immediate family member”; providing an effective date.

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

By Senator Bullard—

SB 258—A bill to be entitled An act relating to student assessment in public schools; terminating the administration of the Florida Comprehensive Assessment Test (FCAT) to students in grades 9 through 12; requiring that the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) replace the grade 10 FCAT for purposes of measuring a student’s knowledge and skills; requiring that students take the PSAT/NMSQT in grade 10; requiring that students earn passing scores on the PSAT/NMSQT to qualify for a standard high school diploma; requiring that the State Board of Education designate passing scores; requiring the use of student performance on the PSAT/NMSQT for school grading purposes; providing for application beginning with students entering grade 9 in the 2012-2013 school year; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Higher Education; and Budget.

By Senator Ring—

SB 260—A bill to be entitled An act relating to nonpublic post-secondary educational institutions; amending s. 1005.02, F.S.; defining the term “academic degree”; amending s. 1005.31, F.S.; requiring that a licensed independent postsecondary educational institution notify the Commission for Independent Education of changes in its accreditation status; providing penalties for failure to provide the notice; revising criteria concerning the standards by which the commission evaluates institutions for licensure; requiring that institutions become accredited within a specified period after licensure; requiring a licensed institution that is not accredited to include certain information on the institution’s website; restricting the recognition of academic degrees conferred by that institution; requiring that the institution notify the Department of Education and the Office of the Attorney General of its progress in obtaining accreditation; requiring that institutions maintain records and provide the commission with information concerning nationally recognized standards used to grant credit for a student’s prior work or life experience; requiring compliance with laws concerning the reporting of crime statistics; requiring that such reports be made available to the

public; requiring that the commission maintain a list on its website concerning the accreditation of institutions licensed by the commission; requiring that the Department of Education and Office of the Attorney General maintain a link to the commission’s list on their respective websites; amending s. 1005.38, F.S.; requiring that the commission revoke the license or authorization of an institution that does not meet requirements concerning accreditation; amending s. 744.1083, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

By Senators Ring and Dockery—

SB 262—A bill to be entitled An act relating to intimidation of a judge; subjecting a person who intimidates or threatens a judge or a member of the judge’s immediate family to criminal penalties under certain circumstances; defining the terms “intimidation or threats” and “judge”; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Budget.

SB 264—Not referenced.

By Senator Ring—

SB 266—A bill to be entitled An act relating to employment of the homeless; amending s. 220.02, F.S.; specifying the order for applying the tax credit for employment of the homeless; amending s. 220.13, F.S.; redefining the term “adjusted federal income” to include an adjustment for such tax credit; creating s. 220.194, F.S.; providing definitions; providing a tax credit for a corporation that hires a homeless person residing in a transitional, permanent supportive, or permanent housing facility; specifying the information that must be provided to the Department of Revenue when applying for the credit; providing for the carryover of unused credits; requiring that the application be filed with the department by a specified date each year; providing penalties for fraudulently claiming the tax credit; limiting the total amount of tax credits that may be granted per taxable year; authorizing the department to adopt rules; providing for the expiration of the tax credit; requiring that the department collect certain data; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Children, Families, and Elder Affairs; and Budget.

By Senator Bullard—

SB 268—A bill to be entitled An act relating to super enterprise zones; amending s. 212.02, F.S.; defining the term “certified business” for purposes of a tax exemption provided to certain businesses located within a super enterprise zone; providing for future expiration; amending s. 212.08, F.S.; providing a tax exemption for certain property purchased for use or consumption by businesses in a super enterprise zone and for retail sales made by certified businesses in a super enterprise zone; providing an exception; specifying periods for applying the exemptions for certain businesses; providing for future expiration of the exemption; amending s. 290.0056, F.S.; providing additional responsibilities of an enterprise zone development agency relating to super enterprise zones; requiring an economic impact report; providing for future expiration; amending s. 290.0057, F.S.; applying requirements for an enterprise zone development plan to super enterprise zones; creating s. 290.00681, F.S.; requiring the Office of Tourism, Trade, and Economic Development to designate specified areas in Miami-Dade, Lee, and Collier Counties as pilot project super enterprise zones for a certain period; providing qualification criteria; providing application requirements; providing for future expiration and revocation of the designations; creating s. 290.00682, F.S.; providing requirements for qualification as a certified business for purposes of the sales tax exemption; authorizing a local enterprise zone development agency to certify businesses; requiring the agency to provide lists of certified businesses; providing for disqualifying certified businesses under certain circumstances; providing for future expiration and revocation of certifications; amending s. 290.007, F.S.; specifying incentives for the revitalization of

super enterprise zones; requiring interim and final reviews of super enterprise zones by the Office of Program Policy Analysis and Government Accountability; providing review criteria; requiring reports to the Legislature; providing an effective date.

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

By Senator Bennett—

SB 270—A bill to be entitled An act relating to property tax discounts for early payment; amending s. 197.162, F.S.; increasing the discount rates for early payment of property taxes; amending s. 200.065, F.S.; lowering the percentage of certified taxable value to be used by taxing authorities in preparing tentative budgets; amending s. 197.222, F.S.; increasing the discount rates for prepayment of property tax by the installment method; providing an effective date.

—was referred to the Committees on Community Affairs; Education Pre-K - 12; and Budget.

By Senator Joyner—

SB 272—A bill to be entitled An act relating to cadmium in children's products; defining terms; prohibiting a person from using or applying cadmium in excess of a specified amount on any item of children's jewelry, toy, or child care article sold in this state; providing an exception; providing for a criminal penalty; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Health Regulation; Judiciary; and Budget.

By Senator Lynn—

SB 274—A bill to be entitled An act relating to road designations; designating Veterans Memorial Highway in Putnam County; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senators Bennett and Lynn—

SB 276—A bill to be entitled An act relating to the procurement of architectural, engineering, and other professional services by a governmental agency or school board; amending s. 287.055, F.S.; allowing compensation to be a considering factor during the competitive selection process for professional services; authorizing the agency or board to reopen negotiations with a selected firm following termination of negotiations with other firms; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Education Pre-K - 12; and Budget.

By Senator Joyner—

SB 278—A bill to be entitled An act relating to employment of children by the entertainment industry; amending s. 450.132, F.S.; defining terms; providing requirements for the employment of children in the entertainment industry; providing responsibilities of employers and parents or legal guardians of such children; requiring a preauthorization certificate for each child; providing duties of the Division of Regulation within the Department of Business and Professional Regulation; providing limitations on the working hours of child performers; providing certification requirements and duties of teachers and trainers of child performers; requiring a trust account for certain children employed in the entertainment industry; providing safety requirements for child performers; providing criteria for wage claims; providing requirements for the Agency for Workforce Innovation in resolving such claims; providing grounds under which the Division of Regulation may refuse to issue or renew a preauthorization certificate and procedures for challenging such a determination; reenacting ss. 450.021(1)(b) and 562.13(2)(b), F.S., relating to the employment of minors in this state, to

incorporate the amendments made to s. 450.132, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Tourism; Education Pre-K - 12; and Budget.

By Senator Norman—

SB 280—A bill to be entitled An act for the relief of Thomas and Karen Brandi by the city of Haines City; providing for an appropriation to compensate them for injuries sustained as a result of the negligence of the city of Haines City; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senators Bennett and Margolis—

SB 282—A bill to be entitled An act relating to renewable energy; providing legislative findings; providing definitions; requiring each electric utility in the state to collect from each residential, commercial, and industrial customer a designated monthly systems charge; requiring the electric utilities to deposit collected funds into the Sustainable and Renewable Energy Policy Trust Fund; creating a direct-support organization for the Florida Energy and Climate Commission; providing for a board of directors of the direct-support organization; providing for appointment of members and terms of office; requiring a contract between the commission and the direct-support organization; providing for the use of the deposited funds; requiring an annual audit; amending s. 366.91, F.S.; requiring that a purchase contract offered to producers of renewable energy contain payment provisions for energy and capacity based upon a public utility's equivalent cost-recovery rate for certain clean energy projects rather than the utility's full avoided costs; amending s. 377.806, F.S.; revising the expiration date for the Solar Energy System Incentives Program; extending the period of time for which residents of the state are eligible to receive rebates for specified solar energy systems; revising the rebate amount for eligible solar energy systems; providing a schedule for rebate amounts based on the total wattage of the system; amending s. 570.954, F.S.; correcting a reference; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Budget.

By Senators Bennett and Margolis—

SB 284—A bill to be entitled An act relating to trust funds; creating the Sustainable and Renewable Energy Policy Trust Fund within the Florida Energy and Climate Commission; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for the future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Budget.

By Senators Rich, Ring, Joyner, Sobel, Margolis, Bullard, Detert, Sachs, and Bennett—

SCR 286—A concurrent resolution ratifying the proposed amendment to the Constitution of the United States relating to equal rights for men and women.

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

By Senator Negron—

SB 288—A bill to be entitled An act relating to design professionals; creating s. 558.0035, F.S.; providing for limited liability for engineers, surveyors and mappers, architects, interior designers, and registered landscape architects as a result of construction defects resulting from the performance of a contract; providing that, if a contract requires professional liability insurance, the contract may not limit the liability of the design professional in a manner that is inconsistent with the insurance requirements; providing exceptions to the limitation of liability of the design professional; amending ss. 471.023, 472.021, 481.219, and 481.319, F.S.; conforming sections to the limitation of liability for certain design professionals provided in s. 558.0035, F.S.; providing cross-references to s. 558.0035, F.S.; providing that the act does not affect contracts or agreements entered into, or professional services performed, before July 1, 2011; providing an effective date.

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

By Senators Fasano, Gaetz, and Dockery—

SB 290—A bill to be entitled An act relating to retirement for elected officials; amending ss. 121.052 and 121.72, F.S.; reducing the employer retirement contribution for members of the elected officers class; providing an effective date.

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

By Senator Dean—

SB 292—A bill to be entitled An act relating to mobile home and recreational vehicle parks; amending s. 513.01, F.S.; providing and revising definitions; amending s. 513.012, F.S.; specifying laws and rules to be enforced by the Department of Health; providing for the adoption of rules; amending s. 513.014, F.S.; revising applicability of recreational vehicle park requirements to mobile home parks; amending s. 513.02, F.S.; revising permit requirements; providing requirements for construction review and approval for private parks and camps; requiring the department to adopt rules; amending s. 513.03, F.S.; revising requirements for permit applications; amending s. 513.045, F.S.; revising fees charged to operators of certain parks or camps; authorizing persons to request from the department a review of plans for a proposed park or camp; requiring certain construction and renovation plans to be submitted to the department for review and approval; amending s. 513.05, F.S.; providing the department with additional rulemaking authority; amending s. 513.054, F.S.; providing that an operator of a mobile home park, lodging park, recreational vehicle park, or recreational camp who refuses to pay the operating permit fee required by law or who fails, neglects, or refuses to obtain an operating permit for the park commits a misdemeanor of the second degree; amending s. 513.055, F.S.; conforming terminology; amending s. 513.10, F.S.; providing that a person who operates a mobile home park, lodging park, recreational vehicle park, or recreational camp without a permit commits a misdemeanor of the second degree; repealing s. 513.111, F.S., relating to the posting and advertising of certain site rates; creating s. 513.115, F.S.; providing requirements for the establishment of separation and setback distances; amending s. 513.112, F.S.; deleting a provision requiring guest registers to be made available for inspection by the department at any time; amending s. 513.115, F.S.; revising requirements for the handling of unclaimed property; amending s. 513.13, F.S.; providing a penalty for failure to depart from a park under certain circumstances; barring an operator from certain liability; providing an effective date.

—was referred to the Committees on Transportation; Health Regulation; Community Affairs; and Budget.

SR 294—Not referenced.

By Senator Wise—

SB 296—A bill to be entitled An act relating to household moving services; amending s. 507.01, F.S.; redefining the term “storage”;

amending s. 507.03, F.S.; providing for the biennial renewal of mover and moving broker registrations; authorizing the Department of Agriculture and Consumer Services to extend registration expiration dates in order to establish staggered dates; requiring the calculation of biennial registration fees based on an annual rate; deleting a provision requiring certain movers and moving brokers to obtain a local license or registration and pay the state registration fee; amending s. 507.04, F.S.; authorizing a mover to exclude liability for household goods packed by the shipper under certain circumstances; amending s. 507.06, F.S.; authorizing a mover to refuse to transport or ship household goods under certain circumstances; amending s. 507.07, F.S.; prohibiting a mover or moving broker from conducting business without being registered with the department; providing penalties; amending s. 507.13, F.S.; preempting local ordinances and regulations except in certain counties; restricting the levy or collection of local registration fees and taxes of movers and moving brokers; providing for local registration and bonding; exempting local business taxes from preemption; providing an effective date.

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

By Senator Alexander—

SB 298—A bill to be entitled An act relating to municipal governing body meetings; creating s. 166.0213, F.S.; authorizing the governing bodies of certain municipalities to hold meetings within specified boundaries; providing an effective date.

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

By Senator Bennett—

SJR 300—A joint resolution proposing amendments to Section 15 of Article III and Section 4 of Article VI and the creation of a new section in Article XII of the State Constitution to revise the term limits that apply to State Senators and State Representatives and to impose term limits on elected county and municipal officers.

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

By Senators Bennett and Dockery—

SB 302—A bill to be entitled An act relating to the drug testing of potential and existing beneficiaries for unemployment compensation; creating s. 443.093, F.S.; creating the Drug Deterrence Pilot Program within the Agency for Workforce Innovation; providing legislative intent; providing the scope of eligibility for benefits; designating the specific workforce board that is subject to the pilot program; defining terms; providing for the screening of individuals to determine which individuals must be tested; providing for notice; providing terms of disqualification of benefits; requiring the agency to supply information on drug treatment programs; providing for authentication and the admissibility of drug tests in unemployment compensation hearings; creating a rebuttable presumption; providing testing procedures; providing for the preservation of test samples; providing for the retesting of test samples; providing for an appeals process; authorizing the agency to adopt rules; directing the agency to submit a report to the Governor and Legislature; directing the Office of Program Policy Analysis and Government Accountability to submit a report to the Governor and Legislature; providing for future expiration of the program; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; and Budget.

By Senators Bennett and Dockery—

SB 304—A bill to be entitled An act relating to illegal or undocumented aliens; requiring the Department of Corrections and the Parole Commission to establish agreements to implement a federal deportation program for state inmates; specifying the goals of the program; amending s. 947.146, F.S., relating to the Control Release Authority; requiring the authority to implement a program to execute an im-

mediate deportation order; authorizing the authority to extend or advance the control release date for arrangements for the transfer of custody pending deportation; creating s. 947.1461, F.S., relating to control release for removal and deportation; requiring the department to identify eligible inmates at the reception process; specifying eligibility criteria; requiring the department to coordinate with federal authorities to determine immigration status and eligibility for removal; requiring the department to identify eligible inmates who waive administrative and appellate rights and who agree to cooperate; requiring the Control Release Authority to establish control release dates; authorizing the control release dates to be set after the alien has served a minimum 50 percent of his or her court-imposed sentence; requiring the department to maintain exclusive control and responsibility for the custody and transportation of an alien until the alien is transferred to federal custody; requiring the Control Release Authority to give notice to aliens concerning reentering the United States; prohibiting aliens from benefiting from control release awards when removal is not reasonably foreseeable; requiring the department to compile and report certain statistics; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Budget.

By Senator Rich—

SB 306—A bill to be entitled An act for the relief of Denise Gordon Brown and David Brown by the North Broward Hospital District; providing for an appropriation to compensate Denise Gordon Brown and David Brown, parents of Darian Brown, for injuries and damages sustained by Darian Brown as result of the negligence of Broward General Medical Center; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senator Montford—

SB 308—A bill to be entitled An act for the relief of Eddie Weekley and Charlotte Williams, individually and as co-personal representatives of the Estate of Franklin Weekley, their deceased son, for the disappearance and death of their son while he was in the care of the Marianna Sunland Center, currently operated by the Agency for Persons with Disabilities; providing an appropriation to compensate them for injuries and damages sustained as result of the negligence of the Department of Children and Family Services; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

By Senators Negron, Gaetz, and Evers—

SB 310—A bill to be entitled An act relating to public meetings; amending s. 286.011, F.S.; providing a right for members of the public to be heard at meetings of certain governmental boards and commissions; prescribing conditions qualifying, and exceptions to, the right; providing for the adoption of rules governing the conduct of, and behavior at, the meetings; providing an effective date.

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

By Senator Richter—

SB 312—A bill to be entitled An act relating to the practice of dentistry; requiring persons who apply for licensure renewal as a dentist or dental hygienist to furnish certain information to the Department of Health in a dental workforce survey; requiring the Board of Dentistry to issue a nondisciplinary citation and a notice for failure to complete the survey within a specified time; providing notification requirements for the citation; requiring the department to serve as the coordinating body for the purpose of collecting, disseminating, and updating dental workforce data; requiring the department to maintain a database regarding

the state's dental workforce; requiring the department to develop strategies to maximize federal and state programs and to work with an advisory body to address matters relating to the state's dental workforce; providing membership of the advisory body; providing for members of the advisory body to serve without compensation; requiring the department to act as a clearinghouse for collecting and disseminating information regarding the dental workforce; requiring the department and the board to adopt rules; providing legislative intent regarding implementation of the act within existing resources; amending s. 499.01, F.S.; authorizing certain business entities to pay for prescription drugs obtained by practitioners licensed under ch. 466, F.S.; amending s. 624.91, F.S.; revising the membership of the board of directors of the Florida Healthy Kids Corporation to include a member nominated by the Florida Dental Association and appointed by the Governor; providing an effective date.

—was referred to the Committees on Health Regulation; Governmental Oversight and Accountability; and Budget.

By Senator Richter—

SB 314—A bill to be entitled An act relating to public records; providing an exemption from public-records requirements for information contained in dental workforce surveys submitted by dentists or dental hygienists to the Department of Health as a condition for license renewal; providing exceptions to the exemption; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

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

By Senator Hays—

SB 316—A bill to be entitled An act relating to the offense of fleeing or attempting to elude a law enforcement officer if committed by a juvenile; amending s. 316.1935, F.S.; requiring the court to revoke, for a period not less than 1 year nor exceeding 5 years, the driver's license of an operator of a motor vehicle adjudicated delinquent for fleeing or attempting to elude a law enforcement officer under specified circumstances; prohibiting the court from suspending, deferring, or withholding an adjudication of delinquency for a juvenile who fled or attempted to elude a law enforcement officer; providing an effective date.

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

By Senator Siplin—

SB 318—A bill to be entitled An act relating to postsecondary student fees; creating s. 1009.215, F.S.; providing an exemption from payment of nonresident tuition at a state university or a Florida College System institution for an undocumented student who meets specified requirements; requiring the Board of Governors of the State University System to adopt regulations and the State Board of Education to adopt rules; providing an effective date.

—was referred to the Committees on Judiciary; Higher Education; Criminal Justice; and Budget.

SR 320—Not referenced.

By Senator Flores—

SB 322—A bill to be entitled An act for the relief of Aaron Edwards, a minor, and his parents, Mitzi Roden and Mark Edwards, by Lee Memorial Health System of Lee County; providing for an appropriation to compensate Aaron Edwards and his parents for damages sustained as a result of the medical negligence by employees of Lee Memorial Health System of Lee County; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senator Flores—

SB 324—A bill to be entitled An act for the relief of James D. Feurtado, III, by Miami-Dade County; providing for an appropriation to compensate him for injuries he sustained as a result of the negligence of an employee of Miami-Dade County; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senator Norman—

SB 326—A bill to be entitled An act for the relief of Stephen and Meredith Kirby, parents and natural guardians of their daughter, Harper Kirby, by the University of South Florida; providing for an appropriation to compensate Stephen and Meredith Kirby, parents and natural guardians of Harper Kirby, for damages sustained by the negligence of an employee of the University of South Florida; providing a limitation on the payment of attorney’s fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills.

By Senator Margolis—

SB 328—A bill to be entitled An act relating to service of process; amending s. 48.031, F.S.; specifying where a process server must record certain information concerning service; granting authorized process servers unannounced access to specified residential areas where a defendant or witness resides or is known to be; amending s. 48.29, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Judiciary; Regulated Industries; Criminal Justice; and Budget.

By Senator Gaetz—

SB 330—A bill to be entitled An act relating to violations of the Florida Election Code; creating s. 104.2715, F.S.; providing that a candidate who, in a primary or other election, falsely represents that he or she served or is currently serving in the military, commits a violation of the Florida Election Code; permitting any person to file a complaint with the Florida Elections Commission alleging that a candidate has falsely represented his or her military service; requiring that the commission adopt rules to provide for an expedited hearing for complaints filed with the commission; requiring that the Director of the Division of Administrative Hearings assign an administrative law judge to provide an expedited hearing in certain cases; requiring the commission or administrative law judge to assess a civil penalty of up to a specified amount against a candidate who is found to have falsely misrepresented his or her military service; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; Military Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Budget.

By Senators Fasano and Gaetz—

SB 332—A bill to be entitled An act relating to submerged lands; creating s. 253.0346, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to lease sovereign submerged lands for private residential use; defining “private residential use”; providing for the term of the lease, rental fees, lease assignability, disposition of improvements, and construction of the act; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Judiciary; and Budget.

By Senators Fasano and Dockery—

SB 334—A bill to be entitled An act relating to controlled substances; defining terms; requiring a person who knows, or has reasonable cause to suspect, that a health care practitioner who prescribes or dispenses controlled substances is stealing or abusing controlled substances that have been prescribed or dispensed for another to report such knowledge or suspicion to a law enforcement agency; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; and Budget.

By Senator Fasano—

SB 336—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; revising the list of controlled substances included in Schedules I, II, III, IV, and V; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; Judiciary; and Budget.

By Senator Flores—

SB 338—A bill to be entitled An act for the relief of Angela Sozzani; requiring that the Department of Children and Family Services request up to a certain amount in its annual legislative budget request each fiscal year to compensate Angela Sozzani for injuries and damages she sustained as a result of the negligence of employees of the Department of Children and Family Services; authorizing the department to request additional funds under extraordinary circumstances; providing for the reversion of funds; providing that Angela Sozzani’s attorneys have represented her pro bono and fees and costs have not been awarded; providing an effective date.

—was referred to the Special Master on Claim Bills.

By Senator Bogdanoff—

SB 340—A bill to be entitled An act for the relief of Altavious Carter by the Palm Beach County School Board; providing for an appropriation to compensate Altavious Carter for injuries sustained as a result of the negligence of a bus driver of the Palm Beach County School District; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senator Evers—

SB 342—A bill to be entitled An act for the relief of Maricelly Lopez by the City of North Miami; providing for an appropriation to compensate Maricelly Lopez, individually and as personal representative of the Estate of Omar Mieleles, for the wrongful death of her son, Omar Mieleles, which was due to the negligence of a police officer of the City of North Miami; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claim Bills.

By Senator Rich—

SB 344—A bill to be entitled An act relating to sexual activities involving animals; creating s. 828.126, F.S.; providing definitions; prohibiting knowing sexual conduct or sexual contact with an animal; prohibiting specified related activities; providing penalties; providing that the act does not apply to certain husbandry, conformation judging, and veterinary practices; providing an effective date.

—was referred to the Committees on Criminal Justice; Agriculture; and Judiciary.

By Senator Rich—

SB 346—A bill to be entitled An act relating to prohibited discrimination; providing a short title; amending s. 760.01, F.S.; revising provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination; conforming terminology; amending s. 760.02, F.S.; defining additional terms; creating s. 760.025, F.S.; specifying when an individual has an impairment for certain purposes; amending ss. 760.05, 760.07, 760.08, and 760.10, F.S.; revising provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination; conforming terminology; reenacting s. 760.11(1), F.S., relating to administrative and civil remedies for unlawful employment practices, to incorporate the amendments made to s. 760.10, F.S., in a reference thereto; amending s. 509.092, F.S.; revising provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination in public lodging establishments and public food service establishments; amending s. 760.22, F.S.; defining additional terms; deleting the definition of the term “handicap”; creating s. 760.225, F.S.; specifying when an individual has an impairment for certain purposes; amending ss. 760.23, 760.24, 760.25, 760.26, and 760.29, F.S.; revising provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination; conforming terminology; amending ss. 760.31 and 760.50, F.S.; conforming terminology; amending s. 760.60, F.S.; revising provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination; conforming terminology; amending s. 419.001, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Judiciary; Regulated Industries; Governmental Oversight and Accountability; and Budget.

By Senator Sobel—

SB 348—A bill to be entitled An act relating to domestic partnerships; amending ss. 28.101 and 28.24, F.S.; setting forth fees and costs to be applied when petitioning for a dissolution of a domestic partnership or registering a domestic partnership, respectively; amending s. 97.1031, F.S.; providing notice to the supervisor of elections concerning a change of name due to participation in a domestic partnership; amending s. 382.002, F.S.; defining the term “dissolution of a domestic partnership” for purposes of vital records; including domestic partnerships and dissolution of domestic partnership as vital records in this state; conforming cross-references; amending s. 382.003, F.S.; requiring the Department of Health to examine all certificates of domestic partnership forms and dissolution of domestic partnership reports sent from the courts; amending s. 382.0085, F.S.; conforming a cross-reference; amending s. 382.021, F.S.; requiring the clerk of the circuit court to transmit all original declarations of domestic partnership to the Department of Health by a specified date each month; amending s. 382.022, F.S.; requiring the clerk of the circuit court to collect a fee after registering a domestic partnership; amending s. 382.023, F.S.; requiring the clerk of the circuit court to collect a fee upon filing a final judgment for a dissolution of domestic partnership; amending s. 382.025, F.S.; authorizing the Department of Health to issue a certified copy of certain vital records to a domestic partner; amending s. 382.0255, F.S.; providing that the Department of Health is entitled to a specified fee for the issuance of a commemorative certificate of domestic partnership; amending s. 446.50, F.S.; requiring that certain fees relating to declarations of domestic partnership and dissolution of domestic partnership filings be deposited in the Displaced Homemaker Trust Fund; amending s. 741.28, F.S.; redefining the term “family or household member” in the context of domestic violence to include a domestic partnership; creating s. 741.501, F.S.; providing legislative findings; creating s. 741.502, F.S.; defining terms; creating s. 741.503, F.S.; requiring the Department of Health to create and distribute the Declaration of Domestic Partnership and Certificate of Registered Domestic Partnership forms to each clerk of the circuit court; requiring the department and each clerk of the circuit court to make the Declaration of Domestic Partnership form available to the public; creating s. 741.504, F.S.; providing that the circuit court has jurisdiction over domestic partnership proceedings; requiring the clerk of the circuit court to maintain a domestic partnership registry; providing that the registry is a public record; creating s. 741.505, F.S.; re-

quiring two individuals who wish to become partners in a domestic partnership to complete and file a Declaration of Domestic Partnership form with the clerk of the circuit court; specifying the required contents of the completed form; providing that each partner who signs the form consents to the jurisdiction of the circuit court for certain purposes; providing that if a person files an intentionally and materially false form, he or she commits a misdemeanor of the first degree; providing criminal penalties; requiring the clerk of the circuit court to register the Declaration of Domestic Partnership in a domestic partnership registry and issue a Certificate of Registered Domestic Partnership; creating s. 741.506, F.S.; authorizing the domestic partners to retain surnames; creating s. 741.507, F.S.; providing that any privilege or responsibility granted or imposed by statute, administrative or court rule, policy, common law, or any other law to an individual because the individual is or was related to another by marriage, or is a child of either of the spouses, is granted on equivalent terms to domestic partners or individuals similarly related to domestic partners; providing that the act does not require or permit the extension of any benefit under a retirement, deferred compensation, or other employee benefit plan, if the plan administrator reasonably concludes that the extension of benefits to partners would conflict with a condition for tax qualification of the plan, or a condition for other favorable tax treatment of the plan, under the Internal Revenue Code; creating s. 741.508, F.S.; specifying prohibited or void domestic partnerships; creating s. 741.509, F.S.; requiring that the clerk of the circuit court collect certain fees for receiving a Declaration of Domestic Partnership; authorizing the clerk of the circuit court to accept installment payments from individuals who are unable to pay the fees in a lump sum; creating s. 741.510, F.S.; providing methods to prove the existence of a registered Declaration Domestic Partnership when the certificate document has been lost or is otherwise unavailable; creating s. 741.511, F.S.; providing for termination of a domestic partnership; providing for notice; providing for the effective date of the termination; providing for registration of the termination; requiring records of certain terminations to be maintained; providing for automatic termination of partnership if either party enters into a valid marriage; providing for a reasonable fee for termination; reenacting ss. 921.0024(1)(b) and 943.171(2)(b), F.S., relating to the worksheet form for the Criminal Punishment Code and the basic skills training for domestic violence cases, respectively, to incorporate the amendments made to s. 741.28, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Health Regulation; and Budget.

By Senator Sobel—

SB 350—A bill to be entitled An act relating to insurance coverage for colorectal cancer screening; providing legislative intent; creating s. 627.64173, F.S.; requiring certain health insurance policies, health maintenance organization contracts, health insurance programs, group arrangements, and managed health care delivery entities providing coverage to state residents to provide coverage for certain colorectal cancer examinations and laboratory tests for colorectal cancer; providing requirements; specifying covered individuals; requiring coverage of certain evidence-based screening strategies; providing a definition; prohibiting patients and providers from being required to meet certain requirements to secure coverage; prohibiting certain deductible or coinsurance requirements; specifying absence of any requirement to make nonparticipating provider referrals under certain circumstances; providing for payment of nonparticipating providers; excluding application to certain insurance policies; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; Governmental Oversight and Accountability; and Budget.

By Senator Joyner—

SB 352—A bill to be entitled An act relating to civil citations; amending s. 985.12, F.S.; requiring the expungement of the nonjudicial arrest record of a minor who successfully completes a civil citation program; amending s. 943.0582, F.S.; requiring the Department of Law Enforcement to expunge the nonjudicial record of the arrest of a minor who successfully completes a civil citation program; setting forth the conditions that apply in order for the department to expunge the record; authorizing the department to charge a processing fee; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Bullard—

SB 354—A bill to be entitled An act relating to the receipt of gifts by candidates, officers, and state employees; amending s. 112.3148, F.S.; deleting a limitation on the amount of time that a gift accepted on behalf of a governmental entity or charitable organization may be retained; providing an effective date.

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

By Senator Bullard—

SB 356—A bill to be entitled An act relating to the practice of optometry; amending s. 463.002, F.S.; redefining the term “certified optometrist” within the practice of optometry; amending s. 463.005, F.S.; authorizing the Board of Optometry to adopt rules relating to the administration and prescription of oral medications used for the diagnosis and treatment of ocular conditions of the human eye and its appendages; amending s. 463.0055, F.S.; authorizing certified optometrists to administer and prescribe such oral medications; requiring that a prescription for an oral medication contain the optometrist’s prescriber number; amending s. 463.006, F.S.; authorizing the board to certify certain applicants to administer and prescribe oral medications; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

By Senator Evers—

SM 358—A memorial to the Congress of the United States, urging Congress to honor the provisions of the Constitution of the United States and United States Supreme Court case law which limit the scope and exercise of federal power.

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

By Senator Fasano—

SB 360—A bill to be entitled An act relating to insurance coverage for cardiovascular screening; creating ss. 627.64196, 627.6614, and 641.31099, F.S.; requiring individual and group health insurance policies and health maintenance contracts to provide coverage for certain cardiovascular screening tests performed on specified individuals; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Budget.

By Senator Latvala—

SB 362—A bill to be entitled An act relating to patrol officers of the Department of Highway Safety and Motor Vehicles; repealing s. 321.04(3), F.S., relating to the assignment of an officer to the office of the Governor; providing an effective date.

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

By Senator Latvala—

SB 364—A bill to be entitled An act relating to child care facilities; amending s. 402.302, F.S.; revising and providing definitions; providing for certain household children to be included in calculations regarding the capacity of licensed family day care homes and large family child care homes; providing conditions for supervision of household children of operators of family day care homes and large family child care homes;

amending s. 402.318, F.S.; revising advertising requirements applicable to child care facilities; providing penalties; authorizing a cause of action against an unlicensed or unregistered individual if certain advertising requirements are not met; authorizing the award of attorney’s fees and costs under certain conditions; amending s. 411.01, F.S., relating to school readiness programs; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Commerce and Tourism; Judiciary; and Budget.

By Senator Altman—

SB 366—A bill to be entitled An act relating to handbill distribution; providing a short title; amending s. 509.144, F.S.; revising definitions; providing additional penalties for the offense of unlawfully distributing handbills in a public lodging establishment; specifying that certain items used in committing such offense are subject to seizure and forfeiture under the Florida Contraband Forfeiture Act; amending s. 901.15, F.S.; authorizing a law enforcement officer to arrest a person without a warrant when there is probable cause to believe the person violated s. 509.144, F.S., and where the owner or manager of the public lodging establishment signs an affidavit containing information supporting the determination of probable cause; amending s. 932.701, F.S.; revising the definition of the term “contraband”; providing that the terms and provisions of the act do not affect or impede the provisions of a specified state statute or any protection or right guaranteed by the Second Amendment to the United States Constitution; providing an effective date.

—was referred to the Committees on Criminal Justice; Commerce and Tourism; and Budget.

By Senators Fasano and Gaetz—

SB 368—A bill to be entitled An act relating to driver’s license fees for disabled veterans; amending s. 322.21, F.S.; providing that disabled veterans who meet certain qualifications are entitled to a specified reduction in driver’s license fees; reorganizing provisions; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Transportation; and Budget.

By Senator Rich—

SB 370—A bill to be entitled An act relating to vessel safety; amending s. 327.39, F.S.; revising certain requirements for operating personal watercraft; providing penalties; amending s. 327.54, F.S.; revising the requirements relating to the boating safety course required for leasing or renting a personal watercraft from a livery; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Commerce and Tourism; and Budget.

By Senator Bogdanoff—

SB 372—A bill to be entitled An act relating to pretrial programs; providing state policy and legislative intent; requiring each pretrial release program established by ordinance of a county commission, by administrative order of a court, or by any other means in order to assist in the release of a defendant from pretrial custody to conform to the eligibility criteria set forth by the act; preempting any conflicting local ordinances, orders, or practices; requiring that the defendant satisfy certain eligibility criteria in order to be assigned to a pretrial release program; providing that the act does not prohibit a court from releasing a defendant on the defendant’s own recognizance or imposing any other reasonable condition of release on the defendant; authorizing a county to reimburse a licensed surety agent for the premium costs of a bail bond for the pretrial release of an indigent defendant under certain circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Bogdanoff—

SB 374—A bill to be entitled An act relating to health and human services contracts; establishing the Health and Human Services Contract Resource Center to be administratively housed in the Department of Management Services; providing the center's duties; establishing a board of trustees composed of certain agency heads; providing for an executive director appointed by the Governor; providing for implementation by a certain date; amending s. 287.057, F.S.; exempting services provided by an eligible lead community-based provider from being subject to the state competitive bidding process; providing an effective date.

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

By Senators Gaetz and Negrón—

SB 376—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 125.0104, F.S.; providing definitions related to the tourist development tax; requiring the owner of or the person operating transient accommodations to separately state the amount of the tourist development tax collected and the consideration charged on a receipt, invoice, or other documentation; exempting certain unrelated persons from the requirement to separately state the amount of the tourist development tax; providing that the proceeds of the tourist development tax are county funds; amending s. 125.0108, F.S.; providing definitions related to the tourist impact tax; requiring the owner of or the person operating transient accommodations to separately state the amount of the tourist impact tax collected and the consideration charged on a receipt, invoice, or other documentation; exempting certain unrelated persons from the requirement to separately state the amount of the tourist impact tax; providing that the proceeds of the tourist impact tax are county funds; amending s. 212.03, F.S.; providing definitions related to the transient rentals tax; requiring the owner of or the person operating transient accommodations to separately state the amount of the transient rentals tax collected and the consideration charged on a receipt, invoice, or other documentation; exempting certain unrelated persons from the requirement to separately state the amount of the transient rentals tax; providing that the proceeds of the transient rentals tax are state funds; amending s. 212.0305, F.S.; providing definitions related to the convention development tax; requiring the owner of or the person operating transient accommodations to separately state the amount of the convention development tax collected and the consideration charged on a receipt, invoice, or other documentation; exempting certain unrelated persons from the requirement to separately state the amount of the convention development tax; providing that the proceeds of the convention development tax are county funds; amending s. 213.30, F.S.; authorizing the Department of Revenue to compensate county governments for providing certain information to the department; specifying a payment amount; amending ss. 1 and 3, ch. 67-930, Laws of Florida, as amended; providing definitions relating to the municipal resort tax; requiring the owner of or the person operating transient accommodations to separately state the amount of the municipal resort tax on a receipt, invoice, or other documentation; exempting certain unrelated persons from the requirement to separately state the amount of the municipal resort tax; providing that the proceeds of the municipal resort tax are city or town funds; providing that the act is clarifying and remedial in nature; providing that the act does not affect litigation that was initiated before the effective date of the act and that relates to laws amended by the act; providing an effective date.

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

By Senator Gaetz—

SB 378—A bill to be entitled An act relating to voting methods and procedure; amending s. 101.6952, F.S.; permitting absent uniformed services voters or overseas voters to use the Official Federal Write-In Absentee Ballot to vote in any federal, state, or local election; providing an effective date.

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

By Senator Wise—

SB 380—A bill to be entitled An act relating to the certification of child welfare personnel; amending s. 402.40, F.S.; revising legislative intent; defining the terms “child welfare certification” and “professional credentialing entity”; requiring persons who provide child welfare services to be certified by a professional credentialing entity approved by the Department of Children and Family Services; providing requirements for department approval; deleting requirements relating to the establishment of a department training program, including training academies; revising the use of a department trust fund; deleting certain rulemaking authority of the department; providing an effective date.

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

By Senator Bogdanoff—

SB 382—A bill to be entitled An act relating to tax certificates; amending s. 197.502, F.S.; authorizing tax collectors to recover reimbursement for fees paid to vendors for providing electronic tax deed application services; authorizing certain tax collectors to require the use of electronic tax deed application services; providing an effective date.

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

By Senator Bogdanoff—

SB 384—A bill to be entitled An act relating to tangible personal property taxes; authorizing a person who rents heavy equipment to collect a tangible personal property tax recovery fee; defining the term “heavy equipment”; limiting the application of the act to short-term rental agreements; providing an effective date.

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

By Senators Bogdanoff, Fasano, and Gaetz—

SB 386—A bill to be entitled An act relating to preference to Florida businesses in procurement of personal property and services; providing a short title; amending s. 283.35, F.S.; requiring an agency, county, municipality, school district, or other political subdivision of the state to grant a specified preference to a vendor located within the state when awarding a contract for printing under certain circumstances; specifying the percentages of preference to be granted; providing nonapplicability; amending s. 287.084, F.S.; requiring, rather than authorizing, an agency, county, municipality, school district, or other political subdivision of the state in making purchases of personal property through competitive solicitation to award a preference to the lowest responsible and responsive vendor having a principal place of business within this state under specified circumstances; specifying the percentages of preference to be granted; providing nonapplicability; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Community Affairs; and Budget.

By Senator Joyner—

SB 388—A bill to be entitled An act relating to children of incarcerated parents; providing legislative findings and purpose; providing guiding principles to be used by state agency personnel when dealing with children of incarcerated parents; providing applicability; providing an effective date.

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

By Senator Flores—

SJR 390—A joint resolution proposing an amendment to Section 4 of Article VII and the creation of a new Section in Article XII of the State Constitution to prohibit increases in the assessed value of homestead property if the just value of the property decreases and provide an effective date.

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

By Senator Jones—

SB 392—A bill to be entitled An act relating to commercial parasailing; amending s. 327.02, F.S.; providing definitions; creating s. 327.375, F.S.; providing a short title; requiring the owner of a vessel engaged in commercial parasailing to obtain and carry an insurance policy; providing minimum coverage for the insurance policy; providing requirements for proof of insurance; specifying the insurance information that must be provided to each rider; providing for the launch and recovery of riders from a towing vessel; requiring a person engaged in operating a vessel for commercial parasailing to have certain licenses; requiring certain equipment; prohibiting commercial parasailing in certain areas, under certain weather conditions, and during certain hours; requiring a safety briefing for passengers and parasail riders; providing penalties; amending ss. 320.08, 327.391, 328.17, 342.07, 713.78, and 715.07, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Banking and Insurance; and Budget.

By Senator Jones—

SB 394—A bill to be entitled An act relating to the Department of Health; amending s. 381.0072, F.S.; redefining the term “food service establishment” to include child care facilities; placing the regulation of such facilities under the jurisdiction of the department; requiring that the department consult with specified agencies and not duplicate areas of inspection executed by such agencies; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By Senator Bennett—

SB 396—A bill to be entitled An act relating to building construction and inspection; amending s. 255.252, F.S.; conforming provisions to changes made by the act; amending s. 255.253, F.S.; redefining the term “sustainable building rating” to include the International Green Construction Code; amending ss. 255.257 and 255.2575, F.S.; conforming provisions to changes made by the act; amending s. 468.8314, F.S.; expanding the categories of persons who may be certified as qualified for a license by endorsement as a home inspector; amending s. 553.74, F.S.; revising requirements for selecting a member of the Florida Building Commission; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; and Budget.

By Senator Jones—

SB 398—A bill to be entitled An act relating to chiropractic medicine; amending s. 460.4062, F.S.; revising the requirements for obtaining a chiropractic medicine faculty certificate; amending s. 460.408, F.S.; prohibiting the Board of Chiropractic Medicine from approving the use of certain courses in continuing chiropractic education; amending s. 460.4165, F.S.; providing that services rendered by a certified chiropractic physician’s assistant under indirect supervision may occur only at the supervising chiropractic physician’s address of record; deleting the length of time specified for the basic program of education and training for certified chiropractic physician’s assistants; amending s. 460.4166, F.S.; requiring a person to register as a chiropractic assistant if he or she renders therapeutic services or administers therapeutic agents related

to a chiropractic physician’s treatment of a patient; providing registration requirements for such persons; requiring a registered chiropractic assistant to notify the board of his or her change of employment; providing that a person who exclusively performs nontherapeutic services is not required to register as a chiropractic assistant; requiring the approval of certain supervising chiropractic physicians by the board; providing an effective date for the board’s approval; requiring a fee for approval of a supervising chiropractic physician or group of chiropractic physicians; requiring the board to adopt by rule an application form for the initial registration of a registered chiropractic assistant, a form for the approval of a supervising chiropractic physician, and the notice of a change of employment for a registered chiropractic assistant; amending s. 460.4167, F.S.; authorizing certain sole proprietorships, group practices, partnerships, corporations, limited liability companies, limited partnerships, professional associations, other entities, health care clinics licensed under part X of ch. 400, F.S., health maintenance organizations, or prepaid health clinics to employ a chiropractic physician or engage a chiropractic physician as an independent contractor to provide services authorized by ch. 460, F.S.; authorizing the spouse or adult children of a deceased chiropractic physician to hold, operate, pledge, sell, mortgage, assign, transfer, own, or control the deceased chiropractic physician’s ownership interests under certain conditions; authorizing an employer that employs a chiropractic physician to exercise control over the patient records of the employed chiropractor, policies and decisions relating to pricing, credit, refunds, warranties, and advertising, and decisions relating to office personnel and hours of practice; deleting an obsolete provision; providing an effective date.

—was referred to the Committees on Health Regulation; Budget; and Rules.

By Senators Wise and Fasano—

SB 400—A bill to be entitled An act relating to treatment-based drug court programs; amending s. 397.334, F.S.; providing that a court has the discretion to allow offenders with prior violent felony offenses into postadjudicatory treatment-based drug court programs on a case-by-case basis; requiring all offenders sentenced to a postadjudicatory drug court program who are drug court participants who are the subject of a violation of probation or community control hearing under specified provisions to have the violation of probation or community control heard by the judge presiding over the drug court program; providing that treatment-based drug court programs may include postadjudicatory programs provided under specified provisions; amending s. 921.0026, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.01, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.06, F.S.; making defendants other than those who have violated probation or community control by a failed or suspect substance abuse test eligible for postadjudicatory treatment-based drug court programs; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.20, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Negrón—

SB 402—A bill to be entitled An act relating to regulation of firearms and ammunition; amending s. 790.33, F.S.; clarifying and reorganizing provisions that preempt to the state the entire field of regulation of firearms; prohibiting specified persons and entities, when acting in their official capacity, from regulating or attempting to regulate firearms or ammunition in any manner except as specifically authorized by s. 790.33, F.S., or by general law; providing a penalty for knowing and willful violations; eliminating provisions authorizing counties to adopt an ordinance requiring a waiting period between the purchase and delivery of a handgun; providing additional intent of the section; providing

that public funds may not be used to defend the unlawful conduct of any person charged with a knowing and willful violation of the section; providing exceptions; providing fines for governmental entities in whose service or employ the provisions of the section are knowingly and willfully violated; providing for deposit of fines; providing for investigation of complaints of criminal violations of the section and prosecution of violators by the state attorney; providing for termination of employment or contract or removal from office of a person acting in an official capacity who knowingly and willfully violates any provision of the section; providing for declarative and injunctive relief for specified persons or organizations; providing for specified damages and interest; providing for seizure of certain municipal vehicles for specified nonpayment of damages; providing exceptions to prohibitions of the section; providing an effective date.

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

By Senators Wise and Lynn—

SB 404—A bill to be entitled An act relating to transition-to-adulthood services; amending s. 985.03, F.S.; defining the term “transition-to-adulthood services”; creating s. 985.461, F.S.; providing legislative intent concerning transition-to-adulthood services for youth in the custody of the Department of Juvenile Justice; providing for eligibility for services for youth served by the department who are legally in the custody of the Department of Children and Family Services; providing that an adjudication of delinquency does not disqualify a youth in foster care from certain services from the Department of Children and Family Services; providing powers and duties of the Department of Juvenile Justice for transition services; providing for assessments; requiring that services be part of a plan leading to independence; amending s. 985.0301, F.S.; providing for retention of court jurisdiction over a child for a specified period following the child’s 19th birthday if the child is participating in transition-to-adulthood services; providing that certain services require voluntary participation by affected youth and do not create an involuntary court-sanctioned residential commitment; providing an effective date.

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

By Senators Sobel, Gaetz, and Fasano—

SB 406—A bill to be entitled An act relating to the Florida Kidcare program; amending s. 1006.06, F.S.; requiring that the application form for the school breakfast and lunch programs also allow application for the Kidcare program or provide information about applying for the program; amending s. 624.91, F.S.; requiring the Florida Healthy Kids Corporation to include use of the school breakfast and lunch application form in the corporation’s plan for publicizing the program; providing an effective date.

—was referred to the Committees on Health Regulation; Education Pre-K - 12; and Budget.

By Senator Richter—

SB 408—A bill to be entitled An act relating to property and casualty insurance; amending s. 624.407, F.S.; revising the amount of surplus funds required for domestic insurers applying for a certificate of authority after a certain date; amending s. 624.408, F.S.; revising the minimum surplus that must be maintained by certain insurers; authorizing the Office of Insurance Regulation to reduce the surplus requirement under specified circumstances; amending s. 624.4095, F.S.; excluding certain premiums for federal multiple-peril crop insurance from calculations for an insurer’s gross writing ratio; requiring insurers to disclose the gross written premiums for federal multiple-peril crop insurance in a financial statement; amending s. 624.424; revising the frequency that an insurer may use the same accountant or partner to prepare an annual audited financial report; amending s. 626.854, F.S.; providing limitations on the amount of compensation that may be received by a public adjuster for a reopened or supplemental claim; providing statements that may be considered deceptive or misleading if made in any public adjuster’s advertisement or solicitation; providing a

definition for the term “written advertisement”; requiring that a disclaimer be included in any public adjuster’s written advertisement; providing requirements for such disclaimer; requiring certain persons who act on behalf of an insurer to provide notice to the insurer, claimant, public adjuster, or legal representative for an onsite inspection of the insured property; authorizing the insured or claimant to deny access to the property if notice is not provided; requiring the public adjuster to ensure prompt notice of certain property loss claims; providing that an insurer be allowed to interview the insured directly about the loss claim; prohibiting the insurer from obstructing or preventing the public adjuster from communicating with the insured; requiring that the insurer communicate with the public adjuster in an effort to reach an agreement as to the scope of the covered loss under the insurance policy; prohibiting a public adjuster from restricting or preventing persons acting on behalf of the insured from having reasonable access to the insured or the insured’s property; prohibiting a public adjuster from restricting or preventing the insured’s adjuster from having reasonable access to or inspecting the insured’s property; authorizing the insured’s adjuster to be present for the inspection; prohibiting a licensed contractor or subcontractor from adjusting a claim on behalf of an insured if such contractor or subcontractor is not a licensed public adjuster; providing an exception; amending s. 626.8651, F.S.; requiring that a public adjuster apprentice complete a minimum number of hours of continuing education to qualify for licensure; amending s. 626.8796, F.S.; providing requirements for a public adjuster contract; creating s. 626.70132, F.S.; requiring that notice of a claim, supplemental claim, or reopened claim be given to the insurer within a specified period after a windstorm or hurricane occurs; providing a definition for the terms “supplemental claim” or “reopened claim”; providing applicability; amending s. 627.062, F.S.; requiring that the office issue an approval rather than a notice of intent to approve following its approval of a file and use filing; deleting an obsolete provision; prohibiting the Office of Insurance Regulation from, directly or indirectly, impeding the right of an insurer to acquire policyholders, advertise or appoint agents, or regulate agent commissions; revising the information that must be included in a rate filing relating to certain reinsurance or financing products; deleting a provision that prohibited an insurer from making certain rate filings within a certain period of time after a rate increase; deleting a provision prohibiting an insurer from filing for a rate increase within 6 months after it makes certain rate filings; deleting obsolete provisions relating to legislation enacted during the 2003 Special Session D of the Legislature; amending s. 627.0629, F.S.; providing legislative intent that insurers provide consumers with accurate pricing signals for alterations in order to minimize losses, but that mitigation discounts not result in a loss of income for the insurer; requiring rate filings for residential property insurance to include actuarially reasonable debits that provide proper pricing; providing for an increase in base rates if mitigation discounts exceed the aggregate reduction in expected losses; deleting obsolete provisions; deleting a requirement that the Office of Insurance Regulation propose a method for establishing discounts, debits, credits, and other rate differentials for hurricane mitigation by a certain date; requiring the Financial Services Commission to adopt rules relating to such debits by a certain date; deleting a provision that prohibits an insurer from including an expense or profit load in the cost of reinsurance to replace the Temporary Increase in Coverage Limits; conforming provisions to changes made by the act; amending s. 627.351, F.S.; renaming the “high-risk account” as the “coastal account”; revising the conditions under which the Citizens policyholder surcharge may be imposed; providing that members of the Citizens Property Insurance Corporation Board of Governors are not prohibited from practicing in a certain profession if not prohibited by law or ordinance; prohibiting board members from voting on certain measures; changing the date on which the boundaries of high-risk areas eligible for certain wind-only coverages will be reduced if certain circumstances exist; amending s. 627.3511, F.S.; conforming provisions to changes made by the act; amending s. 627.4133, F.S.; authorizing an insurer to cancel policies after 45 days’ notice if the Office of Insurance Regulation determines that the cancellation of policies is necessary to protect the interests of the public or policyholders; authorizing the Office of Insurance Regulation to place an insurer under administrative supervision or appoint a receiver upon the consent of the insurer under certain circumstances; creating s. 627.43141, F.S.; providing definitions; requiring the delivery of a “Notice of Change in Policy Terms” under certain circumstances; specifying requirements for such notice; specifying actions constituting proof of notice; authorizing policy renewals to contain a change in policy terms; providing that receipt of payment by an insurer is deemed acceptance of new policy terms by an insured; providing that the original

policy remains in effect until the occurrence of specified events if an insurer fails to provide notice; providing intent; amending s. 627.7011, F.S.; requiring that an insurer pay the actual cash value of an insured loss for a dwelling, less any applicable deductible, under certain circumstances; requiring that a policyholder enter into a contract for the performance of building and structural repairs; requiring that an insurer pay certain remaining amounts; restricting insurers and contractors from requiring advance payments for certain repairs and expenses; authorizing an insured to make a claim for replacement costs within a certain period after the insurer pays actual cash value to make a claim for replacement costs; requiring an insurer to pay the replacement costs if a total loss occurs; allowing an insurer to limit its initial payment for losses to personal property; amending s. 627.70131, F.S.; specifying application of certain time periods to initial or supplemental property insurance claim notices and payments; providing legislative findings with respect to 2005 statutory changes relating to sinkhole insurance coverage and statutory changes in this act; amending s. 627.706, F.S.; authorizing an insurer to limit coverage for catastrophic ground cover collapse to the principal building and to have discretion to provide additional coverage; allowing the deductible to include costs relating to an investigation of whether sinkhole activity is present; revising definitions; defining the term "structural damage"; placing a 2-year statute of repose on claims for sinkhole coverage; amending s. 627.7061, F.S.; conforming provisions to changes made by the act; repealing s. 627.7065, F.S., relating to the establishment of a sinkhole database; amending s. 627.707, F.S.; revising provisions relating to the investigation of sinkholes by insurers; deleting a requirement that the insurer provide a policyholder with a statement regarding testing for sinkhole activity; providing a time limitation for demanding sinkhole testing by a policyholder and entering into a contract for repairs; requiring all repairs to be completed within a certain time; providing exceptions; providing a criminal penalty on a policyholder for accepting rebates from persons performing repairs; amending s. 627.7073, F.S.; revising provisions relating to inspection reports; providing that the presumption that the report is correct shifts the burden of proof; requiring the policyholder to file certain reports as a precondition to accepting payment; requiring a seller of real property to provide a buyer with a copy of any inspection reports and certifications; amending s. 627.7074, F.S.; revising provisions relating to neutral evaluation; requiring evaluation in order to make certain determinations; requiring that the neutral evaluator be allowed access to structures being evaluated; providing grounds for disqualifying an evaluator; allowing the Department of Financial Services to appoint an evaluator if the parties cannot come to agreement; revising the timeframes for scheduling a neutral evaluation conference; authorizing an evaluator to enlist another evaluator or other professionals; providing a time certain for issuing a report; providing that certain information is confidential; revising provisions relating to compliance with the evaluator's recommendations; providing that the evaluator is an agent of the department for the purposes of immunity from suit; requiring the department to adopt rules; amending s. 627.712, F.S.; conforming provisions to changes made by the act; providing effective dates.

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

By Senator Bennett—

SB 410—A bill to be entitled An act relating to impact fees; reenacting s. 163.31801(5), F.S., relating to the burden of proof required by the government in an action challenging an impact fee; providing for retroactive operation of the act; providing for an exception under specified circumstances; providing an effective date.

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

SJR 412—Withdrawn prior to introduction.

By Senator Oelrich—

SB 414—A bill to be entitled An act relating to the Prostate Cancer Awareness Program; amending s. 381.911, F.S.; revising the structure and objectives of the Prostate Cancer Awareness Program; authorizing the University of Florida Prostate Disease Center, in collaboration with

other organizations and institutions, to establish a prostate cancer task force to replace the advisory committee; providing for membership and duties of the task force; requiring an annual report to the Governor, Legislature, and State Surgeon General; providing an effective date.

—was referred to the Committees on Health Regulation; Budget; and Rules.

By Senator Bogdanoff—

SB 416—A bill to be entitled An act relating to public records; providing a definition; providing an exemption from public-records requirements for photographs and video and audio recordings that depict or record the killing of a person; authorizing access to such photographs or video or audio recordings by specified members of the immediate family of the deceased subject of the photographs or video or audio recordings; providing for access to such records by local governmental entities or state or federal agencies in furtherance of official duties; providing for access pursuant to court order; providing guidelines of the court in issuing an order authorizing such photographs or video or audio recordings to be viewed, copied, or heard; requiring specified notice of a court petition to view or copy such records; providing penalties; exempting criminal or administrative proceedings from the act; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a finding of public necessity; providing an effective date.

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

By Senator Flores—

SB 418—A bill to be entitled An act relating to state lotteries; amending s. 24.112, F.S.; requiring each retailer of lottery tickets to provide assistance to any individual who is blind or visually impaired and has requested assistance in filling out his or her lottery ticket; providing a definition; providing that a retailer or an employee of the retailer is not liable under certain circumstances; providing an effective date.

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

By the Committee on Health Regulation—

SB 420—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 381.8531, F.S.; providing that personal identifying information pertaining to a donor to the central repository for brain tumor biopsies or the brain tumor registry of the Florida Center for Brain Tumor Research is confidential and exempt from public-records requirements; providing an exception under certain conditions for information disclosed to a person engaged in bona fide research; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a finding of public necessity; providing an effective date.

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

SB 422—Withdrawn prior to introduction.

By Senator Sobel—

SB 424—A bill to be entitled An act relating to physical education in public schools; amending s. 1003.455, F.S.; revising the requirements for waiver of student participation in physical education; authorizing a waiver through submission of a doctor's note specifying health reasons for nonparticipation; providing an effective date.

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

By Senator Latvala—

SB 426—A bill to be entitled An act relating to residential tenancies; amending s. 48.27, F.S.; authorizing certified process servers to serve writs of possession in actions for possession of residential property; amending s. 83.62, F.S.; conforming provisions; providing an effective date.

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

By Senator Dean—

SB 428—A bill to be entitled An act relating to retired justices and judges; amending s. 25.073, F.S.; providing for a former justice or judge to be qualified to serve as a retired justice or judge under certain conditions; providing circumstances under which such justice or judge may not serve as a retired justice or judge; providing an effective date.

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

By Senator Altman—

SB 430—A bill to be entitled An act relating to veterans' affairs; amending s. 1.01, F.S.; expanding the definition of the term "veteran" for purposes of construction of the Florida Statutes; amending s. 295.0185, F.S.; providing educational opportunity at state expense for dependent children of military personnel who die or suffer certain disability in specified military operations; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Higher Education; and Budget.

By Senator Evers—

SB 432—A bill to be entitled An act relating to the privacy of firearms owners; creating s. 790.338, F.S.; providing that inquiries by physicians or other medical personnel concerning the ownership of a firearm by a patient or the family of a patient or the presence of a firearm in a private home or other domicile of a patient or the family of a patient violates the privacy of the patient or the patient's family members, respectively; prohibits conditioning the receipt of medical treatment or care on a person's willingness or refusal to disclose personal and private information unrelated to medical treatment in violation of an individual's privacy contrary to specified provisions; prohibiting entry of certain information concerning firearms into medical records or disclosure of such information by specified individuals; providing criminal penalties; providing increased maximum fines for certain violations; requiring informing the Attorney General of prosecution of violations; providing for collection of fines by the Attorney General in certain circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; Judiciary; and Budget.

By Senators Latvala and Fasano—

SB 434—A bill to be entitled An act relating to the assessment of residential real property; creating s. 193.624, F.S.; providing definitions; prohibiting adding the value of certain improvements to the assessed value of certain real property; providing a limitation on the assessed value of certain real property; providing application; providing procedural requirements and limitations; requiring a nonrefundable filing fee; amending ss. 193.155 and 193.1554, F.S.; specifying additional exceptions to assessments of homestead and nonhomestead property at just value; amending s. 196.012, F.S.; deleting a definition; conforming a cross-reference; amending ss. 196.121 and 196.1995, F.S.; conforming cross-references; repealing s. 196.175, F.S., relating to the renewable energy source property tax exemption; providing for application; providing an effective date.

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

By Senators Hill, Margolis, and Lynn—

SB 436—A bill to be entitled An act relating to seaport security; amending s. 311.12, F.S.; deleting provisions requiring the Department of Law Enforcement to establish a statewide seaport access eligibility reporting system; specifying that a federal Transportation Worker Identification Credential is the only authorization required for obtaining access to secure and restricted areas of a seaport; deleting the requirements for performing criminal history screening on certain persons authorized to regularly enter secure and restricted areas; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Criminal Justice; and Budget.

By Senator Hill—

SB 438—A bill to be entitled An act relating to injunctions for protection against domestic violence, repeat violence, sexual violence, or dating violence; amending ss. 741.30 and 784.046, F.S.; subject to available funding, directing the Florida Association of Court Clerks to develop an automated process by which a petitioner for an injunction for protection may request notification of service of the injunction or notice of other court actions related to the injunction; requiring that notice be given to the petitioner within a specified time; providing for the content of the notice; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Hill—

SB 440—A bill to be entitled An act relating to presidential elections; defining terms; establishing the Agreement Among the States to Elect the President by National Popular Vote; providing legislative intent; providing a method by which any state may become a member state; requiring a statewide popular election for President and Vice President of the United States; establishing a procedure for appointing presidential electors in member states; providing that the agreement becomes effective upon the occurrence of specified actions; providing for the withdrawal of a member state; requiring notification of member states when the agreement takes effect in a nonmember state or when a member state withdraws from the agreement; providing for severability; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; Judiciary; and Budget.

By Senator Hill—

SB 442—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term "special risk member"; amending s. 121.0515, F.S.; revising criteria for membership in the special risk class to include members employed by public acute care hospitals serving certain patients; providing legislative findings that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senators Bogdanoff and Benacquisto—

SB 444—A bill to be entitled An act relating to scrutinized companies; creating s. 287.135, F.S.; prohibiting a state agency or local governmental entity from contracting for goods and services of more than a certain amount with a company that is on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; providing exceptions; providing for a civil action; providing penalties; providing a statute of repose; prohibiting a private right of action; requiring the Department of Management Services to notify the Attorney General after the act becomes law; providing that the act becomes inoperative if federal law

ceases to authorize states to enact such contracting prohibitions; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Community Affairs; and Budget.

By Senators Hays, Sobel, and Gaetz—

SB 446—A bill to be entitled An act relating to dentistry and dental hygiene; amending s. 466.003, F.S.; revising the definition of the term “health access setting” and defining the term “school-based prevention program” for purposes of provisions regulating the practice of dentistry; amending s. 466.023, F.S.; revising the scope and area of practice for dental hygienists; amending s. 466.0235, F.S.; revising the locations at which dental hygienists may perform dental charting; amending s. 466.024, F.S.; authorizing dental hygienists to perform certain duties without supervision or authorization by a dentist; providing exceptions; requiring that dental hygienists in a health access setting provide a certain disclaimer to patients before a procedure is performed; providing that a health access setting may bill for certain services; requiring that dental hygienists provide a referral, encourage the establishment of a dental home, and maintain insurance coverage in specified circumstances; amending ss. 466.006 and 466.0067, F.S.; conforming cross-references; reenacting s. 466.00672(2), F.S., relating to the revocation of health access dental licenses, to incorporate the amendment made by the act to s. 466.003, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Health Regulation; Budget; and Rules.

By Senators Bogdanoff and Sachs—

SB 448—A bill to be entitled An act relating to bullying of school children; amending s. 1006.147, F.S.; prohibiting bullying or harassment of a student or school employee by use of any computer, computer system, or computer network that is physically located on school property, regardless of ownership; adding “emotional hurt” to the list of behaviors that, when taken singularly or in combination, may indicate that a child is being bullied at school; defining the term “within the scope of a public K-12 educational institution”; requiring that each school district include in its districtwide policy instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on how to recognize behaviors that lead to bullying and harassment and how to take appropriate preventative action based on each of those individual’s observations; requiring that any complaint of a computer-related incident of bullying be investigated by a school district official using a computer on which web-filtering software is not installed; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Budget; and Rules.

By Senator Bennett—

SB 450—A bill to be entitled An act relating to emergency management; creating s. 252.515, F.S.; providing a short title; providing immunity from civil liability for providers of temporary housing and aid to emergency first responders and their immediate family members following a declared emergency; providing nonapplicability; providing definitions; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Judiciary; and Rules.

By Senator Fasano—

SB 452—A bill to be entitled An act relating to police dogs; requiring law enforcement agencies to provide specified veterinary services, including cremation services, for police dogs that have retired from the agency’s service; defining terms; providing an effective date.

—was referred to the Committees on Criminal Justice; Regulated Industries; and Budget.

By Senator Hill—

SB 454—A bill to be entitled An act relating to health care; creating the “Florida Hospital Patient Protection Act”; providing legislative findings; providing definitions; providing minimum staffing level requirements for the ratio of direct care registered nurses to patients in a health care facility; requiring that each health care facility implement a staffing plan; prohibiting the imposition of mandatory overtime and certain other actions by a health care facility; specifying the required nurse-to-patient ratios for each type of care provided; prohibiting the use of video cameras or monitors by a health care facility as a substitute for the required level of care; requiring that the chief nursing officer of a health care facility prepare a written staffing plan that meets the staffing levels required by the act; requiring that a health care facility annually evaluate its actual staffing levels and update the staffing plan based on the evaluation; requiring that certain documentation be submitted to the Agency for Health Care Administration and made available for public inspection; requiring that the agency develop uniform standards for use by health care facilities in establishing nurse staffing requirements; providing requirements for the committee members who are appointed to develop the uniform standards; requiring health care facilities to annually report certain information to the agency and post a notice containing such information in each unit of the facility; prohibiting a health care facility from assigning unlicensed personnel to perform functions or tasks that are performed by a licensed or registered nurse; specifying those actions that constitute professional practice by a direct care registered nurse; requiring that patient assessment be performed only by a direct care registered nurse; authorizing a direct care registered nurse to assign certain specified activities to other licensed or unlicensed nursing staff; prohibiting a health care facility from deploying technology that limits certain care provided by a direct care registered nurse; providing that it is a duty and right of a direct care registered nurse to act as the patient’s advocate; providing certain requirements with respect to such duty; authorizing a direct care registered nurse to refuse to perform certain activities if he or she determines that it is not in the best interests of the patient; providing that a direct care registered nurse may refuse to accept an assignment under certain circumstances; prohibiting a health care facility from discharging, discriminating, or retaliating against a nurse based on such refusal; providing that a direct care registered nurse has a right of action against a health care facility that violates certain provisions of the act; requiring that the Agency for Health Care Administration establish a toll-free telephone hotline to provide information and to receive reports of violations of the act; requiring that certain information be provided to each patient who is admitted to a health care facility; prohibiting a health care facility from interfering with the right of nurses to organize or bargain collectively; authorizing the agency to impose fines for violations of the act; requiring that the agency post in its website information regarding health care facilities that have violated the act; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; and Budget.

By Senator Diaz de la Portilla—

SB 456—A bill to be entitled An act relating to working waterfront property; creating s. 193.704, F.S.; providing definitions; specifying property that is eligible for classification as working waterfront property; requiring the assessment of working waterfront property based on current use; requiring an application for classification of property as working waterfront property; authorizing a property appraiser to approve an application that is not filed by a certain deadline due to extenuating circumstances; providing for the waiver of annual application requirements; providing for the loss of classification upon a change of ownership or use; requiring property owners to notify the property appraiser of changes in use or ownership of property; imposing a penalty on a property owner who fails to notify the property appraiser of an event resulting in the unlawful or improper classification of property as working waterfront property; requiring the imposition of tax liens to recover penalties and interest; providing for the assessment of a portion of property within a working waterfront property which is not used as working waterfront property; requiring that a property appraiser make a list relating to applications to certify property as working waterfront property; providing an appeal process for an application that has been denied; amending s. 195.073, F.S.; providing for the classification of land as working waterfront property on an assessment roll; amending s.

380.5105, F.S.; providing program objectives for the Stan Mayfield Working Waterfronts Program and the Florida Forever program for purposes of selecting certain projects; deleting project selection criteria; providing for nonretroactive operation of certain provisions; providing for continuation of funded status for certain projects; providing an alternate application deadline date for the 2011 calendar year; authorizing the Department of Revenue to adopt emergency rules; providing for severability; providing for retroactive operation; providing effective dates.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; and Budget.

By Senator Hill—

SB 458—A bill to be entitled An act relating to administrative expunction of arrest records; amending s. 943.0581, F.S.; deleting language pertaining to discretion of a law enforcement agency as to whether to apply to the Department of Law Enforcement for the administrative expunction of any nonjudicial record of any arrest of a minor or an adult who is subsequently determined to have been arrested contrary to law or by mistake; providing for application for such expunction by the arrestee, or parent or legal guardian of a minor child arrestee, in the absence of such a determination by the law enforcement agency without the endorsement of the request by the agency; requiring submission of specified documentation with such a request for administrative expunction; limiting the requirements that requests be submitted on agency letterhead and contain certain signatures to those requests made by law enforcement agencies; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Hill—

SB 460—A bill to be entitled An act relating to resisting an officer or other specified person without violence; amending s. 843.02, F.S.; providing that resistance, obstruction, or opposition must be based on factors other than mere flight from an officer or other person to whom this section applies; providing an effective date.

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

By Senator Latvala—

SB 462—A bill to be entitled An act relating to the Beverage Law; amending ss. 561.15 and 561.17, F.S.; exempting performance arts centers from obtaining approval from the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation of volunteer officers or directors of the performing arts center or of changes in such positions; providing an effective date.

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

By Senator Latvala—

SB 464—A bill to be entitled An act relating to assault or battery of a law enforcement officer; creating s. 784.071, F.S.; requiring the Department of Law Enforcement to issue a blue alert if a law enforcement officer has been killed, suffered serious bodily injury, or been assaulted and the suspect has fled the scene, or if a law enforcement officer is missing while in the line of duty; requiring that the blue alert be disseminated on the emergency alert system through television, radio, and highway signs; providing that emergency traffic information may take precedence over blue alert information; providing an effective date.

—was referred to the Committees on Criminal Justice; Transportation; and Budget.

By Senator Negron—

SB 466—A bill to be entitled An act relating to the tourist development tax; amending s. 125.0104, F.S.; providing additional bonding authority for a certain additional tourist development tax; providing a limitation on tax revenues received from such tax and used for certain purposes; limiting the expenditure of ad valorem tax revenue for expansion of facilities by a county imposing a tourist development tax for certain purposes; providing for nonapplication of a prohibition against levying such tax in certain cities and towns under certain conditions; providing for controlling application notwithstanding certain contrary authority; providing an effective date.

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

By Senator Bullard—

SB 468—A bill to be entitled An act relating to community redevelopment; amending s. 163.340, F.S.; expanding the definition of the term “blighted area” to include land previously used as a military facility; providing an effective date.

—was referred to the Committees on Community Affairs; Military Affairs, Space, and Domestic Security; and Budget.

By Senator Bullard—

SB 470—A bill to be entitled An act relating to culpable negligence; providing a short title; amending s. 784.05, F.S.; providing that a person commits a felony of the third degree if he or she stores or leaves an assault weapon within the reach or easy access of another person if that person obtains the weapon and uses it to inflict injury or death; providing criminal penalties; providing exceptions; defining the term “assault weapon”; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senators Evers and Detert—

SB 472—A bill to be entitled An act relating to taxes imposed on prepaid limited health service organizations; amending s. 636.0145, F.S.; providing that an organization providing services solely to Medicaid recipients under a contract with Medicaid is exempt from paying certain insurance premium taxes; providing for retroactive operation; specifying that the act is remedial in nature and not a basis for certain refunds of tax; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Evers—

SB 474—A bill to be entitled An act relating to sales representative contracts; repealing s. 686.201, F.S., relating to sales representative contracts, commissions, requirements, termination of agreements, and civil remedies; providing an effective date.

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

By Senator Evers—

SB 476—A bill to be entitled An act relating to public lodging establishments; amending s. 509.013, F.S.; revising definitions; amending s. 509.032, F.S.; conforming provisions to changes made by the act; providing that vacation rentals are residential property for purposes of provisions related to the treatment of such properties; amending s. 509.101, F.S.; requiring that the operator of a vacation rental retain any advance payment or deposit made for the vacation rental until the occupancy begins or is cancelled; amending s. 509.221, F.S.; clarifying that vacation rentals are exempt from certain sanitary rules; amending s. 509.241, F.S.; clarifying an exemption from licensure for condominium

associations that do not own vacation rentals; amending s. 509.242, F.S.; providing that public lodging establishments formerly classified as resort condominiums and resort dwellings are classified as vacation rentals and defining the term “vacation rental”; amending s. 509.251, F.S., relating to license fees; conforming provisions to changes made by the act; deleting an obsolete provision; amending s. 509.291, F.S.; increasing the membership of an advisory council to the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; providing for the Florida Vacation Rental Managers Association to appoint a member to the advisory council; providing an effective date.

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

By Senator Thrasher—

SB 478—A bill to be entitled An act relating to property taxation; amending s. 95.051, F.S.; tolling the statute of limitations relating to proceedings involving tax lien certificates or tax deeds during the period of an intervening bankruptcy; amending ss. 197.102, 197.122, 197.123, 197.162, 197.172, 197.182, 197.222, 197.2301, 197.322, 197.332, 197.343, 197.344, 197.3635, 197.373, 197.402, 197.403, 197.413, 197.414, 197.4155, 197.416, 197.417, 197.432, 197.4325, 197.442, 197.443, 197.462, 197.472, 197.473, 197.482, 197.492, 197.582, and 197.602, F.S.; revising, updating, and consolidating provisions of ch. 197, F.S., relating to definitions, tax collectors, lien of taxes, returns and assessments, unpaid or omitted taxes, discounts, interest rates, Department of Revenue responsibilities, tax bills, judicial sales, prepayment of taxes, assessment rolls, duties of tax collectors, tax notices, delinquent taxes, lienholders, special assessments, non-ad valorem assessments, tax payments, distribution of taxes, advertisements of property with delinquent taxes, attachment, delinquent personal property taxes, sales of property, tax certificates, tax deeds, tax sales, and proceedings involving the validity of a tax deed; amending s. 197.502, F.S.; revising provisions relating to applications for tax deeds; providing payment requirements; authorizing the tax collector to charge a fee to cover the costs to the tax collector for electronic tax deed programs or services; amending s. 197.542, F.S.; revising the minimum deposit after becoming the highest bidder for a tax deed; requiring a clerk to readvertise the sale of a tax deed if a previous buyer failed to make full payment for the tax deed; creating s. 197.146, F.S.; authorizing tax collectors to issue certificates of correction to tax rolls and outstanding delinquent taxes for uncollectable personal property accounts; requiring the tax collector to notify the property appraiser; providing construction; creating ss. 197.2421 and 197.2423, F.S., transferring, renumbering, and amending ss. 197.253, 197.303, and 197.3071, F.S., and amending ss. 197.243, 197.252, 197.254, 197.262, 197.263, 197.272, 197.282, 197.292, 197.301, and 197.312, F.S.; revising, updating, and consolidating provisions of ch. 197, F.S., relating to deferral of tax payments for real property, homestead property, recreational and commercial working waterfront property, and affordable rental property; creating s. 197.4725, F.S.; providing authorization and requirements for purchase of county-held tax certificates; specifying required amounts to be paid; providing for fees; providing for electronic services; amending s. 192.0105, F.S.; providing that the right to a discount for the early payment of taxes does not apply to certain partial payments of taxes; clarifying a taxpayer’s right to redeem real property and tax certificates; clarifying that a property owner may not be contacted by the holder of a tax certificate for 2 years following the date the certificate is issued; providing that s. 197.122, F.S., applies in certain circumstances; providing for the obligation of the property owner to obtain certain information; correcting cross-references; amending ss. 194.011, 194.013, and 196.011, F.S.; correcting cross-references; creating s. 197.603, F.S.; providing legislative intent; repealing s. 197.202, F.S., relating to destruction of 20-year-old tax receipts; repealing s. 197.242, F.S., relating to a short title; repealing ss. 197.304, 197.3041, 197.3042, 197.3043, 197.3044, 197.3045, 197.3046, 197.3047, 197.307, 197.3072, 197.3073, 197.3074, 197.3075, 197.3076, 197.3077, 197.3078, and 197.3079, F.S., relating to deferrals of tax payments; providing an effective date.

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

By Senator Wise—

SB 480—A bill to be entitled An act relating to the Florida Endowment for Vocational Rehabilitation; amending s. 413.615, F.S.; removing

a provision that requires the State Board of Administration to invest and reinvest moneys in the endowment fund for the Florida Endowment for Vocational Rehabilitation; requiring that a specified percent of the remainder of all civil penalties received by a county court pursuant to ch. 318, F.S., be remitted to the Department of Revenue on a monthly basis for deposit in the endowment fund; requiring that a specified percent of the additional fine assessed for violating traffic regulations protecting mobility-impaired persons be remitted to the Department of Revenue on a monthly basis for deposit in the endowment fund; providing an effective date.

—was referred to the Committees on Community Affairs; Higher Education; Governmental Oversight and Accountability; and Budget.

By Senator Wise—

SB 482—A bill to be entitled An act relating to supervised visitation and exchange monitoring; creating s. 753.06, F.S.; adopting state standards for supervised visitation programs; providing for modification; requiring the standards to be published on the website of the Clearinghouse on Supervised Visitation; requiring each program to annually affirm compliance with the standards to the court; providing that after a specified date only those programs that adhere to the state standards may receive state funding; creating s. 753.07, F.S.; providing factors for the court or child-placing agency to consider when referring cases for supervised visitation or exchange monitoring; specifying training requirements for persons providing such services; authorizing supervised visitation programs to alert the court to problems with referred cases; creating s. 753.08, F.S.; requiring supervised visitation programs to conduct security background checks of employees and volunteers; providing requirements for such checks; requiring that an employer furnish a copy of the personnel record for the employee or former employee upon request; providing immunity to employers who provide information for purposes of a background check; requiring that all applicants hired or certified by a program after a specified date undergo a level 2 background screening; delegating responsibility for screening criminal history information and for costs; authorizing a supervised visitation program to participate in the Volunteer and Employee Criminal History System in order to obtain criminal history information; providing that certain persons providing services at a supervised visitation program are presumed to act in good faith and are immune from civil or criminal liability; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Budget.

By Senator Hays—

SM 484—A memorial to the Congress of the United States, urging Congress to oppose any effort to impose new discriminatory taxes that would significantly limit the use of reinsurance provided by companies located outside the United States.

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

By Senator Hays—

SB 486—A bill to be entitled An act relating to water management district governing boards; creating s. 373.0725, F.S.; establishing a water management district governing board nominating commission; providing criteria for governing board member nominees; providing for the appointment of commission members by the Governor, the President of the Senate, and the Speaker of the House of Representatives; providing for terms and duties of commission members; requiring the Executive Office of the Governor to provide administrative support to the commission and to adopt rules; amending s. 373.086, F.S.; requiring governing boards to obtain legislative authorization for acquisition costs and professional service procurement costs in excess of specified amounts; amending s. 373.089, F.S.; requiring governing boards to review and make available for purchase specified lands; amending s. 373.139, F.S.; prohibiting the purchase of specified lands by a governing board unless deemed environmentally critical or sensitive by the Century Commission for a Sustainable Florida and authorized by the Legislature; amending s. 112.3145, F.S.; providing that members of the

water management district governing board nominating commission are state officers for purposes of financial disclosure requirements; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Budget.

By Senator Fasano—

SB 488—A bill to be entitled An act relating to sexual offenses; amending s. 90.404, F.S.; permitting admission of evidence of the defendant's commission of other crimes of a sexual nature in a criminal case in which the defendant is charged with a crime of a sexual nature; defining the term "crime of a sexual nature"; requiring that any property or material that constitutes child pornography and that is used in a criminal proceeding remain in the care, custody, and control of the law enforcement agency, state attorney, or court; permitting access to the materials by the defendant; amending s. 395.1021, F.S.; requiring a licensed facility that provides emergency room services to arrange for the gathering of forensic medical evidence required for an investigation and prosecution from a victim who has reported a sexual battery to a law enforcement agency or who requests that such evidence be gathered for a possible future report; amending s. 775.15, F.S.; providing that a prosecution for video voyeurism in violation of specified provisions may be commenced within 1 year after the victim of video voyeurism obtains actual knowledge of the existence of such a recording or the recording is confiscated by a law enforcement agency, whichever occurs first; providing that dissemination of a recording before such knowledge or confiscation does not affect such a time period; amending ss. 794.056 and 938.085, F.S.; requiring that an additional court cost or surcharge be assessed against a defendant who pleads guilty or nolo contendere to, or is found guilty of, regardless of adjudication, certain criminal offenses; providing for proceeds of the additional court cost or surcharge to be deposited into the Rape Crisis Program Trust Fund; amending s. 960.003, F.S.; requiring the court to order a person who has been charged by information or indictment with, or alleged by petition for delinquency to have committed, a specified offense that involves the transmission of body fluids from one person to another, upon request of the victim or the victim's legal guardian, to undergo HIV testing within 48 hours after the information, indictment, or petition for delinquency is filed rather than 48 hours after the court order; reenacting s. 20.435(21)(a), F.S., relating to the Rape Crisis Program Trust Fund, to incorporate the amendment made to s. 794.056, F.S., in a reference thereto; reenacting s. 794.055(3)(b), F.S., relating to access to services for victims of sexual battery, to incorporate the amendment made to s. 938.085, F.S., in a reference thereto; amending s. 960.198, F.S.; authorizing relocation assistance awards to victims of sexual violence; amending s. 1003.42, F.S.; requiring that public schools provide comprehensive health education that addresses concepts of Internet safety; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Health Regulation; and Budget.

By Senator Jones—

SB 490—A bill to be entitled An act relating to financial responsibility for medical expenses of pretrial detainees or sentenced inmates; amending s. 901.35, F.S.; providing that the responsibility for paying the expenses of medical care, treatment, hospitalization, and transportation for a person who is ill, wounded, or otherwise injured during or as a result of an arrest for a violation of a state law or a county or municipal ordinance is the responsibility of the person receiving the medical care, treatment, hospitalization, or transportation; removing provisions establishing the order by which medical providers receive reimbursement for the expenses incurred in providing the medical services or transportation; amending s. 951.032, F.S.; setting forth the order by which a county or municipal detention facility may seek reimbursement for the expenses incurred during the course of treating or transporting in-custody pretrial detainees or sentenced inmates; requiring each in-custody pretrial detainee or sentenced inmate who receives medical care or other services to cooperate with the county or municipal detention facility in seeking reimbursement for the expenses incurred by the facility; setting forth the order of fiscal resources from which a third-party provider of medical services may seek reimbursement for the expenses the provider incurred in providing medical care; providing that, absent a written

agreement between a third-party provider and a governmental body, the remuneration be billed by the third-party provider and paid by the governmental body at a rate not to exceed a specified percent of the Medicare allowable rate for the service rendered; requiring each in-custody pretrial detainee or sentenced inmate who has health insurance, subscribes to a health care corporation, or receives health care benefits from any other source to assign such benefits to the health care provider; providing an effective date.

—was referred to the Committees on Community Affairs; Health Regulation; and Budget.

By Senator Wise—

SB 492—A bill to be entitled An act relating to road and bridge designations; designating the Duval County Law Enforcement Memorial Overpass in Duval County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Fasano—

SB 494—A bill to be entitled An act relating to sexual offenders and predators; amending s. 903.046, F.S.; requiring a court considering whether to release a defendant on bail to determine whether the defendant is subject to registration as a sexual offender or predator and, if so, to hold the defendant without bail until the first appearance on the case; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Margolis—

SB 496—A bill to be entitled An act relating to ocean lifeguards; amending s. 784.07, F.S.; providing a definition; providing enhanced penalties for an assault or battery on an ocean lifeguard; amending s. 901.15, F.S., relating to arrest without warrant; conforming provisions; amending s. 921.0022, F.S., and reenacting paragraph (3)(d), F.S., relating to the offense severity ranking chart, to conform; amending ss. 943.051 and 985.11, F.S., relating to criminal justice information; conforming provisions; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

SB 498—Withdrawn prior to introduction.

By Senator Oelrich—

SB 500—A bill to be entitled An act relating to state university fee exemptions; providing a short title; amending s. 1009.25, F.S.; providing exemption from the payment of tuition and fees for students enrolled in certain foreign language courses offered at a state university; providing for repeal unless reviewed and reenacted by the Legislature; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

By Senator Oelrich—

SB 502—A bill to be entitled An act relating to state symbols; creating s. 15.03865, F.S.; designating the Barking Tree Frog as the official state amphibian; providing an effective date.

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

By Senator Bogdanoff—

SB 504—A bill to be entitled An act relating to child visitation; amending s. 39.0139, F.S.; revising legislative intent; requiring probable cause of sexual abuse in order to create a presumption of detriment; providing that persons meeting specified criteria may not visit or have contact with a child without a hearing and court order; revising requirements for a hearing seeking to rebut a presumption of detriment; revising provisions relating to hearings on whether to prohibit or restrict visitation or other contact with the person who is alleged to have influenced a child's testimony; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Budget.

By Senator Bogdanoff—

SB 506—A bill to be entitled An act relating to economic development; amending s. 196.012, F.S.; revising the definitions of the terms “new business” and “expansion of an existing business”; amending s. 196.1995, F.S.; authorizing the board of county commissioners of a charter county to call and hold a referendum to determine whether to grant economic development ad valorem tax exemptions; revising the language of ballot questions relating to the authority to grant economic development tax exemptions; providing for application of a provision limiting the calling of another referendum within a certain time period; specifying additional information that must be included in a written application requesting adoption of an ordinance granting an economic development ad valorem tax exemption; specifying factors for a board of county commissioners or governing authority of a municipality to consider when deciding whether to approve or reject applications for economic development tax exemptions; providing legislative intent; limiting the allowable duration of an economic development tax exemption granted by a county or municipal ordinance; authorizing written tax exemption agreements consistent with the act upon approval of a tax exemption application; specifying that the written tax agreement must require the applicant to report certain information at a specific time before expiration of the exemption; authorizing the board of county commissioners or the governing authority of the municipality to revoke, in whole or in part, the exemption under certain circumstances; providing an effective date.

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

By Senator Bogdanoff—

SB 508—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; establishing an annual 3-day sales tax holiday within which sales taxes are not collected on certain clothing, computers, and school supplies; providing for the adoption of rules; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Budget; and Rules.

By Senator Latvala—

SB 510—A bill to be entitled An act relating to the Hurricane Loss Mitigation Program; amending s. 215.559, F.S.; extending the repeal date of the program; deleting an obsolete provision relating to the use of funds for programs to retrofit certain existing facilities; providing an effective date.

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

By Senator Negrón—

SB 512—A bill to be entitled An act relating to vessels; amending s. 327.33, F.S.; revising penalty provisions for violation of navigation rules; providing that such violations that do not constitute reckless operation of a vessel are noncriminal violations; amending s. 327.73, F.S.; providing for increased penalties for certain noncriminal violations; deleting a duplicate provision; amending s. 327.70, F.S.; conforming a cross-re-

ference to changes made by the act; reenacting and amending s. 327.72, F.S., relating to penalties, to incorporate changes made by the act in references thereto; reenacting s. 327.731(1), F.S., relating to mandatory education for violators, to incorporate changes made by the act in references thereto; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Budget.

By Senator Garcia—

SB 514—A bill to be entitled An act relating to vehicle crashes involving death; providing a short title; amending s. 316.027, F.S.; requiring a defendant who was arrested for leaving the scene of a crash involving death be held in custody until brought before a judge for admittance to bail in certain circumstances; reenacting s. 921.0022(3)(g), F.S., relating to the Criminal Punishment Code, to incorporate the amendments made to s. 316.027, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Garcia—

SB 516—A bill to be entitled An act relating to autism; creating the Autism Spectrum Disorder Study Committee to study autism spectrum disorder in families in which English is the second language; providing for membership, meetings, and duties; prohibiting committee members from receiving compensation for their services; authorizing certain funding for publications, subject to approval of the State Surgeon General; requiring a report to the Governor and Legislature; providing for expiration of the committee; providing an effective date.

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

By Senators Hays and Gaetz—

SB 518—A bill to be entitled An act relating to the verification of employment eligibility; defining terms; requiring every employer to use the Employment Authorization Program to verify the employment eligibility of each employee on or after a specified date; providing that a business that does not use the E-Verify system to verify the employment eligibility of the employee shall lose its license to do business in this state until the business has registered with the E-Verify system; requiring that each verification be made in accordance with certain provisions of federal law; prohibiting an employer from employing an unauthorized alien; authorizing certain persons to file a complaint with the Department of Business and Professional Regulation or the Agency for Workforce Innovation alleging that an employer has employed an unauthorized alien; prohibiting the filing of a complaint based on race, color, or national origin; providing that a person who knowingly files a false and frivolous complaint commits a misdemeanor of the second degree; providing criminal penalties; requiring the department or the Agency for Workforce Innovation to notify the employer upon receipt of a complaint; requiring the department or the Agency for Workforce Innovation to investigate whether a violation has occurred; authorizing the department and the Agency for Workforce Innovation to issue a subpoena for the production of documents; requiring the department or the Agency for Workforce Innovation to request that the Federal Government verify the employment eligibility of any employee named in a complaint; prohibiting the department or the Agency for Workforce Innovation from independently making a final determination regarding whether an employee is authorized to be employed in the United States; requiring the department or the Agency for Workforce Innovation to notify certain entities after determining that the employer has employed an unauthorized alien; prohibiting the department or the Agency for Workforce Innovation from acting on a complaint for a violation of law occurring before a specified date; requiring the department or the Agency for Workforce Innovation to order an employer to take certain action upon a first violation of the prohibition against hiring an unauthorized alien; requiring that certain licenses of an employer be suspended if the employer fails to file an affidavit confirming the termination of employment of an unauthorized alien; providing for

reinstatement of such licenses under certain circumstances; requiring that the department or the Agency for Workforce Innovation take certain action against an employer for a second violation within a specified period following the prohibition against hiring an unauthorized alien; requiring the Agency for Workforce Innovation to maintain a public database containing certain information and make such information available on its website; authorizing the department or the Agency for Workforce Innovation to apply to the appropriate circuit court for a judicial order directing an employer to comply with an order issued by the department or the Agency for Workforce Innovation; creating a rebuttable presumption for certain employers that the employer did not knowingly employ an unauthorized alien; authorizing an employer or employee to seek an injunction under certain circumstances; providing that certain actions by an employer constitute an unfair trade practice; providing that an employee aggrieved by such actions has a private cause of action against the employer for a deceptive and unfair trade practice; providing for an award of court costs and attorney's fees; providing that a cause of action does not exist against an employer participating in the E-Verify system on the date of such actions; providing for construction of the act; creating s. 287.135, F.S.; defining terms; requiring every public employer to register with and participate in the E-Verify system for specified purposes; prohibiting a public employer, contractor, or subcontractor from entering into a contract for the physical performance of services in this state unless the contractor or subcontractor registers and participates in the system; requiring that subcontractors certify certain information to contractors by specified means; requiring that a contractor maintain a copy of the certification for a specified period; authorizing a contractor to terminate a contract with a subcontractor under certain conditions; providing that such termination is not a breach of contract; authorizing a subcontractor to challenge a termination within a specified period; requiring that a public contractor terminate a contract if the contractor or subcontractor is in violation of the act; providing that such termination is not a breach of contract; authorizing a contractor or subcontractor to challenge such a termination within a specified period; providing guidelines for interpretation of the provisions of the act; providing for severability; providing an effective date.

—was referred to the Committees on Judiciary; Commerce and Tourism; Regulated Industries; and Budget.

By Senator Bennett—

SB 520—A bill to be entitled An act relating to state memorials; creating s. 265.003, F.S.; providing legislative intent; establishing the Florida Veterans' Hall of Fame on the Plaza Level of the Capitol Building; providing for the Department of Veterans' Affairs to administer the Florida Veterans' Hall of Fame; authorizing the department to establish a nomination and selection process and an induction ceremony; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Budget.

By Senator Diaz de la Portilla—

SB 522—A bill to be entitled An act relating to cardrooms; amending s. 849.086, F.S.; providing for bingo games to be offered in cardrooms; revising the definition of the term "authorized game" to include bingo; defining the term "bingo"; defining the term "gross receipts" for purposes of bingo games; providing an effective date.

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

By Senators Latvala, Hill, Garcia, Joyner, Ring, and Storms—

SB 524—A bill to be entitled An act relating to seaport security; amending s. 311.12, F.S.; deleting provisions relating to statewide minimum standards for seaport security; deleting provisions authorizing the Department of Law Enforcement to exempt all or part of a seaport from specified requirements in certain circumstances; revising provisions relating to seaport security plans; revising requirements for certain secure or restricted areas; deleting provisions requiring that the

Department of Law Enforcement administer a statewide seaport access eligibility reporting system; deleting provisions requiring that persons seeking authorization to access secure and restricted areas of a seaport execute an affidavit; prohibiting a seaport from charging any fee for administration or production of access control credentials that require or are associated with a fingerprint-based background check, in addition to the fee for the federal TWIC; providing for issuance of seaport-specific access credentials; deleting provisions requiring fingerprint-based state criminal history checks on seaport employee applicants, current employees, and other authorized persons; deleting provisions authorizing waivers from security requirements in certain circumstances; revising provisions relating to inspections; revising reporting requirements; revising the parties that determine the allocation of appropriated funds for security project needs; amending ss. 311.121, 311.123, and 311.124, F.S.; conforming provisions to changes made by the act; repealing s. 311.115, F.S., relating to the Seaport Security Standards Advisory Council; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Transportation; and Budget.

By Senator Sobel—

SB 526—A bill to be entitled An act relating to beach waters; amending s. 514.023, F.S.; requiring a report to the Governor and Legislature by a certain date with certain recommendations; requiring the Department of Health to investigate the sources of contamination of beach waters; requiring the department to develop and implement a public education program regarding human actions that affect the water quality of beach waters; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Health Regulation; and Budget.

By Senator Oelrich—

SB 528—A bill to be entitled An act relating to the creation of the Department of Health and Human Services; amending s. 20.04, F.S.; authorizing the department to establish regions headed by deputy secretaries; conforming terminology; creating s. 20.601, F.S.; creating the Department of Health and Human Services; providing for mission and purpose; providing for appointment of a Secretary of Health and Human Services by the Governor; providing duties of the secretary; authorizing the secretary to appoint regional deputy secretaries; establishing regions for the administration of program services; establishing program divisions within each region; requiring the department to consult with counties regarding mandated programs; providing guidelines for procurement of health services; creating s. 20.602, F.S.; establishing the Central Office of Investigative Services; providing duties; establishing the Office of Inspector General in the Central Office of Investigative Services; requiring each region to have a separate investigative office; amending s. 1001.706, F.S.; directing the Board of Governors to establish regional policy development and research exchange centers at specified state universities for certain purposes; repealing s. 20.19, F.S., relating to the Department of Children and Family Services; repealing s. 20.195, F.S., relating to Department of Children and Family Services trust funds; repealing s. 20.197, F.S., relating to the Agency for Persons with Disabilities; repealing s. 20.1971, F.S., relating to the Agency for Persons with Disabilities trust funds; repealing s. 20.42, F.S., relating to the Agency for Health Care Administration; repealing s. 20.425, F.S., relating to Agency for Health Care Administration trust funds; repealing s. 20.43, F.S., relating to the Department of Health; repealing s. 20.435, F.S., relating to Department of Health trust funds; providing a directive to the Division of Statutory Revision to change the name of the Department of Children and Family Services to the Department of Health and Human Services; transferring and reassigning certain functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources, from the Agency for Health Care Administration, the Agency for Persons with Disabilities, the Department of Children and Family Services, and the Department of Health to the Department of Health and Human Services by a type two transfer; providing an effective date.

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

By Senator Fasano—

SB 530—A bill to be entitled An act relating to condominium, cooperative, and homeowners’ associations; amending s. 718.111, F.S.; revising provisions relating to the official records of condominium associations; providing for disclosure of employment agreements or compensation paid to association employees; amending s. 718.112, F.S.; revising provisions relating to board of administration and unit owner meetings; providing that board of administration meetings discussing personnel matters are not open to unit members; requiring that certain educational curriculum be completed within a specified time before the election or appointment of a board director; amending s. 718.114, F.S.; requiring the vote or written consent of a majority of the voting interests before a condominium association may enter into certain agreements to acquire leaseholds, memberships, or other possessory or use interests; amending s. 718.116, F.S.; revising provisions relating to condominium assessments; authorizing the association to charge for collection services for delinquent accounts; authorizing a claim of lien to secure reasonable expenses for collection services for a delinquent account; requiring any rent payments received by an association from a tenant to be applied to the most delinquent monetary obligation of a unit owner; amending s. 718.117, F.S.; providing procedures and requirements for partial termination of a condominium property; requiring that a lien against a condominium unit being terminated be transferred to the proceeds of sale for that property; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 718.703, F.S.; redefining the term “bulk assignee” for purposes of the Distressed Condominium Relief Act; amending s. 718.704, F.S.; revising provisions relating to the assignment of developer rights by a bulk assignee; amending s. 718.705, F.S.; revising provisions relating to the transfer of control of a condominium board of administration to unit owners; amending s. 718.706, F.S.; revising provisions relating to the offering of units by a bulk assignee or bulk buyer; amending s. 718.707, F.S.; revising the time limitation for classification as a bulk assignee or bulk buyer; amending s. 719.108, F.S.; requiring any rent payments received by a cooperative association from a tenant to be applied to the most delinquent monetary obligation of a unit owner; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner in a cooperative; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 720.303, F.S.; revising provisions relating to records that are not accessible to members of a homeowners’ association; providing for disclosure of employment agreements and compensation paid to association employees; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a delinquent member of a homeowners’ association; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 720.3085, F.S.; authorizing a claim of lien to secure expenses for collection services for a delinquent account; requiring any rent payments received by an association from a tenant to be applied to the most delinquent monetary obligation of a parcel owner; amending s. 720.309, F.S.; providing for the allocation of communication services by a homeowners’ association; providing for the cancellation of communication contracts; providing that hearing-impaired or legally blind owners and owners receiving certain supplemental security income or food stamps may discontinue the service without incurring costs; providing that residents may not be denied access to available franchised, licensed, or certificated cable or video service providers; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; Judiciary; and Budget.

By Senator Fasano—

SB 532—A bill to be entitled An act relating to public corruption; creating s. 775.0876, F.S.; providing for the reclassification of criminal offenses committed under color of law; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; Criminal Justice; and Budget.

By Senator Wise—

SB 534—A bill to be entitled An act relating to firesafety; amending s. 633.01, F.S.; revising the rulemaking authority and responsibilities of the State Fire Marshal relating to educational and ancillary plants; amending s. 633.021, F.S.; revising the definition of the term “firesafety inspector”; amending s. 633.081, F.S.; revising requirements and procedures for inspections of buildings and equipment; abolishing special state firesafety inspector classifications and certifications; providing criteria, procedures, and requirements for special state firesafety inspectors to be certified as firesafety inspectors; amending s. 1013.12, F.S.; revising procedures and requirements for certain standards and inspection of educational property; providing procedures, criteria, and requirements for inspections of charter schools; providing reporting requirements; revising requirements for inspections of public post-secondary education facilities; deleting a provision requiring that the State Fire Marshal publish an annual report; amending s. 1013.371, F.S.; revising firesafety inspection requirements for educational institution boards to conform to certain codes; revising certain code enforcement authority of such boards; amending s. 1013.38, F.S.; requiring educational institution boards to submit certain facility site plans to certain local governmental entities for review; authorizing such entities to review site plans for compliance with certain provisions of the Florida Fire Prevention Code; specifying that site plans are not subject to local ordinances or local amendments to the Florida Fire Prevention Code; providing criteria for approving site plans and correcting firesafety compliance deficiencies; providing for referral of disputes to the State Fire Marshal; authorizing such boards to use certain firesafety inspectors for certain compliance reviews; imposing additional requirements for such boards relating to construction, renovation, or remodeling of educational facilities; providing an effective date.

—was referred to the Committees on Banking and Insurance; Education Pre-K - 12; Community Affairs; Higher Education; and Budget.

By Senator Fasano—

SB 536—A bill to be entitled An act relating to regional workforce boards; amending s. 445.007, F.S.; deleting a repeal date relating to a provision that restricts the use of state and federal funds provided to the boards; providing an effective date.

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

By Senator Joyner—

SJR 538—A joint resolution proposing an amendment to Section 4 of Article VI of the State Constitution to disqualify a person who is convicted of a felony from voting only until completion of all sentences imposed and expiration or completion of all conditions of supervision, if any.

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

SR 540—Not referenced.

By Senators Bennett and Smith—

SB 542—A bill to be entitled An act relating to the nursing home diversion program; amending s. 409.912, F.S.; directing the Agency for Health Care Administration to expand the nursing home diversion program to include Medicaid recipients who meet certain criteria; specifying locations for phased-in implementation of the program; revising conditions for enrollment in the program; providing for Medicaid recipient choice with regard to contractors; requiring the nursing home diversion contractor to provide an enrollee with information regarding alternative service providers; requiring certain enrollees to participate in the program; requiring the program to combine funding for Medicaid

services provided to specified individuals; removing an exception; excluding specified individuals from participation in the program; revising provisions relating to entities eligible to participate in the program; requiring the Department of Elderly Affairs and the agency to seek federal waivers to limit the number of nursing home diversion contractors in additional locations; directing the agency to impose certain requirements on contractors in the program; requiring the Office of Program Policy Analysis and Government Accountability, in consultation with the Auditor General, to evaluate the nursing home diversion contractors in the program; removing an obsolete provision relating to an appropriation for implementation of a pilot program; amending s. 408.040, F.S.; removing a reporting requirement, to conform; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Budget.

By Senator Joyner—

SB 544—A bill to be entitled An act relating to barbering; amending s. 476.034, F.S.; defining the terms “barbering intern” and “internship sponsor”; creating s. 476.145, F.S.; providing for the selection and placement of barbering interns; requiring a school of barbering or a barbering program to provide written notice to the Barbers’ Board regarding the internship sponsor and the barbering intern; providing requirements and duties of the internship sponsor; requiring a barbershop to post notice regarding services of a student intern; requiring a barbering intern to possess written authorization to practice barbering; requiring the board to establish education prerequisites for barbering internships; authorizing the board to terminate an internship of a barbering intern or the sponsorship of an internship sponsor; requiring the board to give notice of termination; amending s. 476.188, F.S.; authorizing barber services to be provided by barbering interns; amending s. 476.192, F.S.; providing a limit on the registration fee for internship sponsors; amending s. 476.194, F.S., relating to prohibited acts, to conform; providing an effective date.

—was referred to the Committees on Regulated Industries; Higher Education; and Budget.

By Senators Hays and Sobel—

SB 546—A bill to be entitled An act relating to dentists; amending s. 627.6474, F.S.; prohibiting contracts between health insurers and dentists from containing certain fee requirements set by the insurer under certain circumstances; providing a definition; amending s. 636.035, F.S.; prohibiting contracts between prepaid limited health service organizations and dentists from containing certain fee requirements set by the organization under certain circumstances; providing a definition; amending s. 641.315, F.S.; prohibiting contracts between health maintenance organizations and dentists from containing certain fee requirements set by the organization under certain circumstances; providing a definition; providing for application of the act; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Budget.

By Senator Hays—

SB 548—A bill to be entitled An act relating to obsolete health care provisions; repealing s. 381.0091, F.S., relating to the designation of separate restrooms and separate dressing rooms for males and females; repealing s. 381.736, F.S., relating to the Florida Healthy People 2010 Program; repealing ss. 408.90-408.908, F.S., relating to the MedAccess program within the Agency for Health Care Administration; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Hays—

SB 550—A bill to be entitled An act relating to repealing budget provisions; amending s. 216.023, F.S.; deleting certain budget summary

requirements; repealing s. 339.1371, F.S., relating to Mobility 2000 funding; amending ss. 216.013 and 489.145, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Hays—

SB 552—A bill to be entitled An act relating to transportation corporations; removing provisions that provide for nonprofit corporations to act on behalf of the Department of Transportation to secure and obtain rights-of-way for transportation systems and to assist in the planning and design of such systems; repealing ss. 339.401-339.421, F.S., relating to the Florida Transportation Corporation Act, definition of terms used in the act, legislative findings and purpose, authorization of corporations, type and structure and income of corporation, contract between the Department of Transportation and the corporation, articles of incorporation, boards of directors, advisory directors, bylaws, notice of meetings and open records, amendment of articles of incorporation, powers of corporations, use of state property, exemption from taxation, authority to alter or dissolve corporation, dissolution upon completion of purposes, transfer of funds and property upon dissolution, department rules, construction of provisions, and issuance of debt; repealing s. 11.45(3)(m), F.S., removing a provision for audits of transportation corporations by the Auditor General, to conform; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senators Fasano, Jones, and Latvala—

SB 554—A bill to be entitled An act relating to community-based juvenile justice; creating s. 985.665, F.S.; providing legislative intent; defining the term “regional coordinating agency”; providing requirements for a regional coordinating agency; providing for the Department of Juvenile Justice to contract with regional coordinating agencies for specified services relating to juvenile justice; providing for annual measurement and reporting concerning the outcomes and effectiveness of community-based juvenile justice services; requiring regional coordinating agencies to comply with specified requirements; providing for liability of regional coordinating agencies and contracted providers with respect to the treatment of juvenile offenders; providing for governance of regional coordinating agencies; providing for 2-year pilot programs in specified judicial circuits; requiring reports; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senators Oelrich and Dockery—

SB 556—A bill to be entitled An act relating to drug screening of potential and existing beneficiaries of temporary cash assistance; creating s. 414.0652, F.S.; providing legislative intent; requiring the Department of Children and Family Services to establish a drug-screening program; requiring consent to drug screening as a condition to eligibility for or receipt of temporary cash assistance; limiting screening to certain persons; providing definitions; providing for notice; providing terms of disqualification for temporary cash assistance; requiring the department to supply information concerning substance abuse treatment; providing screening procedures; providing for the preservation of screening and confirmatory testing specimens; directing the department to submit a report to the Governor and Legislature; amending s. 414.095, F.S.; revising requirements for determination of eligibility for temporary cash assistance to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Wise—

SB 558—A bill to be entitled An act relating to school district revenue enhancement; amending s. 14.2015, F.S.; requiring the Office of Tourism, Trade, and Economic Development to sell naming rights for a public school facility or space for commercial advertising to be displayed on school buses or a public school facility to a private sector business or

entity pursuant to an agreement with a district school board; providing requirements for a contract for sale and remittance of contract revenues; creating s. 1011.762, F.S.; authorizing a district school board to enter into an agreement with the Office of Tourism, Trade, and Economic Development for a contract for sale for school district revenue enhancement; providing for district school board requirements for the naming of a public school facility or advertising on school buses or public school facilities; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Commerce and Tourism; and Budget.

By Senator Wise—

SB 560—A bill to be entitled An act relating to the sale of advertising; creating the “State Revenue Enhancement Act of 2011”; creating s. 288.082, F.S.; providing for the Office of Tourism, Trade, and Economic Development to sell naming rights and lease space for commercial advertising to be displayed on state transportation property; amending s. 14.2015, F.S.; revising duties of the office to include such sales and administration of contracts for the sales; providing an effective date.

—was referred to the Committees on Transportation; Commerce and Tourism; and Budget.

By Senator Flores—

SB 562—A bill to be entitled An act relating to unemployment compensation benefits; amending s. 443.091, F.S.; providing conditions for claimants to be deemed available for work; requiring the Agency for Workforce Innovation to notify each claimant regarding requirements that constitute an active search for work; providing reporting requirements for claimants; providing conditions for an exemption from claimant reporting requirements; providing an effective date.

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

By Senator Rich—

SB 564—A bill to be entitled An act relating to the Voluntary Pre-kindergarten Education Program; amending ss. 1002.55 and 1002.63, F.S.; providing that prekindergarten instructors in school-year pre-kindergarten programs delivered by private providers and public schools must meet new professional credentialing requirements beginning July 1, 2014; deleting provisions relating to alternate educational credentials, to conform; amending ss. 1002.61 and 1007.23, F.S.; conforming cross-references to changes made by the act; repealing s. 1002.65, F.S., relating to aspirational goals for the professional credentials of pre-kindergarten instructors; providing an effective date.

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

By Senator Wise—

SB 566—A bill to be entitled An act relating to health care transition programs and services for adolescents and young adults who have special health care needs; providing legislative intent; establishing a program within the Division of Children’s Medical Services Network in the Department of Health to implement a health care transition program for adolescents and young adults who have special health care needs; specifying duties of the office with respect to the oversight, implementation, and coordination of the program; requiring that the program provide technical assistance to communities, providers, and organizations; requiring the Department of Health, in partnership with the Agency for Health Care Administration, to identify options for addressing the compensation of health care providers and improving access to adult and specialty health care for adolescents and young adults who have special health care needs; requiring the Department of Health to work with the Office of Insurance Regulation to explore and recommend effective policies that address medical management and health care transition services for adolescents and young adults who have special health care needs; requiring the Department of Health to work with community-

based pediatric and adult health care providers to explore and recommend the development of local health and transition services programs in each of the regions of the Children’s Medical Services Network; providing requirements for program structure and design; specifying the services that may be offered by local health and transition services programs; requiring that at least one proposed health and transition services program be associated with each of the regions of the Children’s Medical Services Network; requiring an evaluation of the program; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Budget.

By the Committee on Judiciary—

SB 568—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 744.1076, F.S., relating to public-record exemptions for court records relating to court monitors in guardianship proceedings; consolidating provisions; providing that orders appointing nonemergency court monitors are exempt rather than confidential and exempt; providing that only court orders finding no probable cause are confidential and exempt; saving the exemptions from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

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

By the Committee on Judiciary—

SB 570—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 787.03, F.S., relating to a public-records exemption for information submitted to a sheriff or state attorney for the purpose of obtaining immunity from prosecution for the offense of interference with custody; saving the exemption from repeal under the Open Government Sunset Review Act; deleting a provision providing for the repeal of the exemption; providing an effective date.

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

By the Committee on Judiciary—

SB 572—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; repealing s. 2, ch. 2006-179, Laws of Florida, relating to an exemption from public-records requirements for information that identifies donors and prospective donors to the direct-support organization of the Statewide Public Guardianship Office under s. 744.7082, F.S.; saving the exemption from repeal under the Open Government Sunset Review Act; abrogating the scheduled repeal of the exemption; providing an effective date.

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

By Senator Wise—

SB 574—A bill to be entitled An act relating to preference in award of state contracts; amending s. 287.084, F.S.; expanding provisions that authorize an agency, county, municipality, school district, or other political subdivision of the state to provide preferential consideration to a Florida business in awarding competitively bid contracts to purchase personal property to include the purchase of construction services; providing that for specified competitive solicitations the authority to grant preference supersedes any local ordinance or regulation that grants preference to specified vendors; requiring a county, municipality, school district, or other political subdivision to make specified disclosures in competitive solicitation documents; providing construction; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Education Pre-K - 12; Community Affairs; and Budget.

By Senator Oelrich—

SB 576—A bill to be entitled An act relating to gambling devices; creating s. 849.162, F.S.; creating the “Electronic Machines and Devices for Sweepstakes Prohibited Act”; providing legislative findings and intent; providing definitions; prohibiting operation of an electronic device to conduct a sweepstakes through the use of an entertaining display or to promote such a sweepstakes; providing penalties; providing intent; providing for construction; amending s. 849.0935, F.S.; revising conditions for exceptions to provisions relating to drawings by chance conducted by certain organizations; amending s. 849.094, F.S., relating to game promotion in connection with sale of consumer products or services; revising the definition of the term “game promotion” to prohibit the use of a machine, computer, or other electronic or mechanical device; limiting the power of the Department of Agriculture and Consumer Services to adopt rules concerning the operation of game promotions; providing for construction; amending s. 849.15, F.S.; prohibiting production, possession, or distribution of, permitting possession or use of, or offering to provide any gambling apparatus or any part thereof that is otherwise prohibited from operation or possession; amending s. 849.16, F.S.; providing that described machines or devices are subject to specified provisions for gambling; amending s. 849.161, F.S.; revising provisions for amusement games or machines excluded from application of specified provisions relating to gambling; revising provisions for exceptions to such exclusions; defining the term “skill”; amending s. 895.02, F.S.; revising the definition of the term “racketeering activity” to include violations of the act; providing for construction; reenacting s. 721.111(2), F.S., relating to prize and gift promotional offers, to incorporate in a cross-reference changes made by the act; reenacting s. 338.234(1), F.S., relating to granting concessions or selling along the turnpike system, to incorporate in a cross-reference changes made by the act; reenacting s. 849.19, F.S., relating to property rights in confiscated machine, to incorporate in a cross-reference changes made by the act; reenacting s. 16.56(1)(a), F.S., relating to the Office of Statewide Prosecution, to incorporate in a cross-reference changes made by the act; reenacting s. 655.50(3)(g), F.S., relating to control of money laundering in financial institutions, to incorporate in a cross-reference changes made by the act; reenacting s. 896.101(2)(g), F.S., relating to money laundering, to incorporate in a cross-reference changes made by the act; reenacting s. 905.34(3), F.S., relating to jurisdiction of a statewide grand jury, to incorporate in a cross-reference changes made by the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Regulated Industries; and Budget.

By Senator Ring—

SB 578—A bill to be entitled An act relating to disability awareness; amending s. 1003.4205, F.S.; requiring district school boards to provide disability history and awareness instruction in all K-12 public schools during the first week in October; requiring certified individuals in disability awareness or teachers who specialize in exceptional student education to provide the disability history and awareness instruction; requiring the Governor’s Commission on Disabilities to initiate a study on training in disability awareness to be conducted by a private non-profit entity; providing requirements for the study and requiring submission of findings to the commission; requiring the commission to oversee a statewide program for providers of training in disability awareness; providing program components to include requirements for approval of providers and certification of individuals who provide instruction in disability awareness; providing for the payment of certain fees; requiring the commission to promote training in disability awareness in all public entities in the state; requiring the commission to encourage those public entities to participate in activities that provide instruction to expand knowledge, understanding, and awareness of individuals who have disabilities; requiring the commission to adopt rules; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Education Pre-K - 12; and Budget.

By Senator Oelrich—

SB 580—A bill to be entitled An act relating to building construction standards; amending s. 553.79, F.S.; prohibiting a local enforcement agency or building code official from requiring the inspection of any portion of a residential structure that is not directly related to the purpose for which a building permit is sought; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; and Budget.

By Senator Detert—

SB 582—A bill to be entitled An act relating to local business taxes; amending s. 205.022, F.S.; defining the term “independent contractor”; creating s. 205.066, F.S.; exempting an individual engaging in or managing a business in an individual capacity as an employee from requirements related to local business taxes; specifying that an independent contractor is not an employee; prohibiting a local governing authority from holding an exempt employee liable for the failure of a principal or employer to comply with certain obligations related to a local business tax or requiring an exempt employee to take certain actions related to a local business tax; prohibiting a local governing authority from requiring a principal or employer to provide personal or contact information for exempt individuals in order to obtain a local business tax receipt; amending s. 205.194, F.S.; deleting obsolete provisions; deleting a requirement that the Department of Business and Professional Regulation provide certain professional regulation information to local officials who issue business tax receipts; deleting a provision prohibiting a local official who issues business tax receipts from renewing a license under certain circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; and Budget.

By Senator Flores—

SB 584—A bill to be entitled An act relating to massage therapy; amending s. 480.041, F.S.; authorizing the Board of Massage Therapy to issue temporary permits to applicants who meet certain qualifications to practice massage therapy; providing for the expiration of temporary permits; providing limitations; amending s. 480.044, F.S.; providing for a temporary permit fee; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Wise—

SB 586—A bill to be entitled An act relating to Alzheimer’s disease; creating s. 430.5025, F.S.; directing the Department of Elderly Affairs to develop and implement a public education program relating to screening for Alzheimer’s disease; providing criteria for awarding grants; providing a definition; requiring grant recipients to submit an evaluation of certain activities to the department; authorizing the department to provide technical support; requiring an annual report to the Legislature; providing for implementation of the public education program to operate within existing resources of the department; providing that implementation of the memory-impairment screening grant program is contingent upon an appropriation of state funds or the availability of private resources; amending s. 400.1755, F.S.; specifying the types of facilities where an employee or direct caregiver providing care for persons with Alzheimer’s disease may begin employment without repeating certain training requirements; amending s. 400.6045, F.S.; requiring direct caregivers to comply with certain continuing education requirements; amending s. 429.178, F.S.; specifying the types of facilities where an employee or direct caregiver providing care for persons with Alzheimer’s disease may begin employment without repeating certain training requirements; providing an effective date.

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

By Senator Flores—

SB 588—A bill to be entitled An act relating to student safety; amending s. 1006.07, F.S.; requiring district school board policies that specify emergency procedures to identify the agency that is responsible for notifying the school district of an occurrence that threatens the safety of students; amending s. 1002.42, F.S.; requiring the agency to notify private schools in the school district; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Military Affairs, Space, and Domestic Security; and Budget.

By Senator Wise—

SB 590—A bill to be entitled An act relating to public employment practices; defining the terms “applicant” and “public employer”; prohibiting a public employer from inquiring into or considering the criminal history record of an applicant for public employment until the applicant has been selected for an interview by the public employer; providing that the restriction does not prohibit a public employer from notifying an applicant that a law or the employer’s policy may disqualify the applicant from employment in a particular position with the public employer; providing an exemption; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; Criminal Justice; and Budget.

By Senator Bennett—

SJR 592—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution to expand the availability of the property tax discount on the homesteads of veterans who became disabled as the result of a combat injury to veterans who were not Florida residents when they entered the military.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Community Affairs; Budget; and Rules.

By Senator Hays—

SB 594—A bill to be entitled An act relating to statutes of limitations; amending s. 768.28, F.S.; providing that actions for wrongful death against the state or one of its agencies or subdivisions must be brought within the period applicable to actions brought against other defendants; providing an effective date.

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

Senate Bills 596-598—Withdrawn prior to introduction.

By the Committee on Criminal Justice—

SB 600—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public-records requirements for certain records relating to current and former employees of the Department of Juvenile Justice and their family members, including juvenile probation officers and supervisors, detention and assistant detention superintendents, juvenile justice detention officers and supervisors, juvenile justice residential officers and supervisors, juvenile justice counselors and supervisors, human service counselor administrators, senior human services counselor administrators, rehabilitation therapists, and social services counselors; requiring a written statement indicating reasonable efforts to protect such information from being accessible through other means available to the public; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

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

By the Committee on Criminal Justice—

SB 602—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public-records requirements for biometric identification information held by an agency; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

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

By the Committee on Criminal Justice—

SB 604—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 790.0601, F.S., which provides an exemption from public-records requirements for personal identifying information of an individual who has applied for or received a license to carry a concealed weapon or firearm; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

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

By Senator Evers—

SB 606—A bill to be entitled An act relating to fertilizer; amending s. 403.9336, F.S.; deleting legislative findings relating to the implementation by local governments of certain fertilizer management practices; amending s. 403.9337, F.S.; deleting authority for certain counties and municipalities to adopt fertilizer management practices more stringent than standards of a specified model ordinance; amending ss. 570.07 and 576.181, F.S.; requiring the Department of Agricultural and Consumer Services to regulate the sale of fertilizer, including the composition, formulation, packaging, use, application, and distribution of fertilizer; preempting such regulation of fertilizer to the state and the department; specifying that such regulation of fertilizer by counties, municipalities, and other political subdivisions is void; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; and Budget.

By Senator Evers—

SB 608—A bill to be entitled An act relating to traffic offenses; creating s. 318.195, F.S.; providing criminal penalties for a person who commits a moving violation that causes serious bodily injury to, or causes or contributes to the death of, a person operating or riding in a motor vehicle or operating or riding on a motorcycle; requiring that the person pay a specified fine, serve a minimum period of incarceration, and attend a driver improvement course; requiring the court to revoke the person’s driver’s license for a specified period; providing that the act does not prohibit the person from being charged with, convicted of, or punished for any other violation of law; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Budget.

By Senator Bennett—

SB 610—A bill to be entitled An act relating to the sale of event tickets; creating s. 255.0471, F.S.; providing legislative intent and purpose; defining terms; requiring the original seller of tickets to an event held at a publicly owned venue to keep all receipts from the ticket sales until the event occurs or to require a person or entity seeking an advance release of ticket sales to post a surety bond; providing that a ticket purchaser is entitled to a refund for a cancelled event; providing exceptions; providing an effective date.

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

By Senator Evers—

SB 612—A bill to be entitled An act relating to regulation of hoisting equipment used in construction, demolition, or excavation work; creating s. 489.1138, F.S.; defining the terms “hoisting equipment,” “mobile crane,” and “tower crane”; requiring an applicant for a building permit to submit certain information to a local building official; requiring radio communications between certain crane operators; requiring certain preparations for a hurricane or high-wind event; requiring a preparedness plan for certain cranes; requiring that hoisting equipment be secured in a specified manner under certain circumstances; providing penalties for violation of the act by certain licensed contractors; preempting regulation of hoisting equipment and persons operating the equipment to the state; providing that the act does not apply to the regulation of elevators; providing an effective date.

—was referred to the Committees on Community Affairs; Military Affairs, Space, and Domestic Security; and Budget.

By Senator Evers—

SM 614—A memorial to the Congress of the United States, urging Congress to support the implementation of a regional United Recovery Plan for the Northwest Florida Panhandle.

—was referred to the Committees on Community Affairs; and Environmental Preservation and Conservation.

By Senator Evers—

SJR 616—A joint resolution proposing an amendment to Section 9 of Article VII of the State Constitution to limit the maximum amount of ad valorem taxes that may be collected on a parcel of real property.

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

By Senator Evers—

SB 618—A bill to be entitled An act relating to juvenile justice; amending s. 985.494, F.S.; requiring a child who is adjudicated delinquent, or for whom adjudication is withheld, to be committed to a maximum-risk residential program for an act that would be a felony if committed by an adult if the child has completed two different high-risk residential commitment programs; repealing s. 985.445, F.S., relating to cases involving grand theft of a motor vehicle committed by a child; amending ss. 985.0301, 985.47, 985.483, and 985.565, F.S.; conforming references to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Garcia—

SB 620—A bill to be entitled An act relating to enterprise program development zones; designating the act as the “Urban Job Creation Investment Act”; providing definitions; creating the Urban Investment Job Creation Authority; providing for the appointment of members to the authority; specifying the duties of the authority to include specifying enterprise program zone boundaries, reviewing applications from businesses to become eligible for certain tax benefits, reviewing proposed projects for eligibility to receive funding from a local enterprise program zone development corporation, and conducting studies and filing reports; requiring the Office of Tourism, Trade, and Economic Development to provide administrative support to the authority; providing for the creation of enterprise zone development corporations by counties and municipalities as nonprofit corporations; providing for the appointment of the board of directors of those corporations; specifying the duties of the corporations to include implementing an enterprise program zone development plan, administering an enterprise zone program assistance fund, prequalifying applications from businesses to become eligible to receive certain tax benefits, and preparing annual reports; specifying criteria for the designation of enterprise program zones by the Urban Investment Job Creation Authority upon the expiration of the enterprise zone program; specifying procedures for businesses enterprise program

zone development corporations, and the authority to follow to certify a business as qualified businesses that are eligible to receive certain tax benefits; authorizing the authority to adopt rules; authorizing a qualified business to receive tax credits against sales and corporate income taxes and a subsidy for the cost of unemployment compensation insurance; authorizing the Department of Revenue to adopt rules relating to the tax credits; requiring enterprise program zone development corporations to create an enterprise program zone assistance fund using the proceeds of certain incremental sales tax revenues in excess of the sales and tax revenue generated within the zone during a specified fiscal year; requiring the payment of those tax revenues from the Department of Revenue, counties, and municipalities to enterprise program zone development corporations; authorizing those funds to be used upon approval by the authority for urban improvement projects; requiring the authority to account for the funds; requiring the Office of Program Policy Analysis and Government Accountability to evaluate the effectiveness of enterprise program zones and issue a report of its findings and recommendations before the expiration of the act; providing for future expiration of the act; providing an effective date.

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

By Senator Hays—

SB 622—A bill to be entitled An act relating to secondhand dealers and secondary metals recyclers; amending ss. 538.03 and 538.18, F.S.; defining the term “appropriate law enforcement official”; amending s. 538.04, F.S.; clarifying a provision requiring that the secondhand dealers transaction form be delivered to the appropriate law enforcement official; amending s. 538.19, F.S.; requiring that a secondary metals recycler complete a transaction form and transmit it to the appropriate law enforcement official within 24 hours after the acquisition of regulated metals; authorizing such recyclers to use an electronic database and transmit transaction forms electronically; providing for appropriate law enforcement officials to provide software and computer equipment to recyclers; requiring that a recycler produce an original form in certain situations; amending s. 539.001, F.S.; clarifying a definition for purposes of the Florida Pawnbroking Act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; and Budget.

SB 624—Withdrawn prior to introduction.

By Senators Thrasher, Lynn, and Dean—

SB 626—A bill to be entitled An act relating to Shands Teaching Hospital and Clinics, Inc.; amending s. 1004.41, F.S.; clarifying provisions relating to references to the corporation known as Shands Teaching Hospital and Clinics, Inc.; clarifying provisions regarding the purpose of the corporation; authorizing the corporation to create corporate subsidiaries and affiliates; providing that Shands Teaching Hospital and Clinics, Inc., Shands Jacksonville Medical Center, Inc., Shands Jacksonville Healthcare, Inc., and any not-for-profit subsidiary of such entities are instrumentalities of the state for purposes of sovereign immunity; providing an effective date.

—was referred to the Committees on Health Regulation; Higher Education; and Budget.

SB 628—Withdrawn prior to introduction.

By Senator Bennett—

SB 630—A bill to be entitled An act relating to the use of public moneys and property; defining the terms “governmental entity,” “professional sports team,” and “public funds”; prohibiting the use of public funds for certain purposes benefiting a professional sports team; providing exceptions; amending s. 196.199, F.S.; providing for the ad valorem taxation of property owned by a governmental entity if the property is used by a private entity for a nonexempt purpose; providing effective dates.

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

By Senator Oelrich—

SB 632—A bill to be entitled An act relating to postsecondary education; amending s. 215.211, F.S.; prohibiting the deduction of a service charge from the proceeds of certain local option fuel taxes; requiring a percentage of certain local option fuel tax revenues to be deposited in the University Concurrency Trust Fund and providing uses therefor; amending s. 1013.30, F.S.; revising provisions relating to payment and funding of developments in accordance with university campus development agreements; amending s. 1013.63, F.S.; revising the funding and use of the University Concurrency Trust Fund; amending ss. 267.062, 1004.23, 1010.04, and 1013.171, F.S.; providing for the adoption of regulations rather than rules by the Board of Governors, universities, and university boards of trustees; repealing s. 1007.27(10), F.S., relating to the exemption for a student who earns certain credits through acceleration mechanisms from any requirement of a public postsecondary educational institution mandating enrollment during a summer term; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

By Senator Simmons—

SB 634—A bill to be entitled An act relating to prohibited activities of Citizens Property Insurance Corporation; repealing s. 215.55951, F.S., relating to an obsolete prohibition against Citizens Property Insurance Corporation's use of certain amendments or transfers of funds for rate or assessment increase purposes; providing an effective date.

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

By Senator Simmons—

SB 636—A bill to be entitled An act relating to the repeal of obsolete insurance provisions; amending s. 215.5595, F.S.; deleting an obsolete requirement for the State Board of Administration to transfer to the Citizens Property Insurance Corporation certain funds of the Insurance Capital Build-Up Incentive Program; amending s. 627.311, F.S.; deleting an obsolete presuit notice requirement for the Florida Automobile Joint Underwriting Association; amending s. 627.706, F.S.; deleting an obsolete form filing deadline for sinkhole coverage; amending s. 627.7065, F.S.; deleting an obsolete reporting requirement for activities relating to the sinkhole database; repealing s. 627.7077, F.S., relating to a feasibility and cost-benefit study of a Florida Sinkhole Insurance Facility and other matters related to affordability and availability of sinkhole insurance; amending s. 627.712, F.S.; deleting an obsolete effective date for the exclusion of windstorm and contents coverage; providing an effective date.

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

By Senator Simmons—

SB 638—A bill to be entitled An act relating to a residential property structural soundness evaluation grant program; amending s. 627.0629, F.S.; deleting an obsolete Citizens Property Insurance Corporation residential property structural soundness evaluation grant program; providing an effective date.

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

By Senator Bennett—

SB 640—A bill to be entitled An act relating to fire-fighting equipment; exempting such equipment from certain motor vehicle size and weight restrictions; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Budget.

By Senator Bullard—

SB 642—A bill to be entitled An act relating to public school education; requiring the Florida Comprehensive Assessment Test (FCAT) in reading for grade 3 students to be administered as a diagnostic tool; providing that performance on grade 3 FCAT Reading must not be the sole determining factor for retention of grade 3 students; providing an effective date.

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

By Senator Rich—

SB 644—A bill to be entitled An act relating to the use of cellular telephones; prohibiting the use of a cellular telephone while operating a motor vehicle except when using a headset or hands-free device; providing exemptions; providing a penalty; providing for enforcement only as a secondary offense; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Budget.

By Senator Detert—

SB 646—A bill to be entitled An act relating to mobile home parks; amending s. 723.071, F.S.; requiring a mobile home park owner who receives a bona fide offer for purchase of the park to provide certain notice to the homeowners' association; providing an effective date.

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

By Senator Joyner—

SB 648—A bill to be entitled An act relating to estates; amending s. 732.102, F.S.; revising provisions relating to the intestate share of a surviving spouse; creating s. 732.615, F.S.; providing a right to reform the terms of a will to correct mistakes; creating s. 732.616, F.S.; providing a right to modify the terms of a will to achieve tax objectives; creating s. 733.1061, F.S.; providing for a court to award fees and costs in reformation and modification proceedings either against a party's share in the estate or in the form of a personal judgment against a party individually; amending s. 732.5165, F.S.; clarifying that a revocation of a will is subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 732.518, F.S.; specifying that a challenge to the revocation of a will may not be commenced before the testator's death; amending s. 736.0207, F.S.; clarifying when a challenge to the revocation of a revocable trust may be brought; amending s. 736.0406, F.S.; providing that the creation of a trust amendment or trust restatement and the revocation of a trust are subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 744.441, F.S.; limiting the circumstances under which a guardian of an incapacitated person may bring a challenge to a settlor's revocation of a revocable trust; amending s. 736.0201, F.S.; clarifying that certain payments by a trustee from trust assets are not taxation of attorney's fees and costs subject to a specified Rule of Civil Procedure; providing effective dates.

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

By Senator Jones—

SB 650—A bill to be entitled An act relating to mobile home park lot tenancies; creating s. 723.024, F.S.; providing for local enforcement of violations of provisions establishing the obligations of mobile home park owners and mobile home owners; prohibiting liens, penalties, fines, or other administrative or civil proceedings against one party or that party's property for a duty or responsibility of the other party; amending s.

723.061, F.S.; revising provisions relating to grounds and proceedings for eviction; revising procedures for mobile home owners being provided eviction notice due to a change in use of the land comprising the mobile home park or the portion thereof from which mobile homes are to be evicted; providing requirements of the park owner and requirements and rights of an applicable homeowners' association with respect to the sale of the mobile home park under a change in use eviction; deleting a provision relating to governmental action affecting the removal of mobile home owners; providing an effective date.

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

By Senator Simmons—

SB 652—A bill to be entitled An act relating to the liability of spaceflight entities; amending s. 331.501, F.S.; saving a provision from future repeal which provides spaceflight entities with immunity from liability for the loss, damage, or death of a participant resulting from the inherent risks of spaceflight activities; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Judiciary; and Rules.

By Senator Oelrich—

SB 654—A bill to be entitled An act relating to student fees; amending ss. 1009.22 and 1009.23, F.S.; authorizing community college boards of trustees to establish a transportation access fee for students enrolled in workforce education programs and community colleges; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government every 5 years to approve the continued application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; providing an effective date.

—was referred to the Committees on Higher Education; Transportation; and Budget.

By Senator Rich—

SB 656—A bill to be entitled An act relating to the Florida Kidcare program; amending s. 409.8132, F.S.; providing that certain children under the age of 1 may participate in the Medikids program; conforming cross-references; amending s. 409.814, F.S.; requiring that children who are eligible for Kidcare be offered the opportunity to be made presumptively eligible; providing that children who are eligible for a state-sponsored health benefit plan and the subsidized Kidcare program may enroll in the program; providing that an eligible child who is a lawful immigrant may enroll in the Florida Kidcare program regardless of the child's date of entry; conforming provisions to changes made by the act; amending s. 409.815, F.S.; authorizing Kidcare coverage for temporomandibular joint disease; amending s. 409.816, F.S.; conforming a cross-reference; amending s. 409.818, F.S.; conforming provisions to changes made by the act; allowing a redetermination of a child's eligibility for Medicaid to be linked to a child's eligibility for other programs; amending s. 409.904, F.S.; providing that Medicaid-eligible children are deemed eligible for 12 months of coverage regardless of any change in circumstances; requiring that such children be offered the opportunity to be made presumptively eligible; providing that a pregnant woman in a family of certain income level is eligible for Medicaid for the duration of her pregnancy and for the postpartum period; amending s. 624.91, F.S., relating to the Florida Healthy Kids Corporation; conforming provisions to changes made by the act; deleting an obsolete provision; expanding the membership of the board of directors of the Florida Healthy Kids Corporation; directing the Agency for Health Care Administration to implement the federal Family Opportunity Act; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

By Senator Fasano—

SJR 658—A joint resolution proposing amendments to Sections 4 and 6 of Article VII and the creation of Sections 32 and 33 of Article XII of the State Constitution to prohibit increases in the assessed value of homestead property if the fair market value of the property decreases, reduce the limitation on annual assessment increases applicable to non-homestead real property, provide an additional homestead exemption for owners of homestead property who have not owned homestead property for a specified time before purchase of the current homestead property, and application and limitations with respect thereto, and provide effective dates.

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

SR 660—Not referenced.

By Senator Jones—

SB 662—A bill to be entitled An act relating to public accountancy; creating s. 473.3066, F.S.; authorizing the Board of Accountancy to establish a peer review oversight committee; providing for membership and duties of the oversight committee; requiring the board to adopt rules under certain circumstances; amending s. 473.311, F.S.; revising licensure renewal requirements for firms engaged in certain aspects of the practice of public accounting; requiring such firms to comply with certain peer review requirements; providing an exception; creating s. 473.3125, F.S.; defining terms for purposes of peer review requirements; requiring firms engaged in certain aspects of the practice of public accounting to enroll in peer review programs and undergo peer reviews; providing for the frequency of peer reviews; providing exceptions; requiring firms that fail a specified number of peer reviews to submit certain documentation to the board; requiring the board to establish minimum standards for peer review programs; providing for the approval of peer review administering organizations; requiring peer review administering organizations to submit certain information to the board; authorizing the board to withdraw approval of peer review administering organizations under certain circumstances; requiring the board to adopt rules; limiting the liability of certain persons relating to the performance of certain services and duties of peer review administering organizations; providing that the proceedings, records, and workpapers of peer review administering organizations are confidential and privileged; providing exceptions; prohibiting persons involved in peer reviews from testifying; amending s. 473.323, F.S.; providing additional grounds for the discipline of firms engaged in certain aspects of the practice of public accounting, to which penalties apply; revising requirements for reissuance of licenses after compliance with disciplinary final orders; conforming provisions; providing an effective date.

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

By Senator Benacquisto—

SB 664—A bill to be entitled An act relating to missing person investigations; amending s. 937.0201, F.S.; defining terms; amending s. 937.021, F.S.; providing that certain specified persons are immune from civil liability for damages for complying with the request to release Silver Alert information to appropriate agencies; providing a presumption that a person recording, reporting, transmitting, displaying, or releasing such information acted in good faith; amending s. 937.022, F.S., relating to the Missing Endangered Persons Information Clearinghouse; authorizing only the law enforcement agency having jurisdiction over a case to submit a Silver Alert report to the clearinghouse involving a missing adult who is suspected by a law enforcement agency of meeting the criteria for activation of the Silver Alert Plan; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Ring—

SB 666—A bill to be entitled An act relating to governmental reorganization; transferring and reassigning certain functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources, from the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to the Department of Gaming Control; transferring certain trust funds from the Department of Business and Professional Regulation to the Department of Gaming Control; amending s. 11.905, F.S.; providing for the review of the Department of Gaming Control; amending s. 20.165, F.S.; deleting the Division of Pari-mutuel Wagering within the Department of Business and Professional Regulation; creating s. 20.318, F.S.; establishing the Department of Gaming Control; designating the Governor and Cabinet as the Gaming Commission and head of the department; defining terms; specifying powers and duties of the department; requiring the department to issue advisory opinions under certain circumstances; authorizing the department to employ law enforcement officers; requiring the department to assist the Department of Revenue for the benefit of financially dependent children; amending s. 120.80, F.S.; deleting certain exceptions and special requirements regarding hearings applicable to the Department of Business and Professional Regulation; creating certain exceptions and special requirements regarding hearings within the Department of Gaming Control; amending s. 285.710, F.S.; providing that the Commission on Gaming is the state compliance agency for purposes of the Indian Gaming Compact; amending s. 455.116, F.S.; removing a trust fund from the Department of Business and Professional Regulation; amending ss. 550.002, 550.0115, 550.01215, 550.0235, 550.0251, 550.0351, 550.054, 550.0555, 550.0651, 550.0745, 550.0951, 550.09511, 550.09512, 550.09514, 550.09515, 550.105, 550.1155, 550.125, 550.135, 550.155, 550.1648, 550.175, 550.1815, 550.24055, 550.2415, 550.2614, 550.26165, 550.2625, 550.26352, 550.2704, 550.334, 550.3345, 550.3355, 550.3551, 550.3615, 550.375, 550.495, 550.505, 550.5251, 550.625, 550.6305, 550.6308, 550.70, 550.902, and 550.907, F.S.; conforming provisions to the transfer of the regulation of pari-mutuel wagering from the Department of Business and Professional Regulation to the Department of Gaming Control; deleting obsolete provisions; conforming cross-references; amending ss. 551.102, 551.103, 551.104, 551.1045, 551.105, 551.106, 551.107, 551.108, 551.109, 551.112, 551.114, 551.117, 551.118, 551.121, 551.122, and 551.123, F.S.; conforming provisions to the transfer of the regulation of slot machines from the Department of Business and Professional Regulation to the Department of Gaming Control; deleting obsolete provisions; conforming cross-references; amending s. 565.02, F.S.; providing for the licensure of caterers at a horse or dog racetrack or jai alai fronton by the Department of Gaming Control; amending s. 616.09, F.S.; providing for the Department of Gaming Control, rather than the Department of Legal Affairs, to prosecute a fair association for illegal gambling activities; amending s. 616.241, F.S.; adding the Department of Gaming Control to the list of entities authorized to enforce the prohibitions against having certain games at interstate fairs and specialized shows; amending s. 817.37, F.S.; providing for the enforcement of prohibitions against touting by the Department of Gaming Control; amending s. 849.086, F.S.; providing for the regulation of cardrooms by the Department of Gaming Control; amending s. 849.094, F.S.; providing for the regulation of game promotions by the Department of Gaming Control, rather than the Department of Agriculture and Consumer Services; deleting the limit on the number of authorized game promotions; increasing the criminal penalties for violations of laws regulating game promotions; deleting a reference to the Department of Business and Professional Regulation to conform to changes made by the act; amending s. 849.161, F.S.; authorizing games or machines at an arcade amusement center to use other currency in addition to coins; specifying that authorized prizes for playing a game may include Florida Lottery products; correcting cross-references to Federal law; defining terms; providing for the regulation of skill-based games by the Department of Gaming Control; requiring the department to adopt rules relating to licenses, testing of machines, revenues from machines, recordkeeping by a licensee, and security of facilities; authorizing the department and local law enforcement agencies to investigate criminal violations of law relating to the regulation of skill-based games; providing that the department and local law enforcement agencies have unrestricted access to a licensee's facility; providing that the act does not expand or authorize new forms of gaming; requiring a skill-based machine operator to apply to the department for a license; requiring the department to provide a report to the Legislature recommending the optimum licensing fee for a skill-based machine operator; specifying a

tax applicable to gross receipts of a skill-based machine operator; providing for the deposit of taxes and penalties into the Florida Gaming Trust Fund; imposing a monetary penalty on a skill-based machine operator that fails to make required tax payments; providing a contingent effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Accountability; and Budget.

By Senator Ring—

SB 668—A bill to be entitled An act relating to trust funds; creating the Florida Gaming Trust Fund within the Department of Gaming Control; providing the funding sources and purpose of the trust fund; requiring funds to remain in the trust fund at the end of each fiscal year; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Accountability; and Budget.

By Senator Joyner—

SB 670—A bill to be entitled An act relating to powers of attorney; providing directives to the Division of Statutory Revision; creating s. 709.2101, F.S.; providing a short title; creating s. 709.2102, F.S.; providing definitions; creating s. 709.2103, F.S.; providing applicability; providing exceptions; creating s. 709.2104, F.S.; providing for a durable power of attorney; creating s. 709.2105, F.S.; specifying the qualifications for an agent; providing requirements for the execution of a power of attorney; creating s. 709.2106, F.S.; providing for the validity of powers of attorney created by a certain date or in another jurisdiction; providing for the validity of a military power of attorney; providing for the validity of a photocopy or electronic copy of a power of attorney; creating s. 709.2107, F.S.; providing for the meaning and effectiveness of a power of attorney; creating s. 709.2108, F.S.; specifying when a power of attorney is effective; providing limitations with respect to a future power of attorney; creating s. 709.2109, F.S.; providing for the termination or suspension of a power of attorney or an agent's authority; creating s. 709.2110, F.S.; providing for the revocation of a power of attorney; creating s. 709.2111, F.S.; providing for the designation of co-agents and successor agents; specifying the responsibility of a successor agent for a predecessor agent; authorizing a co-agent to delegate certain banking transaction to a co-agent; creating s. 709.2112, F.S.; providing for the reimbursement and compensation of agents; creating s. 709.2113, F.S.; providing for the agent's acceptance of appointment; creating s. 709.2114, F.S.; providing for an agent's duties; limiting an agent's liability, absent a breach of duty; requiring that an agent make certain disclosures upon order of a court, upon the death of the principal, or under certain other circumstances; creating s. 709.2115, F.S.; providing for the exoneration of an agent; providing exceptions; creating s. 709.2116, F.S.; providing for judicial relief; authorizing the award of attorney's fees and costs; providing for a judicial challenge to an agent's exercise of power based on a conflict of interest; specifying the burden of proof required to overcome that challenge; creating s. 709.2117, F.S.; providing for an agent's liability; creating s. 709.2118, F.S.; providing for an agent's resignation; creating s. 709.2119, F.S.; providing for the acceptance of and reliance upon a power of attorney; authorizing a third party to require an affidavit; providing for the validity of acts taken on behalf of a principal who is reported as missing by a branch of the United States Armed Forces; providing a restriction on the conveyance of homestead property held by such a principal; creating s. 709.2120, F.S.; providing for liability if a third person refuses to accept a power of attorney under certain circumstances; providing for an award of damages and attorney's fees and costs; creating s. 709.2121, F.S.; requiring that notice of certain events be provided to an agent or other third person; specifying the form of the notice and when it is effective; creating s. 709.2201, F.S.; providing for the authority of an agent; providing limitations; providing that an agent's authority extends to property later acquired by the principal; creating s. 709.2202, F.S.; specifying that certain authority requires separate signed enumeration; restricting the amount of certain gifts made by an agent; specifying certain acts that do not require specific authority if the agent is authorized to conduct banking transactions; limiting the application of such provision; creating s. 709.2208, F.S.; providing for authority to conduct banking and security transactions; creating s. 709.2301, F.S.; specifying the role of common

law; creating s. 709.2302, F.S.; providing for the preemption of laws relating to financial institutions; creating s. 709.2303, F.S.; providing for the recognition of other remedies; creating s. 709.2401, F.S.; specifying the relationship of the act to federal law regulating electronic signatures; creating s. 709.2402, F.S.; providing for powers of attorney executed before the effective date of the act; amending s. 736.0602, F.S.; conforming a cross-reference; repealing s. 709.01, F.S., relating to the authority of an agent when the principal is dead; repealing s. 709.015, F.S., relating to the authority of an agent when the principal is missing; repealing s. 709.08, F.S., relating to durable powers of attorney; repealing s. 709.11, F.S., relating to a deployment-contingent power of attorney; providing an effective date.

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

By Senators Garcia, Gaetz, and Negron—

SB 672—A bill to be entitled An act relating to uniform traffic control; repealing s. 316.003(87), F.S., relating to the definition of the term “traffic infraction detector”; repealing s. 316.0076, F.S., relating to the regulation of the use of cameras to enforce traffic laws being expressly preempted to the state; repealing s. 316.008(8), F.S., relating to the authority of a county or municipality to use a traffic infraction detector to enforce certain designated traffic laws; repealing s. 316.0083, F.S., relating to the Mark Wandall Traffic Safety Program, a program to install and operate a system of traffic infraction detectors at red light intersections; repealing s. 316.00831, F.S., relating to the distribution of penalties collected pursuant to the Mark Wandall Traffic Safety Program; repealing s. 316.07456, F.S., relating to the transitional implementation of traffic infraction detectors on highways and roads of this state; repealing s. 316.0776, F.S., relating to the placement and installation of a traffic infraction detector by the Department of Highway Safety and Motor Vehicles, a county, or a municipality; amending s. 316.640, F.S.; removing the provisions that authorize the department, sheriff’s department, or police department to designate employees as traffic infraction enforcement officers; removing the provisions relating to the training and duties of traffic infraction enforcement officers; amending s. 316.650, F.S.; removing the provisions relating to the operation of the traffic infraction detection system; amending s. 318.14, F.S.; conforming provision to changes made by the act; amending s. 318.18, F.S.; removing the provisions for the distribution of penalties involving red light intersections; repealing s. 321.50, F.S., relating to the authorization of the Department of Highway Safety and Motor Vehicles to use traffic infraction detectors to enforce designated laws; amending s. 322.27, F.S.; revising the point system used by the department for traffic violations; repealing ss. 15 and 16 of chapter 2010-80, Laws of Florida, relating to the collection and remittal of penalties and an appropriation; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Budget.

By Senator Rich—

SB 674—A bill to be entitled An act relating to the Florida Center for Nursing; amending s. 464.0195, F.S.; imposing a fee upon each nurse at initial licensure and licensure renewal to fund the Florida Center for Nursing; providing for transfer and use of the collected fees; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Rich—

SB 676—A bill to be entitled An act relating to animal control or cruelty ordinances; amending s. 828.27, F.S.; requiring a county or municipality enacting an ordinance relating to animal control or cruelty to impose a specified surcharge on the civil penalty for violations of the ordinance; specifying use of the proceeds of the surcharge; prohibiting the governing body of a county or municipality from charging owners of animals more than a certain amount for the spaying or neutering of their animals in specified circumstances; authorizing the animal control authority to allocate certain excess funds to the program to spay and neuter cats and dogs; providing construction; providing an effective date.

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

By Senator Richter—

SB 678—A bill to be entitled An act relating to local long-term care ombudsman councils; repealing s. 400.0074, F.S., relating to requirement that local ombudsman councils conduct onsite administrative assessments; amending s. 400.0067, F.S.; conforming a cross-reference; amending s. 400.0069, F.S.; removing a provision relating to onsite administrative assessments by local ombudsman council members, to conform; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By Senator Richter—

SB 680—A bill to be entitled An act relating to nursing home quality and licensure status; amending s. 400.235, F.S.; deleting a criteria for recognition as a Gold Seal Program facility; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By Senator Richter—

SB 682—A bill to be entitled An act relating to the State Long-Term Care Ombudsman Program; repealing s. 400.0089, F.S., relating to data reports regarding complaints about and conditions in long-term care facilities; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By Senator Richter—

SB 684—A bill to be entitled An act relating to automated external defibrillators; repealing s. 1, ch. 2010-200, Laws of Florida, relating to future requirements for the use of automated external defibrillators in assisted living facilities, including a provision directing the Department of Elderly Affairs to adopt implementing rules; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By Senator Richter—

SB 686—A bill to be entitled An act relating to assisted living facilities; amending s. 429.14, F.S.; removing a provision that authorizes the Agency for Health Care Administration to deny a license to an applicant or controlling interest of an assisted living facility when the applicant or controlling interest has a financial or ownership interest in another licensed facility upon which specified sanctions have been imposed within a certain period of time; removing a provision that requires the agency to provide certain information relating to assisted living facility license status to the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By Senator Richter—

SB 688—A bill to be entitled An act relating to assisted living facilities; repealing s. 429.54, F.S.; repealing a provision authorizing the Department of Elderly Affairs to collect information regarding the cost of providing certain services in facilities and to conduct field visits and audits; repealing a provision authorizing a local subsidy; providing an effective date.

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

By Senator Richter—

SB 690—A bill to be entitled An act relating to assisted living facilities; amending s. 429.41, F.S.; removing an obsolete provision requiring the Department of Elderly Affairs to submit to the Legislature for review and comment a copy of proposed department rules establishing standards for resident care; providing an effective date.

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

By Senator Richter—

SB 692—A bill to be entitled An act relating to assisted living facilities; amending s. 429.35, F.S.; removing an obsolete reporting requirement; providing an effective date.

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

By Senator Richter—

SB 694—A bill to be entitled An act relating to assisted living facilities; amending s. 429.23, F.S.; removing reporting requirements for assisted living facilities relating to liability claims; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Banking and Insurance.

By Senator Richter—

SB 696—A bill to be entitled An act relating to assisted living facilities; amending s. 429.19, F.S.; removing a requirement that the Agency for Health Care Administration disseminate annually a printed list of assisted living facilities sanctioned or fined to specified agencies and departments; providing an effective date.

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

By Senator Richter—

SB 698—A bill to be entitled An act relating to assisted living facilities; amending s. 429.178, F.S.; removing a provision that exempts an assisted living facility that provides special care for persons with Alzheimer's disease or other related disorders from the requirement to pay for certain training and education programs; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By Senator Siplin—

SB 700—A bill to be entitled An act relating to education; authorizing district school boards to adopt resolutions that allow prayers of invocation or benediction at secondary school events; providing legislative intent; providing for severability; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Judiciary; and Rules.

By Senator Flores—

SB 702—A bill to be entitled An act relating to umbilical cord blood banking; requiring the Department of Health to post on its website certain resources and a website link to specified materials regarding umbilical cord blood banking; requiring the department to encourage certain health care providers to make available to their pregnant pa-

tients information related to umbilical cord blood banking; providing that a health care provider or health care facility and its employees or agents are not liable for damages in a civil action, subject to prosecution in a criminal proceeding, or subject to disciplinary action by the appropriate regulatory board for acting in good faith to comply with the act; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; and Budget.

By Senators Sachs and Gaetz—

SB 704—A bill to be entitled An act relating to special observances; creating s. 683.146, F.S.; designating August 7 of each year as “Purple Heart Day”; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Rules.

By Senator Sobel—

SJR 706—A joint resolution proposing an amendment to Section 4 of Article VI of the State Constitution to disqualify a person who is convicted of a felony from voting only while the person is incarcerated.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; Criminal Justice; and Budget.

By Senator Thrasher—

SB 708—A bill to be entitled An act relating to the lawyer-client privilege; creating s. 90.5021, F.S.; providing that a client acts as a fiduciary when serving as a personal representative, a trustee, an administrator ad litem, a curator, a guardian or guardian ad litem, a conservator, or an attorney in fact; providing that a communication between a lawyer and a client acting as a fiduciary is privileged and protected from disclosure to the same extent as if the client were not acting as a fiduciary; providing that the act does not affect the crime or fraud exception to the lawyer-client privilege; providing an effective date.

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

By Senator Siplin—

SB 710—A bill to be entitled An act relating to conditions of probation; amending s. 948.032, F.S.; requiring a defendant's probation officer to evaluate certain specified factors before alleging to the court that the defendant has violated his or her probation because the defendant failed to pay court-ordered restitution; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Margolis—

SB 712—A bill to be entitled An act relating to condominiums; amending s. 718.303, F.S.; specifying common elements for which right of use may be suspended by a condominium association if a unit owner is delinquent in paying a monetary obligation; providing an effective date.

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

By Senator Margolis—

SB 714—A bill to be entitled An act relating to disabled parking permits; amending s. 318.18, F.S.; providing for a parking enforcement specialist or agency to validate compliance for the disposition of a citation issued for illegally parking in a space provided for people who have disabilities; amending s. 320.0848, F.S.; revising requirements for renewal or replacement of a disabled parking permit; prohibiting applying for a new disabled parking permit for a certain period of time upon a

second finding of guilt or plea of nolo contendere to unlawful use of such permit; requiring the Department of Highway Safety and Motor Vehicles to audit disabled parking permit holders, verify certain information, and invalidate the permit of a deceased permitholder; directing the department to implement a means for reporting abuse of disabled parking permits; providing for the department to conduct a public awareness campaign; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Budget.

By Senator Fasano—

SB 716—A bill to be entitled An act relating to corporate license plates; creating s. 320.08052, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to create a corporate license plate program and enter into certain agreements with certain entities; requiring that corporate license plates meet specified criteria and that certain aspects of such license plates be approved by the department; authorizing owners of specified vehicles to apply for such license plates; requiring that specified minimum fees be paid by applicants and corporate sponsors for such applications; requiring that the department, upon approval of an application, issue the appropriate corporate plate to the vehicle owner, along with a registration and decal valid for a specified period; providing for the distribution of fees collected; authorizing corporate sponsors to participate in the program by submitting a specified minimum initial application fee; requiring that a corporate sponsor meet specified eligibility requirements; requiring that the department adopt rules; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Ring—

SB 718—A bill to be entitled An act relating to sexual exploitation; providing a short title; amending s. 39.001, F.S.; providing legislative intent and goals; conforming cross-references; amending s. 39.01, F.S.; revising the definitions of the terms “abuse,” “child who is found to be dependent,” and “sexual abuse of a child”; amending s. 39.401, F.S.; requiring delivery of children alleged to be dependent and sexually exploited to short-term safe houses; amending s. 39.402, F.S.; providing for a presumption that placement of a child alleged to have been sexually exploited in a short-term safe house is necessary; providing requirements for findings in a shelter hearing relating to placement of an allegedly sexually exploited child in a short-term safe house; amending s. 39.521, F.S.; providing for a presumption that placement of a child alleged to have been sexually exploited in a safe house is necessary; creating s. 39.524, F.S.; requiring assessment of certain children for placement in a safe house; providing for use of such assessments; providing requirements for safe houses receiving such children; requiring an annual report concerning safe-house placements; amending s. 322.28, F.S.; conforming a cross-reference; creating s. 409.1678, F.S.; providing legislative intent relating to safe houses; providing definitions; requiring districts of the Department of Children and Family Services to address child welfare service needs of sexually exploited children as a component of their master plans; providing for operation of safe houses; providing duties, responsibilities, and requirements for safe houses and their operators; providing for training for law enforcement officials who are likely to encounter sexually exploited children; amending s. 796.07, F.S.; revising prohibitions on prostitution and related acts; providing a civil penalty for use or threatened use of a deadly weapon during the commission of specified offenses; providing for an increased civil penalty and disposition of proceeds; conforming a cross-reference; amending s. 960.065, F.S.; allowing victim compensation for sexually exploited children; amending s. 985.115, F.S.; conforming a provision to changes made by the act; amending ss. 985.145 and 985.15, F.S.; providing a presumption against filing a delinquency petition for certain prostitution-related offenses in certain circumstances; providing an effective date.

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

By Senator Gaetz—

SB 720—A bill to be entitled An act relating to cancer research and control; amending s. 20.435, F.S.; changing the carryforward period of certain funds of the Biomedical Research Trust Fund; amending s. 215.5602, F.S.; modifying the terms and membership and establishing a staggered membership for appointed members of the Biomedical Research Advisory Council; authorizing the council to recommend a portion of the allocation for the James and Esther King Biomedical Research Program for specified purposes and to develop a grant application and review mechanism; prohibiting any member of the council from participating in council or peer-review panel discussions or decisions regarding certain proposals; authorizing the Department of Health to accept and use gifts for awards under the program; amending s. 381.922, F.S.; revising the purpose of the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; revising the types of applications considered for funding; authorizing the Biomedical Research Advisory Council to recommend a portion of the allocation for the program for specified purposes and to develop a grant application and review mechanism; prohibiting any member of the council from participating in council or panel discussions or decisions regarding certain proposals; requiring the department to submit to the Governor and Legislature a report by a specified date; authorizing the Department of Health to accept and use gifts for awards under the program; creating s. 381.923, F.S.; creating the Florida Comprehensive Cancer Control Act; providing legislative intent; providing definitions; creating the Florida Cancer Control and Resource Advisory Council; providing membership of the council; providing the composition of the executive committee of the council; providing for terms of the council and meetings; providing for reimbursement for per diem and travel expenses; prohibiting a member of the council from participating in any discussion or decision to recommend any type of award or contract to any qualified nonprofit association or to any agency of this state or a political subdivision of the state with which the member is associated as an employee or as a member of the governing body or with which the member has entered into a contractual arrangement; providing the duties and responsibilities of the council; requiring the council to report findings and recommendations to the Governor, the Legislature, and the State Surgeon General; requiring the council to develop or purchase written summaries regarding medically viable treatment alternatives for the management of breast cancer and prostate cancer; providing requirements for the written summaries; requiring the council to develop and implement education programs regarding early detection and treatment of breast cancer and prostate cancer; requiring that the H. Lee Moffitt Cancer Center and Research Institute, Inc., provide an executive director for the council; authorizing the Department of Health to adopt rules to administer s. 381.923, F.S.; requiring the department to produce the Florida Cancer Plan in consultation with the council; creating the Cancer Control Collaborative Program within the Department of Health; providing the responsibility and mission of the program; requiring the department to appoint a director; providing duties for each regional cancer control collaborative; requiring the collaborative program to submit to the council an annual report by a specified date; requiring the program to serve as the infrastructure for expansion or adaption as federal programs or other opportunities arise for future cancer control initiatives; amending ss. 458.324 and 459.0125, F.S.; conforming cross-references; repealing s. 1004.435, F.S., relating to cancer control and research; providing an effective date.

—was referred to the Committees on Health Regulation; Higher Education; and Budget.

By Senators Norman and Rich—

SB 722—A bill to be entitled An act relating to damage by dogs; amending s. 767.11, F.S.; redefining the term “dangerous dog” to exclude dogs trained or used for dog fighting from the term; providing an effective date.

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

By Senator Bullard—

SB 724—A bill to be entitled An act relating to cellular telephone use; creating s. 316.305, F.S.; prohibiting the use of a cellular telephone while

operating a motor vehicle in a school zone; providing an enhanced penalty; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Budget.

By Senator Bullard—

SB 726—A bill to be entitled An act relating to state symbols; creating s. 15.0465, F.S.; designating the schooner Western Union as the official state flagship; providing an effective date.

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

By Senator Detert—

SB 728—A bill to be entitled An act relating to unemployment compensation; amending s. 213.053, F.S.; increasing the number of employer payroll service providers who qualify for access to unemployment tax information by filing a memorandum of understanding; amending s. 443.031, F.S.; revising provisions relating to statutory construction; defining the term “through no fault of his or her own”; amending s. 443.036, F.S.; revising definitions; providing that the term “misconduct” includes reasonable standards expected of employees; amending s. 443.091, F.S.; requiring that an applicant for benefits complete an initial skills review; providing exceptions; specifying criteria for determining an applicant’s availability for work; amending s. 443.101, F.S.; clarifying “good cause” for voluntarily leaving employment; specifying acts that are “gross misconduct” for purposes of discharging an employee and disqualifying him or her for benefits; revising the criteria for determining “suitable work”; disqualifying a person for benefits due to the receipt of severance pay; revising provisions relating to the effect of criminal acts on eligibility for benefits; amending s. 443.1115, F.S.; conforming cross-references; reviving, readopting, and amending s. 443.1117, F.S., relating to temporary extended benefits; providing for retroactive application; providing for applicability relating to extended benefits for certain weeks and for periods of high unemployment; providing for applicability; amending s. 443.1216, F.S.; providing that employee leasing companies may make a one-time election to report leased employees under the respective unemployment account of each leasing company client; providing procedures and application for such election; amending s. 443.131, F.S.; increasing the employer’s standard rate of contributions; providing for retroactive application; amending s. 443.141, F.S.; providing an employer payment schedule for 2012, 2013, and 2014 contributions; requiring an employer to pay a fee for paying contributions on a quarterly schedule; providing penalties, interest, and fees on delinquent contributions; amending s. 443.151, F.S.; authorizing new claims to be submitted by telephone, mail, or electronic means, and continuing claims to be submitted by mail or electronic means; revising the judicial venue for reviewing commission orders; providing for repayment of benefits in cases of agency error; providing that the act fulfills an important state interest; providing an effective date.

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

By Senators Flores, Altman, and Sobel—

SB 730—A bill to be entitled An act relating to youth and student athletes; amending s. 943.0438, F.S.; requiring independent sanctioning authorities to adopt policies to inform youth athletes and their parents of the nature and risk of certain head injuries; requiring that a signed consent form be obtained before the youth participates in athletic practices or competitions; requiring that a youth athlete be immediately removed from an athletic activity following a suspected head injury; requiring written clearance from a medical professional before the youth resumes athletic activities; amending s. 1006.20, F.S.; requiring the Florida High School Athletic Association to adopt policies to inform student athletes and their parents of the nature and risk of certain head injuries; requiring that a signed consent form be obtained before a student athlete participates in athletic practices or competitions; requiring that a student athlete be immediately removed from an athletic activity following a suspected head injury; requiring written clearance from a

medical professional before the student resumes athletic activities; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; and Rules.

SB 732—Withdrawn prior to introduction.

By Senator Wise—

SB 734—A bill to be entitled An act relating to assault or battery on utility workers; amending s. 784.07, F.S.; defining the term “utility worker”; providing for reclassification of certain offenses against utility workers; reenacting and amending s. 921.0022(3)(d), (f), and (g), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendments made to s. 784.07, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Criminal Justice; and Budget.

By Senator Wise—

SB 736—A bill to be entitled An act relating to education personnel; providing a short title; amending s. 1012.34, F.S.; revising provisions related to the evaluation of instructional personnel and school administrators; requiring that the Department of Education approve school district evaluation systems; requiring the Department of Education to collect evaluation information from school districts and to report such information to the Governor and Legislature; providing requirements for the evaluation systems; requiring that the State Board of Education adopt a formula for school districts to use in measuring growth in learning by students; conforming provisions to changes made by the act; amending s. 1008.22, F.S.; revising provisions requiring school districts to develop and implement end-of-course assessments; amending s. 1012.22, F.S.; revising the powers and duties of the district school board with respect to school district compensation and salary schedules; requiring that certain performance criteria be included in the adopted schedules; revising the differentiated pay provisions; creating s. 1012.335, F.S.; providing definitions; revising the contract requirements for instructional personnel hired on or after a certain date; requiring that the State Board of Education adopt rules defining the term “just cause”; providing guidelines for such term; amending s. 1002.33, F.S.; requiring charter schools to adopt a salary schedule for instructional personnel and school administrators which meets certain requirements; requiring charter schools to comply with requirements relating to personnel evaluation procedures and criteria and certain contracts; amending s. 1003.621, F.S.; providing additional requirements for personnel in academically high-performing school districts; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; amending s. 1012.2315, F.S.; providing additional reporting requirements concerning instructional personnel and school administrator assignments; amending s. 1012.27, F.S.; revising the criteria for transfer requests by teachers; conforming provisions to changes made by the act; amending s. 1012.28, F.S.; authorizing a principal to refuse to accept the placement or transfer of instructional personnel under certain circumstances; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain education personnel; requiring that a district school board’s decision to retain personnel be primarily based on the employee’s performance; repealing s. 1012.52, F.S., relating to legislative intent for teacher quality; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; authorizing school districts to seek an exemption from the State Board of Education from the requirement of certain laws; authorizing the State Board of Education to adopt rules; providing for the repeal of certain special acts or general laws of local application related to instructional personnel in public schools or school districts; providing an exception; providing for severability; providing for application of a specified provision of the act; providing effective dates.

—was referred to the Committees on Education Pre-K - 12; Budget; and Rules.

By Senator Sobel—

SB 738—A bill to be entitled An act relating to rental property foreclosure; creating s. 45.036, F.S.; providing applicability; providing a definition; subjecting the interest taken in foreclosure by a successor in interest to specified limitations and requirements; requiring notice to certain tenants regarding foreclosure; providing an exception; providing legislative intent; providing an effective date.

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

By Senator Negron—

SB 740—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.6992, F.S.; revising application of provisions relating to franchise agreements; providing an effective date.

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

By Senator Sobel—

SB 742—A bill to be entitled An act relating to surgical first assistants; providing definitions; providing requirements for the performance of supervising physicians; providing the duties and scope and location of practice for certified surgical first assistants; providing contracting and employment guidelines for physicians, hospitals, clinics, or ambulatory surgical centers employing certified surgical first assistants; providing licensure criteria for certified surgical first assistants; providing for application fees and licensure renewal fees; providing for licensure renewal; providing continuing education requirements; authorizing the Board of Medicine to impose penalties; providing the scope of a certified surgical first assistant's license; providing for reciprocity of licenses among states; providing for inactive and delinquent status; providing that an unlicensed person who holds himself or herself out as, or indicates or implies that he or she is, licensed commits a third-degree felony and is subject to applicable penalties; providing for denial, suspension, or revocation of licensure; authorizing the board to adopt rules; providing that supervising physicians may be liable for certain acts or omissions of certified surgical first assistants; providing guidelines for the use of fees collected by the board; amending s. 627.419, F.S.; providing for payments to a physician assistant under contracts providing for payment for surgical first assisting benefits or services; including certified surgical first assistants, as defined, within certain benefits or services payment provisions; limiting such application; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; Criminal Justice; and Budget.

By Senators Negron and Flores—

SB 744—A bill to be entitled An act relating to recreational fishing licenses; providing that such licenses are not required for residents or nonresidents to fish in the waters of this state; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Budget.

By Senator Altman—

SB 746—A bill to be entitled An act relating to open house parties; amending s. 856.015, F.S.; providing that a person who violates the open house party statute a second or subsequent time commits a misdemeanor of the first degree; providing that a person commits a misdemeanor of the first degree if the violation of the open house party statute causes or contributes to causing serious bodily injury or death; providing criminal penalties; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; and Budget.

By Senator Ring—

SB 748—A bill to be entitled An act relating to youth athletic coaches; amending s. 943.0438, F.S.; requiring certain sanctioning bodies to disqualify a person from acting as a coach for the remainder of the season if that person is removed from a game by an official; providing for an appeal; providing an effective date.

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

By Senator Hays—

SB 750—A bill to be entitled An act relating to health benefit plans; creating s. 627.66991, F.S.; providing definitions; requiring certain health benefit plans to authorize licensed pharmacists and permitted pharmacies to serve as participating pharmacy services providers for any of the plan's participants under certain circumstances; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

Senate Bills 752-756—Not referenced.

By Senator Sobel—

SB 758—A bill to be entitled An act relating to driver improvement schools and education programs for driver's license applicants; amending ss. 318.1451 and 322.095, F.S.; requiring the curricula of such programs to include instruction on the risks associated with using a handheld electronic communication device while operating a motor vehicle; providing an effective date.

—was referred to the Committees on Transportation; Education Pre-K - 12; and Budget.

By Senator Sobel—

SB 760—A bill to be entitled An act relating to public food service establishments; creating s. 509.234, F.S.; requiring public food service establishments to serve sugar-free substitutes for certain syrups and fruit preserves and provide notice to guests of the availability of such sugar-free substitutes; providing requirements for such notice; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Regulation; and Budget.

By Senator Hays—

SB 762—A bill to be entitled An act relating to the Florida Climate Protection Act; repealing s. 403.44, F.S., relating to a cap-and-trade regulatory program to reduce greenhouse gas emissions from electric utilities; amending s. 366.8255, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; and Budget.

By Senator Sobel—

SB 764—A bill to be entitled An act relating to assault or battery; amending s. 784.081, F.S.; providing for reclassification of specified assault or battery offenses when committed against persons licensed, registered, certified, or regulated under provisions relating to psychological and clinical, counseling, and psychotherapy services; reenacting ss. 921.0022(3)(f) and 1006.13(5), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code and a policy of zero tolerance for crime and victimization, to incorporate the amendment made to 784.081, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Regulated Industries; and Budget.

By Senator Fasano—

SB 766—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; expanding a public-records exemption for specified personal information of the spouses and children of active and former law enforcement and investigatory personnel; expanding a public-records exemption for specified personal information of firefighters and for their spouses and children; providing for future legislative review and repeal of the exemptions under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

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

By Senator Ring—

SB 768—A bill to be entitled An act relating to seaports; amending s. 311.07, F.S.; increasing the amount of funds the Department of Transportation is required to make available for the Florida Seaport Transportation and Economic Development Program; requiring the Florida Seaport Transportation and Economic Development Council and the Assistant Secretary of Intermodal Systems Development of the Department of Transportation to identify certain state funds for the purpose of funding the program; amending s. 311.09, F.S.; increasing the amount of funding the department is required to include in its annual legislative budget request for the Florida Seaport Transportation and Economic Development grant program; requiring the council and the assistant secretary to identify certain state funds for the purpose of funding the program; creating s. 311.23, F.S.; establishing the Florida seaport infrastructure bank within the Florida Seaport Transportation and Economic Development Program to provide loans and credit enhancements to certain deepwater seaports and private entities for specified projects; amending s. 320.20, F.S.; revising provisions for the repayment of bonds relating to the Florida Seaport Transportation and Economic Development Program; providing for certain revenue bonds and other indebtedness relating to the program to be issued by the Florida Ports Financing Commission; amending s. 373.406, F.S.; exempting overwater piers, docks, and structures located in deepwater ports from stormwater management system requirements under specified conditions; amending s. 373.4133, F.S.; requiring the Department of Environmental Protection to issue a notice of intent for a port conceptual permit within a specified time; providing that a notice of intent to issue such permit creates a rebuttable presumption of compliance with specified standards and authorization; providing a standard for overcoming such a presumption; requiring the department to issue certain permits within a specified time and to notify specified entities of certain compliance; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Transportation; and Budget.

By Senator Siplin—

SB 770—A bill to be entitled An act relating to unclaimed deposits held by utilities; amending s. 717.108, F.S.; requiring that any unclaimed deposits held by a utility be deposited into the Energy Affordability Trust Fund within the Department of Community Affairs for the purpose of supplementing the Low Income Home Energy Assistance Program; providing a contingent effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; and Budget.

By Senator Siplin—

SB 772—A bill to be entitled An act relating to trust funds; creating the Energy Affordability Trust Fund within the Department of Community Affairs; providing the purpose of the trust fund and the source of

funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; and Budget.

By Senator Ring—

SB 774—A bill to be entitled An act relating to economic development; creating the Commercialization Credit Transfer Program; providing legislative findings that it is in the state's interest to promote the commercialization of products and services developed by technology companies; amending s. 213.053, F.S.; authorizing the Department of Revenue to share certain confidential information with the Office of Tourism, Trade, and Economic Development; amending s. 220.02, F.S.; adding the certified credits available under s. 220.194, F.S., to the list of credits that may be taken against state corporate income tax; amending s. 220.13, F.S.; redefining the term "adjusted federal income" in relation to net operating losses transferred and payments received for a certified credit pursuant to the Commercialization Credit Transfer Program; amending s. 220.16, F.S.; providing for the allocation of financial assistance pursuant to the Commercialization Credit Transfer Program as income in this state; creating s. 220.194, F.S.; creating the Commercialization Credit Transfer Program; providing a purpose, intent, goals, and objectives; providing definitions; requiring the office to certify eligible companies for the transfer of corporate income tax net operating loss amounts as certified credits; providing qualifications and an application process and requirements; requiring an application fee; providing for an application deadline; requiring the office to grant or deny an application within a specified time after receiving a completed application; providing for calculating the certified credit amount; providing a maximum amount that may be transferred; providing a penalty; requiring each certified company to file an annual report with the office; requiring the office to create an annual report; requiring the office to adopt rules; authorizing the Department of Revenue to adopt rules; providing appropriations; providing for future repeal of the Commercialization Credit Transfer Program; providing an effective date.

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

By Senators Diaz de la Portilla and Bogdanoff—

SB 776—A bill to be entitled An act relating to public school class size maximums; amending s. 1003.03, F.S.; deleting provisions which impose financial penalties, and provide calculations therefor, on school districts that do not meet maximum class size requirements; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Budget; and Rules.

By Senator Diaz de la Portilla—

SB 778—A bill to be entitled An act relating to district school board membership; creating s. 1001.3615, F.S.; requiring that district school boards consist of nine members in counties where the population exceeds a certain number; providing for single-member and at-large districts; providing for the election of a chair and vice chair of the school board; providing an effective date.

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

By Senator Jones—

SB 780—A bill to be entitled An act relating to the payment of bar dues; amending s. 216.345, F.S.; providing legislative findings; authorizing the payment of dues to The Florida Bar for certain attorneys employed by the state; providing an effective date.

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

By Senator Latvala—

SB 782—A bill to be entitled An act relating to road and bridge designations; designating the Sgt. Thomas J. Baitinger and Officer Jeffrey A. Yaslowitz Memorial Highway in Pinellas County; providing an effective date.

—was referred to the Committees on Transportation; Budget; and Rules.

By Senator Smith—

SB 784—A bill to be entitled An act relating to the termination of rental agreements; amending s. 83.49, F.S.; requiring the landlord or mortgagor or its agent to tender to the registry of the court or to the foreclosing entity all funds held for advance rent or security deposits at the time of foreclosure; directing that such funds continue to be held for the use and benefit of the tenants of the foreclosed property; providing that a landlord or mortgagor or its agent commits a theft if the landlord or mortgagor or its agent do not comply with certain specified provisions of law; providing for penalties; creating s. 83.683, F.S.; providing that a purchaser of residential property in foreclosure may terminate a tenant's residential rental agreement under certain circumstances; providing an exception for an immediate purchaser intending to sell the property to a buyer who intends to occupy it as his or her primary residence; setting forth the content to be included in the termination notice to be given to the tenant; providing certain exceptions to application of the act; requiring the immediate purchaser named in the certificate of title to credit the tenant's account for any deposit money paid by the tenant and for any advance rent for the unexpired rental period; providing for future expiration; providing an effective date.

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

By Senator Diaz de la Portilla—

SB 786—A bill to be entitled An act relating to landlord and tenant; amending s. 83.42, F.S.; providing an exclusion from application for a person not legally entitled to occupy the premises; providing an effective date.

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

By Senator Diaz de la Portilla—

SB 788—A bill to be entitled An act relating to public school educational instruction; amending s. 1003.44, F.S.; requiring district school boards to designate one month of the school year to celebrate the Founding Fathers of the United States of America and the principles inherent in the country's founding documents; specifying the focus of instruction during the designated month; providing that instruction may be integrated into the existing school curriculum; providing an effective date.

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

By Senator Altman—

SB 790—A bill to be entitled An act relating to tax credits; amending s. 220.02, F.S.; revising the priority of tax credits that may be taken against the corporate income tax or the franchise tax; amending s. 220.13, F.S.; redefining the term "adjusted federal income" to include the amount of certain tax credits; creating s. 220.1811, F.S.; authorizing aerospace-sector jobs tax credits and tuition reimbursement tax credits; defining terms; authorizing a tax credit to aerospace businesses based on the salary or tuition reimbursed to certain employees; specifying the maximum annual amount of tax credits for an aerospace business; lim-

iting the annual amount of tax credits available; prohibiting a business from claiming an aerospace-sector jobs tax credit and a tuition reimbursement tax credit for the same employee; providing for the Department of Revenue to approve applications for tax credits; prohibiting increases in the amount of unused tax credits carried over in amended tax returns; providing fines and criminal penalties for certain unlawful claims of tax credits; authorizing the Department of Revenue to adopt rules; providing for the expiration of the tax credit program; providing for applicability; providing an effective date.

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

By Senator Diaz de la Portilla—

SB 792—A bill to be entitled An act relating to driving without a valid driver's license; amending s. 318.18, F.S.; providing an additional fine for a violation of specified provisions relating to driving with a canceled, suspended, or revoked driver's license or driving privilege; providing increased fine amounts for second or subsequent violations; amending s. 318.21, F.S.; providing for distribution of such fines collected; amending s. 322.34, F.S.; revising penalties for knowingly driving while the driver's license or driving privilege is canceled, suspended, or revoked; revising procedures for impoundment or immobilization of the vehicle; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Diaz de la Portilla—

SB 794—A bill to be entitled An act relating to drug abuse prevention and control; amending s. 893.13, F.S.; adding transactions of a controlled substance near a homeless shelter to the list of prohibited acts; providing an effective date.

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

By Senator Diaz de la Portilla—

SB 796—A bill to be entitled An act relating to domestic wastewater discharged through ocean outfalls; amending s. 403.086, F.S.; postponing the dates by which domestic wastewater facilities must meet more stringent treatment and management requirements; providing exceptions and alternatives; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

By Senator Altman—

SB 798—A bill to be entitled An act relating to streamlining the issuance of licenses, certifications, and registrations issued by state agencies; providing a short title; providing legislative findings and intent; requiring the Governor to establish the One-Stop Business Workgroup; providing for the membership of the workgroup; authorizing the workgroup to consult with other agencies and use consultants; providing duties of the workgroup; requiring that the workgroup submit a plan for establishing a business licensing portal to the Governor and Legislature by a specified date; providing requirements for the plan to implement a technology solution that provides businesses and individuals with easy access to state and local requirements for business licenses, certifications, and registrations; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; and Budget.

By Senator Diaz de la Portilla—

SB 800—A bill to be entitled An act relating to education and training opportunities for public employees; amending s. 110.1099, F.S.; providing certain educational opportunities for specified local government employees; amending s. 1009.265, F.S.; authorizing the use of fee

wavers for specified local government employees; providing an effective date.

—was referred to the Committees on Community Affairs; Higher Education; and Budget.

By Senator Sachs—

SB 802—A bill to be entitled An act relating to the breast cancer early detection and treatment referral program; amending s. 381.932, F.S.; revising certain criteria of the program by requiring that the public education and outreach initiative and professional education programs use guidelines currently employed by the United States Centers for Disease Control and Prevention rather than the United States Preventive Services Task Force; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Fasano—

SJR 804—A joint resolution proposing the creation of Section 14 of Article IV and Section 32 of Article XII of the State Constitution, providing for an elected, five-member Public Service Commission within the executive branch and prohibiting candidates for election to the commission from accepting contributions from employees, lobbyists, officers, directors, or agents of any utility or entity regulated by the commission, affiliates of regulated utilities or entities, business entities, law firms, and trade associations under certain circumstances.

—was referred to the Committees on Communications, Energy, and Public Utilities; Judiciary; Rules Subcommittee on Ethics and Elections; Rules; and Budget.

By Senator Diaz de la Portilla—

SB 806—A bill to be entitled An act relating to the Public Service Commission; creating s. 350.129, F.S.; requiring approval by the Legislature of any vote taken by the commission which approves an increase in rates charged to customers for electric, natural gas, telecommunications, water, or wastewater service before the vote of the commission takes effect; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Commerce and Tourism; Governmental Oversight and Accountability; Budget; and Rules.

By Senator Diaz de la Portilla—

SJR 808—A joint resolution proposing amendments to Sections 2 and 6 of Article VII of the State Constitution to authorize counties to exempt the homesteads of eligible senior citizens from increases in ad valorem taxation.

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

By Senators Fasano and Latvala—

SB 810—A bill to be entitled An act relating to pain-management clinics; providing definitions; providing specific standards of practice in pain-management clinics with regard to evaluations of a patient's medical diagnosis, treatment plans, informed consent, agreements for treatment, a physician's periodic review of a patient, consultation, patient drug testing, patient medical records, denial or termination of controlled-substance therapy, facility and physical operations, infection control, health and safety, quality assurance, and data collection and reporting; amending ss. 458.3265 and 459.0137, F.S.; providing that the designated physician at a pain-management clinic is responsible for ensuring that the clinic is registered with the Department of Health; requiring a pain-management clinic to notify the department of the identity of a newly designated physician when the former designated physician is terminated or when there are any changes to the registration information; providing requirements for the registration of a pain-

management clinic; holding nationally recognized accrediting agencies to the same board-determined practice standards for registering pain-management clinics; requiring the department to conduct unannounced annual inspections of clinics; requiring the designated physician to cooperate with the department's inspector and make medical records available to the inspector; requiring the department's inspector to determine compliance with specific standards of practice in pain-management clinics; providing a procedure for when a pain-management clinic is noncompliant with specific standards of practice; requiring the inspector to forward the written results of the inspection, deficiency notice, and any subsequent documentation to the department; requiring the department to review the results and determine whether action against the clinic is merited; providing that the department's authority is not limited with regard to investigating a complaint without prior notice; requiring the designated physician to submit written notification of the current accreditation survey of the pain-management clinic under certain circumstances; requiring the designated physician to notify the Board of Medicine or Board of Osteopathic Medicine of a plan of correction if the pain-management clinic receives a provisional or conditional accreditation; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Diaz de la Portilla—

SB 812—A bill to be entitled An act relating to Internet poker; creating the "Internet Poker Consumer Protection and Revenue Generation Act"; providing for intrastate Internet poker to be provided to the public by cardroom operators through a state Internet poker network operated by licensed Internet poker hub operators; creating s. 849.087, F.S.; providing legislative intent; providing definitions; authorizing participation in and operation of intrastate Internet poker; providing for the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to administer the act and regulate the operation of a state Internet poker network, Internet poker hub operators, cardroom affiliates, and the playing of intrastate Internet poker; authorizing the division to adopt rules, conduct investigations and monitor operations, review books and accounts and records, suspend or revoke any license or permit for a violation, take testimony, issue summons and subpoenas, monitor and ensure the proper collection of taxes and fees, and monitor and ensure that the playing of Internet poker is conducted fairly and that player information is protected by Internet poker hub operators; requiring Internet poker hub operators to be licensed; providing qualifications and conditions for licensure; providing application requirements; providing for an advance payment to be credited toward taxes; providing initial and renewal license fees; providing for selection of Internet poker hub operators through competitive procurement process; requiring payment of certain costs and refund of amounts collected in excess of the cost; requiring a surety bond; providing for a contract between the state and the poker hub operator; requiring the division to annually determine the need for additional operators; providing for a cardroom affiliate license to be issued to a cardroom operator to provide intrastate Internet poker for play; providing for applications for the affiliate license and renewal thereof; providing conditions for licensure and renewal of licensure as an affiliate; requiring reporting to and approval by the division of a change of ownership of the affiliate licensee; prohibiting certain acts by an affiliate; providing a fee; providing for employee and business occupational licenses; requiring certain employees of and certain companies doing business with a cardroom affiliate or an Internet poker hub operator to hold an appropriate occupational license; prohibiting such operator or affiliate from employing or allowing to be employed such a person or doing business with such a company if that person or company does not hold an occupational license; directing the division to adopt rules regarding Internet poker hub operator, cardroom affiliate, and occupational licenses and renewal of such licenses; providing a fee for occupational license and renewal thereof; providing penalties for failure to pay the fee; exempting from licensure a person holding a valid individual cardroom occupational license; providing grounds for the division to deny an application for or revoke, suspend, or place conditions or restrictions on or refuse to renew such occupational license; requiring fingerprints; providing procedures for processing fingerprints and conducting a criminal history records check and for payment of costs; providing for citations and civil penalties; providing requirements to register and play intrastate Internet poker; providing for an Internet Poker Self-Exclusion Form; requiring the Internet poker hub

operator to exclude from play any person who has completed such form; providing for maintenance of the form and distribution to cardroom affiliates and the division; requiring the Internet poker hub operator to display a link to the website offering services related to the prevention of compulsive and addictive gambling; limiting liability; providing requirements for approval of games to be offered to players; providing requirements for all offered games and game results and games not completed; providing requirements to minimize fraud and cheating; prohibiting action for damages against the Internet poker hub operator to prevent fraud or cheating under certain circumstances; providing requirements for player eligibility and registration and player accounts; authorizing the Internet poker hub operator to suspend or revoke player accounts; providing requirements for poker hub operations; requiring the Internet poker hub operator to establish a book of accounts, regularly audit financial records, and make the records available to the division; providing technical system requirements; requiring the Internet poker hub operator to define, document, and implement certain methodologies relating to its systems; requiring the Internet poker hub operator to maintain such documentation for a certain period of time; providing for player participation fees; prohibiting certain relationships and acts by employees of the division and occupational license holders and certain relatives; authorizing conduct of proposed and authorized games; prohibiting a person who has not attained a certain age from holding an Internet poker occupational license or engaging in any game conducted; prohibiting offering Internet poker to persons located in the state except in compliance with law; providing that an entity that has accepted any wager on any online gambling activity from a Florida resident since a certain date is not eligible to apply for licensure and participate in intrastate Internet poker in Florida for a specified period of time; prohibiting false statements; prohibiting manipulation of Internet poker play and operations; providing civil and criminal penalties; providing for disposition of fines collected; providing for license fees to be paid by the Internet poker hub operator and cardroom affiliates; providing for disposition and accounting of fees collected; providing for an advance payment by the Internet poker hub operator to be credited toward taxes; providing for the tax rate and procedures for payment; requiring payments to be accompanied by a report showing all intrastate Internet poker activities for the preceding calendar month and containing such other information as prescribed by the division; providing penalties for failure to pay taxes and penalties; providing for use of certain deposits; providing for distribution of moneys received from Internet poker hub operations; providing grounds for the division to deny a license or the renewal thereof or suspend or revoke a license; providing penalties; authorizing the division to adopt rules; providing for administration of the act and regulation of the intrastate Internet poker industry; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; and Budget.

By Senator Richter—

SB 814—A bill to be entitled An act relating to ad valorem tax exemptions for real property used for charitable purposes; amending s. 196.192, F.S.; providing partial ad valorem tax exemptions for non-exempt owners of real property leased or gratuitously provided to exempt entities for exclusive use for charitable purposes; amending s. 196.195, F.S.; authorizing nonexempt owners of real property to apply for ad valorem tax exemptions relating to real property leased or gratuitously provided for charitable purposes; providing eligibility criteria for partial ad valorem tax exemptions relating to real property leased or gratuitously provided for charitable purposes; amending s. 196.196, F.S.; providing an exception to the profitmaking prohibition applicable to claiming an ad valorem tax exemption relating to property used for charitable purposes; providing an effective date.

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

By Senator Flores—

SB 816—A bill to be entitled An act relating to enterprise program development zones; designating the act as the “Urban Job Creation Investment Act”; providing definitions; creating the Urban Investment Job Creation Authority; providing for the appointment of members to the authority; specifying the duties of the authority to include specifying enterprise program zone boundaries, reviewing applications from busi-

nesses to become eligible for certain tax benefits, reviewing proposed projects for eligibility to receive funding from a local enterprise program zone development corporation, and conducting studies and filing reports; requiring the Office of Tourism, Trade, and Economic Development to provide administrative support to the authority; providing for the creation of enterprise zone development corporations by counties and municipalities as nonprofit corporations; providing for the appointment of the board of directors of those corporations; specifying the duties of the corporations to include implementing an enterprise program zone development plan, administering an enterprise zone program assistance fund, prequalifying applications from businesses to become eligible to receive certain tax benefits, and preparing annual reports; specifying criteria for the designation of enterprise program zones by the Urban Investment Job Creation Authority upon the expiration of the enterprise zone program; specifying procedures for enterprise program zone development corporations and the authority to follow in certifying a business as a qualified business that is eligible to receive certain tax benefits; authorizing the authority to adopt rules; authorizing a qualified business to receive tax credits against sales and corporate income taxes and a subsidy for the cost of unemployment compensation insurance; authorizing the Department of Revenue to adopt rules relating to the tax credits; requiring enterprise program zone development corporations to create an enterprise program zone assistance fund using the proceeds of certain incremental sales tax revenues in excess of the sales and tax revenue generated within the zone during a specified fiscal year; requiring the payment of those tax revenues from the Department of Revenue, counties, and municipalities to enterprise program zone development corporations; authorizing those funds to be used upon approval by the authority for urban improvement projects; requiring the authority to account for the funds; requiring the Office of Program Policy Analysis and Government Accountability to evaluate the effectiveness of enterprise program zones and issue a report of its findings and recommendations before the expiration of the act; providing for future expiration of the act; providing an effective date.

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

By Senator Fasano—

SB 818—A bill to be entitled An act relating to controlled substances; amending s. 400.9905, F.S.; redefining the terms “clinic” and “portable equipment provider” within the Health Care Clinic Act; amending s. 456.013, F.S.; authorizing certain health care practitioners to complete a continuing education course relating to the prescription drug monitoring program; providing requirements for the course; requiring the Department of Health or a board that is authorized to exercise regulatory or rulemaking functions within the department to approve the course offered through a facility licensed under ch. 395, F.S., under certain circumstances; providing application of the course requirements; requiring a board or the Department of Health to adopt rules; amending s. 458.305, F.S.; defining the term “dispensing physician” as it relates to the practice of medicine in this state; prohibiting certain persons from using titles or displaying signs that would lead the public to believe that they engage in the dispensing of controlled substances; prohibiting certain persons, firms, or corporations from using a trade name, sign, letter, or advertisement that implies that the persons, firms, or corporations are licensed or registered to dispense prescription drugs; prohibiting certain persons, firms, or corporations from holding themselves out to the public as licensed or registered to dispense controlled substances; prohibiting certain persons from performing the functions of a dispensing physician; providing penalties; amending s. 458.3191, F.S.; revising the information in the physician survey that is submitted by persons who apply for licensure renewal as a physician under ch. 458 or ch. 459, F.S.; amending s. 458.3192, F.S.; requiring the Department of Health to provide nonidentifying information to the prescription drug monitoring program’s Implementation and Oversight Task Force regarding the number of physicians that are registered with the prescription drug monitoring program and that use the database from the program in their practice; amending s. 458.3265, F.S.; requiring a physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third-degree for a licensee or other person who serves as the designated physician of a pain-management clinic to register a pain-management clinic through misrepresentation or fraud; amending s. 458.327, F.S.; providing additional penalties; amending s.

458.331, F.S.; providing additional grounds for disciplinary action by the Board of Medicine; amending s. 459.003, F.S.; defining the term “dispensing physician” as it relates to the practice of osteopathic medicine in this state; amending s. 459.013, F.S.; providing additional penalties; amending s. 459.0137, F.S.; requiring an osteopathic physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third-degree for a licensee or other person who serves as the designated physician of a pain-management clinic to register a pain-management clinic through misrepresentation or fraud; amending s. 459.015, F.S.; providing additional grounds for disciplinary action by the Board of Osteopathic Medicine; amending s. 465.015, F.S.; prohibiting certain persons from knowingly failing to report to the local county sheriff’s office and the Department of Law Enforcement the commission of a felony involving a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge under certain conditions; providing penalties; providing requirements for reporting the commission of the felony that involves a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge; amending s. 465.0276, F.S.; requiring a practitioner to register as a dispensing practitioner in order to dispense controlled substances; amending s. 766.101, F.S.; conforming a cross-reference; amending s. 810.02, F.S.; redefining the offense of burglary to include the theft of a controlled substance within a dwelling, structure, or conveyance; amending s. 812.014, F.S.; redefining the offense of theft to include the theft of a controlled substance; creating s. 893.021, F.S.; providing conditions in which a drug is considered adulterated; providing that a physician is not prevented from directing or prescribing a change to the recognized manufactured recommendations for use of any controlled substance in a patient under certain circumstances; requiring a prescribing physician to indicate any deviation of the recognized manufacturer’s recommended use of a controlled substance on the original prescription; requiring a pharmacist or physician to indicate such deviation on the label of the prescription upon dispensing; amending s. 893.04, F.S.; revising the required information that must appear on the face of a prescription or written record of a controlled substance before it is dispensed by a pharmacist; amending s. 893.055, F.S.; requiring that the prescription drug monitoring program comply with the minimum requirements of the National All Schedules Prescription Electronic Reporting Act; requiring the Department of Health to establish a method to allow corrections to the database of the prescription drug monitoring program; requiring the number of refills ordered and whether the drug was dispensed as a refill or a first-time request to be included in the database of the prescription drug monitoring program; revising the number of days in which a dispensed controlled substance must be reported to the department through the prescription drug monitoring program; revising the list of acts of dispensing or administering which are exempt from reporting; requiring a pharmacy, prescriber, practitioner, or dispenser to register with the department by submitting a registering document in order to have access to certain information in the prescription drug monitoring program’s database; requiring the department to approve the registering document before granting access to information in the prescription drug monitoring program’s database; requiring criminal background screening for those persons who have direct access to the prescription drug monitoring program’s database; authorizing the Attorney General to obtain confidential and exempt information for Medicaid fraud cases and Medicaid investigations; requiring certain documentation to be provided to the program manager in order to release confidential and exempt information from the prescription drug monitoring program’s database to a patient, legal guardian, or a designated health care surrogate; authorizing the Agency for Health Care Administration to obtain confidential and exempt information from the prescription drug monitoring program’s database for Medicaid fraud cases and Medicaid investigations involving controlled substances; deleting the provision that administrative costs of the prescription drug monitoring program are funded through federal grants and private sources; requiring the State Surgeon General to enter into reciprocal agreements for the sharing of information in the prescription drug monitoring program with other states that have a similar prescription drug monitoring program; requiring the State Surgeon General to annually review a reciprocal agreement to determine its compatibility; providing requirements for compatibility; prohibiting the sharing of certain information; amending s. 893.0551, F.S.; authorizing the Department of Health to disclose certain confidential and exempt information in the prescription drug monitoring program’s database under certain circumstances involving reciprocal agreements with other states;

prohibiting the sharing of information from the prescription drug monitoring program’s database which is not for the purpose that is statutorily authorized or according to the State Surgeon General’s determination of compatibility; amending s. 893.07, F.S.; requiring that a person report to the Department of Law Enforcement and the local sheriff’s office the theft or loss of a controlled substance within a specified time; providing penalties; providing legislative intent; amending s. 893.13, F.S.; prohibiting a person from obtaining or attempting to obtain from a practitioner a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohibiting a health care provider from providing a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohibiting a person from adulterating a controlled substance for certain use without authorization by a prescribing physician; authorizing a law enforcement officer to seize as evidence the adulteration or off-label use of a prescribed controlled substance; providing that such adulterated or off-label use of the controlled substance may be returned to its owner only under certain conditions; providing penalties; prohibiting a prescribing practitioner from writing a prescription for a controlled substance and authorizing or directing the adulteration of the dispensed form of the controlled substance for the purpose of ingestion by means that is not medically necessary; amending s. 893.138, F.S.; providing circumstances in which a pain-management clinic may be declared a public nuisance; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

SR 820—Not referenced.

By Senator Bogdanoff—

SB 822—A bill to be entitled An act relating to expert testimony; amending s. 90.702, F.S.; providing that a witness qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion as to the facts at issue in a case under certain circumstances; requiring the courts of this state to interpret and apply the principles of expert testimony in conformity with specified United States Supreme Court decisions; providing an effective date.

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

By Senator Bogdanoff—

SB 824—A bill to be entitled An act relating to driving while the operator’s driver license is suspended or revoked; amending s. 322.34, F.S.; specifying exceptions to certain penalties for a person driving a motor vehicle while the person’s driver’s license is canceled, suspended, or revoked; removing provisions requiring a law enforcement officer to immediately impound or immobilize a motor vehicle under certain circumstances if the operator’s driver’s license or driving privilege is suspended or revoked; removing a requirement that the arresting agency or towing service in possession of the impounded or immobilized motor vehicle send notice to any coregistered owner of the motor vehicle and to each person of record claiming a lien against the motor vehicle; requiring that a motor vehicle be impounded or immobilized for specified periods depending on the seriousness of the violation committed; prohibiting the court from ordering that the impoundment or immobilization run concurrently with the defendant’s incarceration; requiring that all costs of impounding or immobilizing a motor vehicle be borne by the defendant; providing for a person who owns or coowns a motor vehicle when a violation of law was committed to petition the sentencing court for an order setting aside the impoundment or immobilization order; requiring that the court set aside or dismiss an impoundment or immobilization order under certain circumstances; amending s. 932.701, F.S., relating to the Florida Contraband Forfeiture Act; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Criminal Justice; Transportation; and Budget.

By Senator Fasano—

SB 826—A bill to be entitled An act relating to resident status for tuition purposes; amending s. 1009.21, F.S.; providing that veterans of the Armed Services of the United States, including reserve components thereof, who attend a public college, university, or institution of higher learning are residents for tuition purposes; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Higher Education; and Budget.

By Senator Bogdanoff—

SB 828—A bill to be entitled An act relating to public records; amending s. 119.0713, F.S.; expanding an exemption from public-records requirements to include certain records relating to investigations in the custody of an inspector general of a local government; providing for future repeal and legislative review of such revisions to the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

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

By Senators Thrasher and Gaetz—

SB 830—A bill to be entitled An act relating to labor and employment; amending s. 110.114, F.S.; prohibiting a state agency from deducting from employee wages the dues, uniform assessments, fines, penalties, or special assessments of an employee organization or contributions made for purposes of political activity; amending s. 112.171, F.S.; prohibiting a county, municipality, or other local governmental entity from deducting from employee wages the dues, uniform assessments, fines, penalties, or special assessments of an employee organization or contributions made for purposes of political activity; creating s. 447.18, F.S.; requiring that a labor organization refund any dues, uniform assessments, fines, penalties, or special assessments paid by an employee which were used for political contributions or expenditures unless the employee has provided prior authorization; requiring that the labor organization provide notice of such contributions and expenditures; prohibiting a labor organization from requiring an employee to authorize the collection of funds for political contributions and expenditures as a condition of membership in the organization; amending s. 447.303, F.S.; prohibiting a public employer from deducting or collecting from employee wages the dues, uniform assessments, fines, penalties, or special assessments of an employee organization; amending s. 447.507, F.S., relating to violation of the strike prohibition; conforming provisions to changes made by the act; providing for severability; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senator Fasano—

SB 832—A bill to be entitled An act relating to mobile home park lot tenancies; amending s. 723.006, F.S.; revising duties of the Division of Florida Condominiums, Timeshares, and Mobile Homes relating to proposed amendments to a prospectus or offering circular; amending s. 723.011, F.S.; revising park owner disclosure requirements for prospective lessees; amending s. 723.037, F.S.; clarifying what constitutes the market area or the competitive area for comparable mobile home parks; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Budget.

By Senator Wise—

SB 834—A bill to be entitled An act relating to mentally deficient and mentally ill defendants; amending s. 916.106, F.S.; defining the term “traumatic brain injury”; revising the definition of the term “mental illness”; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Margolis—

SB 836—A bill to be entitled An act relating to education and training opportunities for public employees; amending s. 110.1099, F.S.; providing certain educational opportunities for specified local government employees; amending s. 1009.265, F.S.; authorizing the use of fee waivers for specified local government employees; providing an effective date.

—was referred to the Committees on Community Affairs; Higher Education; and Budget.

By Senator Wise—

SB 838—A bill to be entitled An act relating to electrical contracting; amending s. 489.537, F.S.; revising authority of municipalities and counties to require that certain electrical journeyman be present on certain industrial or commercial construction sites; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Budget.

SR 840—Not referenced.

By Senator Latvala—

SB 842—A bill to be entitled An act relating to tax credits for the rehabilitation of contaminated sites; amending s. 220.1845, F.S.; increasing the annual amount of tax credits available for the rehabilitation of contaminated sites; amending s. 376.30781, F.S.; increasing the annual amount of tax credits available for the cleanup of sites contaminated with drycleaning solvents and the cleanup of certain brown-field sites; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Budget.

By Senators Benacquisto and Richter—

SB 844—A bill to be entitled An act relating to violations of probation or community control; creating the “Officer Andrew Widman Act”; amending s. 948.06, F.S.; authorizing a circuit court judge, after making a certain finding, to issue a warrant for the arrest of a probationer or offender who has violated the terms of probation or community control; requiring that the court inform the probationer or offender of the violation, and may order the person taken before the court that granted the probation or community control; authorizing the court to commit or release the probationer or offender under certain circumstances; authorizing the court, in determining whether to require or set the amount of bail, to consider the likelihood that the person will be imprisoned for the violation of probation or community control; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senators Benacquisto and Gaetz—

SB 846—A bill to be entitled An act relating to sexual performance by a child; amending s. 827.071, F.S.; defining the term “intentionally view”; prohibiting controlling or intentionally viewing any photograph, motion picture, exhibition, show, representation of an image, data, computer depiction, or other presentation that includes sexual conduct by a child; providing penalties; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart of the Criminal Punishment Code to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Rich—

SB 848—A bill to be entitled An act relating to early voting; amending s. 101.657, F.S.; expanding the list of available sites at which early voting may be held to include specified facilities or any other location designated by a supervisor of elections as meeting the requirements of state law; deleting a requirement that an early voting site be designated and used as such for at least 1 year before an election; providing requirements for determining the number of early voting sites each county must operate; expanding early voting hours to 12 hours per weekday and 12 hours in the aggregate each weekend at each site during the applicable periods; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; and Budget.

By Senator Hays—

SB 850—A bill to be entitled An act relating to state forests; amending s. 589.19, F.S.; providing for Wounded Warrior special hunt areas for certain disabled veterans; providing for funding; providing eligibility requirements; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Environmental Preservation and Conservation; and Budget.

By Senator Hays—

SM 852—A memorial to the Congress of the United States, urging Congress to support the marketing of Florida seafood.

—was referred to the Committees on Environmental Preservation and Conservation; Commerce and Tourism; and Agriculture.

By Senator Negrón—

SB 854—A bill to be entitled An act relating to the production and shipment of wine; creating s. 561.222, F.S.; authorizing the direct shipment of wine into and within this state for personal consumption only; providing legislative intent; requiring licensure of winery shippers by the Division of Alcoholic Beverages and Tobacco; providing license requirements; requiring recipients of a direct shipment of wine to be at least 21 years of age; requiring proof of age of a recipient; providing for the payment of taxes, a monthly report, and recordkeeping by winery shippers; providing requirements for common carriers that make deliveries of wine; providing administrative and criminal penalties for violations of the act; authorizing the division and the Department of Revenue to adopt rules; amending ss. 561.24, 561.54, 561.545, and 564.045, F.S.; conforming provisions to changes made by the act; amending s. 599.004, F.S.; revising requirements for qualifying as a certified Florida Farm Winery; providing for severability; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Tourism; and Budget.

By Senator Joyner—

SB 856—A bill to be entitled An act relating to judicial nominating commissions; amending s. 43.291, F.S.; providing for the Board of Governors of The Florida Bar rather than the Governor to appoint members of judicial nominating commissions; requiring that each judicial nominating commission satisfy certain prerequisites for racial and gender diversity; providing for the prerequisites to be satisfied over a period of time; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Budget.

By Senator Hays—

SB 858—A bill to be entitled An act relating to agriculture; amending s. 163.3162, F.S.; prohibiting a county from enforcing certain limits on the activity of a bona fide farm operation on agricultural land under certain circumstances; prohibiting a county from charging agricultural lands for stormwater management assessments and fees under certain circumstances; allowing an assessment to be collected if credits against the assessment are provided for implementation of best management practices; providing exemptions from certain restrictions on a county's powers over the activity on agricultural land; providing a definition; providing for application; creating s. 163.3163, F.S.; creating the "Agricultural Land Acknowledgement Act"; providing legislative findings and intent; providing definitions; requiring an applicant for certain development permits to sign and submit an acknowledgement of certain contiguous agricultural lands as a condition of the political subdivision issuing the permits; specifying information to be included in the acknowledgement; requiring that the acknowledgement be recorded in the official county records; authorizing the Department of Agriculture and Consumer Services to adopt rules; amending s. 205.064, F.S.; authorizing a person selling certain agricultural products who is not a natural person to qualify for an exemption from obtaining a local business tax receipt; amending s. 322.01, F.S.; revising the term "farm tractor" for purposes of driver's licenses; amending s. 604.15, F.S.; revising the term "agricultural products" to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; amending s. 604.50, F.S.; exempting farm fences from the Florida Building Code; revising the term "nonresidential farm building"; exempting nonresidential farm buildings and farm fences from county and municipal codes and fees; specifying that the exemptions do not apply to code provisions implementing certain floodplain regulations; amending s. 624.4095, F.S.; requiring that gross written premiums for certain crop insurance not be included when calculating the insurer's gross writing ratio; requiring that liabilities for ceded reinsurance premiums be netted against the asset for amounts recoverable from reinsurers; requiring that insurers who write other insurance products disclose a breakout of the gross written premiums for crop insurance; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that may be disposed of by open burning; providing certain limitations on open burning; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; Regulated Industries; and Budget.

By Senator Joyner—

SB 860—A bill to be entitled An act relating to the presidential preference primary; amending s. 103.101, F.S.; revising dates relating to the presidential preference primary; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; and Budget.

By Senator Joyner—

SB 862—A bill to be entitled An act relating to the Office of Minority Health; creating s. 381.04016, F.S.; providing legislative intent; providing the duties of the Office of Minority Health; requiring the Office of Minority Health to submit an annual report to the Governor and Legislature; requiring consideration of minority health issues in state policy and planning; requiring the Department of Health, the Agency for Health Care Administration, the Department of Elderly Affairs, the Department of Corrections, and the Department of Juvenile Justice to take minority health issues into consideration in their annual planning; requiring that boards or advisory boards of the Department of Health, the Agency for Health Care Administration, or the Department of Elderly Affairs seek equal representation of certain members; providing for responsibility and coordination with the Executive Office of the Governor and other state agencies; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Budget.

By the Committee on Health Regulation—

SB 864—A bill to be entitled An act relating to certificates of need; amending s. 408.040, F.S.; extending until July 1, 2016, provisions authorizing the Agency for Health Care Administration to automatically grant a nursing home's request for a reduction in annual Medicaid patient days as a condition of its certificate of need in specified circumstances; amending s. 408.0435, F.S.; extending the moratorium on nursing home certificates of need until July 1, 2016; providing conditions to be met by nursing homes in order to qualify for an exemption to the moratorium on certificates of need for nursing home facilities; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Bogdanoff—

SB 866—A bill to be entitled An act relating to judgment interest; amending s. 55.03, F.S.; requiring quarterly adjustments to the rate of interest payable on judgments; revising the calculation of the interest rate; amending s. 717.1341, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

By Senator Sobel—

SB 868—A bill to be entitled An act relating to eye care professionals; amending s. 463.003, F.S.; revising membership requirements for the Board of Optometry; amending s. 463.009, F.S.; revising the duties of, and restrictions on the practice of optometry by, nonlicensed supportive personnel; amending s. 463.014, F.S.; prohibiting the board from adopting rules that prohibit certain acts in the practice of optometry; providing for application; amending s. 484.002, F.S.; revising definitions relating to the practice of opticianry; amending s. 484.007, F.S.; revising requirements for applicants seeking to take the optician licensure examination; amending s. 484.013, F.S.; revising grounds that constitute unlawful conduct by opticians; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Storms—

SB 870—A bill to be entitled An act relating to compensation of county officials; amending ss. 145.031, 145.051, 145.071, 145.09, 145.10, and 145.11, F.S.; authorizing each member of a board of county commissioners, each clerk of the circuit court, county comptroller, each sheriff, each supervisor of elections, each property appraiser, and each tax collector to reduce his or her salary on a voluntary basis; providing an effective date.

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

By Senator Negrón—

SB 872—A bill to be entitled An act relating to enterprise zones; amending s. 290.0055, F.S.; authorizing certain governing bodies to apply to the Office of Tourism, Trade, and Economic Development to amend the boundary of an enterprise zone that includes a rural area of critical economic concern; providing a limitation; authorizing the office to approve the amendment application subject to certain requirements; requiring that the office establish the effective date of certain enterprise zones; creating s. 290.00726, F.S.; authorizing Martin County to apply to the Office of Tourism, Trade, and Economic Development for designation of an enterprise zone; providing application requirements; authorizing the office to designate an enterprise zone in Martin County; providing responsibilities of the office; providing an effective date.

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

By Senators Hays and Norman—

SB 874—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public-records requirements for information furnished by a person to an agency for the purpose of being provided with emergency notification by the agency; providing for retroactive effect of the exemption; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senator Margolis—

SB 876—A bill to be entitled An act relating to vessel safety regulations; amending s. 327.50, F.S.; removing state requirements for certain children to wear a personal flotation device while on board certain vessels; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Transportation; and Children, Families, and Elder Affairs.

By Senator Garcia—

SB 878—A bill to be entitled An act relating to child welfare; providing a short title; creating s. 39.0142, F.S.; requiring photographs and reports of child visitations, subject to availability of equipment; providing for submission and distribution of reports and photographs; amending s. 39.5085, F.S.; providing that an unmarried biological father is not considered a relative for purposes of the Relative Caregiver Program; amending s. 39.521, F.S.; authorizing a court to direct the placement of a parent in a substance abuse facility in which his or her child may also reside; revising provisions concerning the effect of an unfavorable home study on the placement of a child in a home under shelter or postdisposition placement; amending s. 39.621, F.S.; requiring a permanency hearing to be timed so that a child will achieve permanency within 12 months; revising the order of preference of permanency goals; creating s. 39.6215, F.S.; requiring certain reports by counties on the numbers of children entering care and achieving permanency; providing financial consequences for failure of children to achieve permanency within a specified period; amending s. 39.801, F.S.; limiting the period for diligent search and inquiry to find a living relative of the child in certain circumstances; amending s. 39.803, F.S.; limiting the period required to conduct a diligent search for an unmarried biological father in certain circumstances; amending s. 39.0136, F.S.; revising provisions relating to continuances; amending s. 39.809, F.S.; requiring an adjudicatory hearing to be scheduled consistent with a specified time period for final orders; limiting continuances unless required by specified provisions; requiring entry of a final order within a specified period; creating s. 39.8056, F.S.; requiring that a child remain with foster parents until disposition of a petition to terminate parental rights in certain circumstances; amending s. 39.812, F.S.; providing that a child placed with a licensed foster parent or court-ordered custodian who has applied to adopt the child may not be removed from that home except in specified circumstances; limiting visitation of such children; amending s. 39.816, F.S.; revising provisions relating to development of best practice guidelines; providing for extensions before a petition for termination of parental rights may be filed if a parent is incarcerated but does not meet specified criteria or is physically incapacitated; revising provisions relating to demonstration projects; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Budget.

By Senator Garcia—

SB 880—A bill to be entitled An act relating to value adjustment boards; requiring a petitioner challenging ad valorem taxes before the value adjustment board to pay a specified percentage of the taxes by a certain date; requiring the board to deny the petition if the required amount of taxes is not timely paid; amending s. 197.162, F.S.; deleting a provision providing for a discount for ad valorem taxes paid within 30

days after the mailing of a tax notice resulting from the action of the value adjustment board; providing an effective date.

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

By Senator Detert—

SB 882—A bill to be entitled An act relating to water management districts; amending s. 373.0693, F.S.; revising provisions relating to the membership of basin boards; specifying the terms of service for basin board members designated by district governing board chairs; providing that basin board members designated by district governing board chairs are voting members and counted for quorum purposes; providing for designated district governing board members to serve as basin board chairs and co-chairs; providing that a quorum of remaining members may conduct business if there is a vacancy on the board; revising provisions relating to the membership of the Manasota Basin Board; providing for the designation of a member of the district governing board to serve on the basin board; amending s. 373.171, F.S.; exempting cooperative funding programs from certain rulemaking requirements; amending s. 373.228, F.S.; revising legislative intent relating to landscape irrigation restrictions; providing that local governments may adopt restrictions set forth in district rules or orders; amending s. 373.707, F.S.; authorizing water management districts to use certain moneys in the Water Protection and Sustainability Program Trust Fund for water resource development projects; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Budget.

By Senator Latvala—

SB 884—A bill to be entitled An act relating to taxi operators; authorizing governmental units that regulate the operation of taxis to create a private property right in the license to operate a taxi; providing for the transfer of such property right; providing definitions; providing an effective date.

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

By Senator Oelrich—

SB 886—A bill to be entitled An act relating to motor vehicles; amending s. 316.3045, F.S.; revising penalties for unlawful operation of a soundmaking device in a motor vehicle; providing that such operation is a moving violation and includes the assessment of points against the driver's license; amending s. 318.18, F.S.; providing increased penalties for repeat violations within a certain time period; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Dean—

SB 888—A bill to be entitled An act relating to the offense of sexting; providing that a minor commits the offense of sexting if he or she knowingly uses a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any photograph or video of himself or herself which depicts nudity and is harmful to minors; providing noncriminal and criminal penalties; providing that the transmission, distribution, or possession of multiple photographs or videos is a single offense if the transmission occurs within a 24-hour period; providing that the act does not prohibit prosecution of a minor for conduct relating to material that includes the depiction of sexual conduct or sexual excitement or for stalking; defining the term “conviction”; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Communications, Energy, and Public Utilities; and Budget.

By Senator Dean—

SB 890—A bill to be entitled An act relating to public safety telecommunicators; amending s. 401.465, F.S.; exempting sworn state-certified law enforcement officers from certification requirements for public safety telecommunicators; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; and Budget.

By Senator Dean—

SB 892—A bill to be entitled An act relating to pain-management clinics; amending ss. 458.3265 and 459.0137, F.S.; authorizing counties and municipalities to adopt certain regulations of pain-management clinics; providing an effective date.

—was referred to the Committees on Health Regulation; Community Affairs; and Governmental Oversight and Accountability.

By Senator Bennett—

SB 894—A bill to be entitled An act relating to the postsecondary education of military veterans; requiring that any veteran who meets specified criteria be admitted to any Florida College System institution or state university of the veteran's choice; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Higher Education; and Budget.

By Senator Bennett—

SB 896—A bill to be entitled An act relating to service charges on state trust funds; amending s. 215.20, F.S.; reducing the service charge applicable to the Clerks of the Court Trust Fund; deleting obsolete provisions; providing an effective date.

—was referred to the Committees on Agriculture; Judiciary; and Budget.

By Senator Bennett—

SB 898—A bill to be entitled An act relating to the Florida Faith-based and Community-based Advisory Council; repealing s. 14.31(8), F.S.; abrogating the repeal of provisions governing the Florida Faith-based and Community-based Advisory Council; providing an effective date.

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

By Senator Bennett—

SB 900—A bill to be entitled An act relating to specialty license plates; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate; providing qualifications and requirements for the plate; providing for the use of proceeds from the sale of the plate; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Bennett—

SB 902—A bill to be entitled An act relating to charitable organizations; creating s. 496.4145, F.S.; providing requirements for unattended donation bins operated by charitable organizations; requiring certain signage; requiring that the charitable organization receive a specified percentage of the donated property; providing an effective date.

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

By Senators Dean and Gaetz—

SB 904—A bill to be entitled An act relating to driver's licenses and identification cards; amending s. 322.08, F.S.; requiring that the application form for an original, renewal, or replacement driver's license or identification card include an option to make a voluntary contribution to Disabled American Veterans, Department of Florida; providing that such contributions are not income of a revenue nature; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Transportation; and Budget.

By Senator Dean—

SB 906—A bill to be entitled An act relating to background screening requirements for certain noninstructional school district employees and contractors; amending s. 1012.465, F.S.; authorizing the Department of Agriculture and Consumer Services, rather than the Department of Law Enforcement, to take fingerprints, conduct background checks through the Department of Law Enforcement, and issue statewide certificates signifying that a person has met the uniform, statewide qualifications necessary for noninstructional school district employees or contractual personnel to have access to school grounds when students are present, have direct contact with students, or have access to or control of school funds; specifying the criteria to receive a certificate; requiring school district employees or contractual personnel to possess a valid certificate issued to the school district by the Department of Agriculture and Consumer Services; requiring the school district employee or contractual personnel to bear the cost of the state and federal criminal history check required by the screening; requiring each person employed or under contract to inform his or her employer within 48 hours if the employee is convicted of a disqualifying offense; requiring the Department of Agriculture and Consumer Services to maintain a database of certificate-holders and to compare that database to the Florida Criminal Information Center database at least once every 3 months; requiring the Department of Agriculture and Consumer Services to notify the contractor and school district if any person who is employed by or under contract with, a school district is found to be a disqualified employee; requiring the school district employee or contractual personnel to possess the certificate whenever he or she is on school grounds; providing for a noncriminal penalty for failing to possess or display the certificate when on school grounds; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Criminal Justice; and Budget.

By Senators Dean and Gaetz—

SB 908—A bill to be entitled An act relating to road designations; designating SP4 Thomas Berry Corbin Memorial Highway and U.S. Navy BMC Samuel Calhoun Chavous, Jr. Memorial Highway in Dixie County; designating Marine Lance Corporal Brian R. Buesing Memorial Highway, United States Army Sergeant Karl A. Campbell Memorial Highway, and U.S. Army SPC James A. Page Memorial Highway in Levy County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Bennett—

SB 910—A bill to be entitled An act relating to bedding materials; amending s. 501.145, F.S.; providing a short title; defining terms; prohibiting a person from manufacturing or selling bedding that is made in whole or in part from secondhand material unless such material has been sanitized, germicidally treated, or cleaned using a method approved by the Department of Agriculture and Consumer Services; directing the department to establish methods for sanitizing, germicidally treating, or cleaning secondhand materials; requiring that all bedding manufactured, renovated, sanitized, or sold in this state which contains secondhand materials bear a clear and conspicuous label affixed to the bedding which contains specified information; requiring the label identifying bedding containing secondhand materials to be red in color and the label identifying bedding containing new materials to be white in

color; prohibiting a person other than a retail consumer from removing, defacing, or altering the label of bedding; prohibiting a false or misleading statement on a label; requiring each bedding renovator, sanitizer, or seller of renovated bedding to register with and obtain a permit from the department, which must be renewed annually; requiring that the department recognize certain documents from another state or jurisdiction for issuance of a permit number; requiring that the department establish fees for initial and renewal permits; authorizing the department to randomly conduct bedding and materials product tests and inspections of the premises of any bedding renovator, sanitizer, or seller of renovated bedding; authorizing the enforcing authority to impose an embargo on, remove, recall, condemn, destroy, or otherwise dispose of bedding if the enforcing authority finds probable cause to believe that the inspected bedding violates the act; authorizing the enforcing authority to deny, suspend, or revoke a permit or assess an administrative penalty for violations of the act; authorizing the enforcing authority to bring an action for injunction relief; providing that a person who knowingly sells bedding that contains secondhand material that is not properly labeled or has not been sanitized, treated, or cleaned in accordance with the act commits a misdemeanor of the second degree; directing the department to adopt rules; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; and Budget.

By Senator Bennett—

SB 912—A bill to be entitled An act relating to affordable housing; amending s. 20.055, F.S.; revising the definition of "state agency" to include the Florida Housing Finance Corporation; revising the definition of "agency head" to include the board of directors of the corporation; requiring the inspector general to prepare an annual report; amending s. 159.608, F.S.; providing a housing finance authority with an additional purpose for which it may exercise its power to borrow; amending s. 163.3177, F.S.; revising provisions relating to the elements of local comprehensive plans to authorize the inclusion of an element for affordable housing for certain seniors; providing for the disposition of real property by a local government for the development of affordable housing; amending s. 201.15, F.S.; revising the allocation of certain proceeds distributed from the excise tax on documents that are paid into the State Treasury to the credit of the State Housing Trust Fund; providing for retroactive repeal of s. 8, ch. 2009-131, Laws of Florida, to eliminate a conflicting version of s. 201.15, F.S.; amending s. 420.0003, F.S.; including the needs of persons with special needs in the state housing strategy's periodic review and report; amending s. 420.0004, F.S.; defining the terms "disabling condition" and "person with special needs"; conforming cross-references; amending s. 420.0006, F.S.; removing an obsolete reference; deleting provisions requiring the inspector general of the Department of Community Affairs to perform functions for the corporation to conform to changes made by the act; amending s. 420.504, F.S.; authorizing the Secretary of Community Affairs to designate a senior-level agency employee to serve on the board of directors of the Florida Housing Finance Corporation; amending s. 420.506, F.S.; providing for the appointment of an inspector general of the Florida Housing Finance Corporation; providing appointing authority thereof; providing duties and responsibilities of the inspector general; amending s. 420.507, F.S.; requiring certain rates of interest to be made available to sponsors of projects for persons with special needs; providing additional powers of the corporation relating to receipt of federal funds; revising powers of the corporation relating to criteria establishing a preference for eligible developers and general contractors; conforming a cross-reference; amending s. 420.5087, F.S.; limiting the reservation of funds within each notice of fund availability to the persons with special needs tenant group; including persons with special needs as a tenant group for specified purposes of the State Apartment Incentive Loan Program; revising and providing criteria to be used by a specified review committee for the competitive ranking of applications for such program; conforming a cross-reference; amending ss. 163.31771, 212.08, 215.5586, and 420.503, F.S.; conforming cross-references; providing legislative intent; prohibiting funds from the State Housing Trust Fund or the Local Government Housing Trust Fund that are appropriated for specified programs from being used for certain purposes; providing for future repeal; providing an effective date.

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

By Senator Bennett—

SB 914—A bill to be entitled An act relating to effective public notices by governmental entities; creating s. 50.0311, F.S.; defining the term “publicly accessible website”; authorizing a local government to use its publicly accessible website for legally required advertisements and public notices; providing conditions for such use; providing for optional receipt of legally required advertisements and public notices by first-class mail or e-mail; providing requirements for advertisements and public notices published on a publicly accessible website; amending s. 50.011, F.S.; providing that a notice, advertisement, or publication on a publicly accessible website of a local government in accordance with s. 50.0311, F.S., constitutes legal notice; amending s. 50.021, F.S.; providing that advertisements directed by law or order or decree of court to be made in a county in which no newspaper is published may be made by publication on a publicly accessible website; amending s. 50.051, F.S.; providing clarifying provisions; amending s. 50.061, F.S.; providing clarifying provisions; amending s. 100.342, F.S.; providing for notice of special election or referendum on a publicly accessible website; amending s. 125.66, F.S.; providing for notice of consideration of an ordinance by a board of county commissioners to be published on a publicly accessible website; requiring maintenance of the advertisement for a specified period; providing clarifying provisions; amending s. 129.03, F.S.; providing for the advertisement of a summary statement of adopted tentative county budgets on a publicly accessible website; amending s. 129.06, F.S.; providing for advertisement of a public hearing relating to the amendment of a county budget on a publicly accessible website; amending s. 153.79, F.S.; providing for public advertisement by a county water and sewer system district of projects to construct, reconstruct, acquire, or improve a water system or a sewer system, and of a call for sealed bids for such projects, on a publicly accessible website; amending s. 159.32, F.S.; providing for advertisement for competitive bids for contracts for the construction of a project under the Florida Industrial Development Financing Act on a publicly accessible website; amending s. 162.12, F.S.; providing for optional serving of notice by a code enforcement board of a violation of a county or municipal code via a publicly accessible website; amending s. 163.3184, F.S.; providing for notice of public hearings on the adoption of a local government comprehensive plan or plan amendment or the approval of a compliance agreement under the Local Government Comprehensive Planning and Land Development Regulation Act via a publicly accessible website; amending s. 166.041, F.S.; providing for notice of adoption of a municipal ordinance via a publicly accessible website; providing clarifying provisions; amending s. 170.05, F.S.; providing for publication on a publicly accessible website of a resolution relating to municipal public improvements financed by special assessments; amending s. 170.07, F.S.; providing for publication on a publicly accessible website of notice of hearing on municipal public improvements financed by special assessments; amending s. 180.24, F.S.; providing for advertisement via a publicly accessible website of specified construction contracts for utilities or extensions to a previously constructed utility; amending s. 197.3632, F.S.; providing for publication on a publicly accessible website of a local government’s notice of intent to use the uniform method of collecting non-ad valorem assessments; amending s. 200.065, F.S.; providing for advertisement on a publicly accessible website of a taxing authority’s intent to adopt a millage rate and budget; providing for advertisement on a publicly accessible website of the intention of a specified multicounty taxing authority to adopt a tentative budget and millage rate; providing clarifying and conforming provisions; providing for notice via a publicly accessible website of correction of a specified error contained in a notice of proposed property taxes mailed to taxpayers; amending s. 255.0525, F.S.; providing for advertisement via a publicly accessible website for the solicitation of competitive bids or proposals for construction projects of a county, municipality, or other political subdivision which are projected to exceed specified costs; amending s. 380.06, F.S.; providing for publication of an advertisement on a publicly accessible website of a public hearing by a local government on an areawide development of regional impact under the Florida Environmental Land and Water Management Act of 1972; amending s. 403.7049, F.S.; prescribing procedures for fulfilling public disclosure system requirements with respect to the duty of a municipality to disclose costs for solid waste management; amending s. 403.973, F.S.; redefining the term “duly noticed” to include publication on a publicly accessible website; providing conforming provisions; amending s. 420.9075, F.S.; providing for advertisement of notice on a publicly accessible website of funding availability through a local housing assistance plan under the State Housing Initiatives Partnership Act; providing an effective date.

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

By Senator Thrasher—

SB 916—A bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2011 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2011 shall be effective immediately upon publication; providing that general laws enacted during the 2010 regular session and prior thereto and not included in the Florida Statutes 2011 are repealed; providing that general laws enacted during the November 16, 2010, special session and the 2011 regular session are not repealed by this adoption act; providing an effective date.

—was referred to the Committee on Rules.

By Senator Bogdanoff—

SB 918—A bill to be entitled An act relating to adverse possession; amending s. 95.18, F.S.; specifying that occupation and maintenance of property satisfies requirements for possession for purposes of gaining title to property via adverse possession without color of title; requiring a person seeking property by adverse possession to use a uniform adverse possession return provided by the Department of Revenue; requiring the property appraiser to notify the owner of record of an adverse possession claim; requiring a person claiming adverse possession to attest to the truthfulness of the information provided in the return under penalty of perjury; authorizing the Department of Revenue to adopt emergency rules; requiring that the property appraiser add certain information related to the adverse possession claim to the parcel information on the tax roll and prescribing conditions for removal of that information; prescribing procedures and requirements for adverse possession claims against a portion of an identified parcel or against property to which the property appraiser has not assigned a parcel number; requiring the property appraiser to include a notation of an adverse possession filing in any searchable property database maintained by the property appraiser; amending s. 197.212, F.S.; excluding property subject to adverse possession claims without color of title from provisions authorizing the tax collector not to send a tax notice for minimum tax bills; creating s. 197.3335, F.S.; requiring the tax collector to determine whether a duplicate tax payment is made by an adverse possessor; providing for priority of tax payments made by an owner of record who is subject to an adverse possession claim; providing for a refund of tax payments under certain conditions; providing for retroactive application of certain provisions governing procedures for administering a claim of adverse possession and establishing tax priority for owners of record; providing an effective date.

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

By Senator Ring—

SB 920—A bill to be entitled An act relating to possession of stolen credit or debit cards; amending s. 817.60, F.S.; prohibiting possession of a stolen credit or debit card in specified circumstances; providing penalties; providing that a retailer who takes, accepts, retains, or possesses a stolen credit or debit card without knowledge that the card is stolen and who is authorized to process transactions by the company issuing the credit or debit card does not commit a violation under certain circumstances; providing an exception for certain retail employees; providing an effective date.

—was referred to the Committees on Criminal Justice; Commerce and Tourism; and Agriculture.

By Senator Flores—

SB 922—A bill to be entitled An act relating to the Florida Education Finance Program; requiring that the Department of Education enter into a contract with an entity located outside the state to conduct a study and review of the Florida Education Finance Program and recommend any

improvements that may be necessary; requiring that the department submit a report to the Legislature and the Governor by a specified date; providing an appropriation and for carryforward of any unexpended balance of funds; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Rules; and Budget.

By Senator Thrasher—

SB 924—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 212.08(7)(ccc), 267.171, 288.1162(6)(b), 288.95155(2)(b), 288.99, 316.1893(2), 320.0609(2)(c), 320.131(1)(m), 379.2211, 379.2212, 400.179(2)(e), 420.9072(7)(b), 494.0017, 494.0029, 494.00295, 494.0031, 494.0032, 494.0033, 494.0034, 494.0041, 494.0061, 494.0062, 494.0064, 494.0065, 494.0072, 624.4072, 1006.15(8), and 1013.37(6), F.S.; and amending ss. 339.135(4)(a) and 377.6015(1)(a), F.S.; to delete provisions which have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the 2011 Florida Statutes only through a reviser's bill duly enacted by the Legislature; amending ss. 14.2015, 212.05, 213.053, and 220.192, F.S., to conform cross-references; providing an effective date.

—was referred to the Committee on Rules.

By Senator Storms—

SB 926—A bill to be entitled An act relating to the limitation of liability for employers who employ persons with a developmental disability; creating s. 768.0985, F.S.; providing that an employer, under certain circumstances, is not liable for the acts or omissions of an employee who is a person with a developmental disability; providing that a not-for-profit supported employment service provider that provides or has provided supported employment services to an employee with a developmental disability is not liable for the actions or conduct of the employee occurring within the scope of the employee's employment; defining the term "person with a developmental disability"; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Children, Families, and Elder Affairs; and Judiciary.

By Senator Joyner—

SJR 928—A joint resolution proposing an amendment to Section 7 of Article II of the State Constitution to prohibit the exploration, drilling, extraction, or production of oil beneath Florida waters between the mean high-water line and the seaward limit of Florida's boundaries.

—was referred to the Committees on Environmental Preservation and Conservation; Judiciary; and Budget.

By Senators Lynn and Rich—

SB 930—A bill to be entitled An act relating to the protection of volunteers; amending s. 768.1355, F.S.; clarifying that in order to fall under the protection of the Florida Volunteer Protection Act, a person performing a service for a nonprofit organization may not receive compensation from the nonprofit organization for that service, regardless of whether the person is receiving compensation from another source; providing an effective date.

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

By Senator Bennett—

SB 932—A bill to be entitled An act relating to seaport security; amending s. 311.12, F.S.; revising provisions relating to seaport security; prohibiting a seaport from charging any fee for administration or production of access control credentials; providing for a fine; deleting certain provisions relating to seaport security plans; deleting provisions requiring that the Department of Law Enforcement administer a state-

wide seaport access eligibility reporting system; deleting provisions requiring that persons seeking authorization to access secure and restricted areas of a seaport execute an affidavit; deleting provisions requiring fingerprint-based criminal history checks of seaport employee applicants, current employees, and other authorized persons; revising provisions to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Criminal Justice; and Budget.

By Senator Storms—

SB 934—A bill to be entitled An act relating to surface water improvement and management plans and programs; amending s. 373.453, F.S.; requiring water management districts to establish permitting programs for urban redevelopment projects located in specified redevelopment areas; providing for the development of stormwater adaptive management plans to address water quantity discharge for such redevelopment areas; providing for certain discharge rates in such redevelopment areas; requiring stormwater discharges in such redevelopment areas to meet state water quality standards; providing water quality criteria for such discharges; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

By Senator Storms—

SB 936—A bill to be entitled An act relating to the Motor Fuel Marketing Practices Act; repealing s. 526.303(4), (6), (7), (9), and (11), F.S., relating to definitions to conform; repealing s. 526.304, F.S., relating to unlawful predatory practices and exceptions thereto; deleting provisions prohibiting certain predatory practices; amending s. 526.305, F.S., relating to unlawful discriminatory practices and exceptions; conforming provisions to the repeal of s. 526.304, F.S.; repealing s. 526.309, F.S., relating to exempt sales made by a refiner; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Transportation; and Budget.

By Senator Storms—

SB 938—A bill to be entitled An act relating to insurance; amending s. 626.9541, F.S.; prohibiting an insurer that issues motor vehicle insurance from using a rate, rating schedule, rating manual, or an underwriting rule that is not contained in a rating manual and is determined in whole or in part on the basis of certain characteristics of an insured; including the refusal to insure or continue to insure any individual or risk because of educational level, trade, business, occupation, profession, credit report, credit score, or certain forms of lawful employment among the list of activities constituting unfair methods of competition and unfair or deceptive acts; amending s. 626.9741, F.S.; prohibiting insurers from using credit reports and credit scores in making rating determinations; deleting provisions limiting and regulating the use of credit scores by insurers when making rating determinations; deleting the definition of "adverse decision" and "tier"; deleting provisions authorizing the Financial Services Commission to adopt rules; providing an effective date.

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

By Senator Storms—

SB 940—A bill to be entitled An act relating to taxpayer rights; amending s. 192.0105, F.S.; providing a taxpayer the right to be provided all supporting documentation used in a property appraiser's assessment, without requesting such documentation, 14 days before the value adjustment board's hearing date; providing an effective date.

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

By Senator Bogdanoff—

SB 942—A bill to be entitled An act relating to tax credits for research and development; creating s. 220.194, F.S.; providing definitions; providing a tax credit for certain research and development expenses; providing eligibility requirements for research and development tax credits; providing limitations regarding eligibility; providing an amount for such credit; providing a maximum amount of credit that may be taken during a single tax year by a business enterprise; providing that any unused credit may be carried forward for a specified period; authorizing the sale or assignment of unused credits to certain taxpayers under certain conditions; requiring prior approval from the Department of Revenue before an unused tax credit amount may be sold; prohibiting the Department of Revenue from unreasonably withholding approval to sell or transfer an unused tax credit amount; requiring that a party to a sale or assignment file certain information and documents with the department; providing requirements for the use of tax credits sold or assigned; limiting the total amount of tax credits which may be approved by the department in a calendar year; providing that applications for credits may be filed on or after a specified date; requiring that the credits be granted in the order in which applications are received; authorizing the department to adopt rules; amending s. 220.02, F.S.; revising legislative intent to include the research and development tax credit in the ordered list according to which credits against corporate income tax or franchise tax are applied; providing for application; providing an effective date.

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

By Senator Thrasher—

SB 944—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 16.0155, 28.36, 102.012, 112.534, 206.608, 213.67, 283.30, 283.33, 283.43, 285.710, 288.0659, 288.106, 288.9604, 316.008, 319.30, 320.03, 321.05, 327.73, 339.135, 341.302, 373.036, 376.011, 380.0552, 380.503, 381.0065, 401.465, 402.7305, 403.7032, 403.891, 411.01, 435.03, 443.091, 443.131, 479.01, 494.00331, 550.334, 550.3345, 553.77, 624.310, 627.4605, 627.711, 633.081, 677.105, 893.055, 893.0551, 1002.69, 1003.428, 1003.429, and 1008.34, F.S.; and reenacting ss. 61.30, 163.3202, 369.317, 443.141, 497.372, and 718.111, F.S.; providing an effective date.

—was referred to the Committee on Rules.

By Senator Thrasher—

SB 946—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 1000.01, 1000.02, 1000.04, 1000.05, 1000.06, 1000.07, 1000.21, 1001.02, 1001.03, 1001.10, 1001.11, 1001.20, 1001.27, 1001.271, 1001.28, 1001.43, 1001.60, 1001.61, 1001.62, 1001.63, 1001.64, 1001.65, 1001.705, 1001.706, 1002.20, 1002.21, 1002.33, 1002.34, 1002.41, 1002.45, 1003.03, 1003.41, 1003.4156, 1003.433, 1003.435, 1003.49, 1003.51, 1003.52, 1004.02, 1004.03, 1004.04, 1004.05, 1004.06, 1004.07, 1004.085, 1004.095, 1004.226, 1004.645, 1004.648, 1004.65, 1004.66, 1004.67, 1004.68, 1004.70, 1004.71, 1004.725, 1004.726, 1004.74, 1004.75, 1004.77, 1004.78, 1004.79, 1004.80, 1004.81, 1004.86, 1004.91, 1004.92, 1004.93, 1004.94, 1004.95, 1004.97, 1004.98, 1004.99, 1005.21, 1006.15, 1006.17, 1006.50, 1006.51, 1006.55, 1006.60, 1006.62, 1006.63, 1006.65, 1006.68, 1006.70, 1006.71, 1006.72, 1007.21, 1007.22, 1007.23, 1007.235, 1007.24, 1007.25, 1007.2615, 1007.262, 1007.263, 1007.264, 1007.265, 1007.27, 1007.271, 1007.272, 1007.28, 1007.33, 1007.34, 1007.35, 1008.30, 1008.31, 1008.32, 1008.345, 1008.385, 1008.405, 1008.41, 1008.42, 1008.43, 1008.45, 1009.21, 1009.22, 1009.23, 1009.26, 1009.26, 1009.265, 1009.27, 1009.28, 1009.285, 1009.286, 1009.29, 1009.40, 1009.42, 1009.44, 1009.50, 1009.505, 1009.533, 1009.535, 1009.55, 1009.56, 1009.60, 1009.605, 1009.65, 1009.67, 1009.70, 1009.72, 1009.77, 1009.89, 1009.891, 1009.97, 1009.971, 1009.98, 1009.981, 1010.01, 1010.02, 1010.03, 1010.04, 1010.06, 1010.07, 1010.08, 1010.09, 1010.11, 1010.22, 1010.23, 1010.30, 1010.33, 1010.34, 1010.58, 1011.01, 1011.011, 1011.012, 1011.30, 1011.31, 1011.32, 1011.51, 1011.62, 1011.68, 1011.75, 1011.80, 1011.801, 1011.81, 1011.82, 1011.83, 1011.84, 1011.85, 1011.86, 1012.01, 1012.35, 1012.56, 1012.80, 1012.81, 1012.82, 1012.83, 1012.84, 1012.85, 1012.855, 1012.86, 1012.865, 1012.87, 1012.875, 1012.88, 1012.885, 1012.98, 1013.01, 1013.02, 1013.03, 1013.12, 1013.13, 1013.19, 1013.23, 1013.231, 1013.25, 1013.27, 1013.28, 1013.31, 1013.36, 1013.37, 1013.371, 1013.40, 1013.44,

1013.51, 1013.52, 1013.60, 1013.64, 1013.65, and 1013.81, F.S., to conform to the directive in section 21 of chapter 2010-70, Laws of Florida, to prepare a reviser’s bill for consideration by the 2011 Regular Session of the Legislature to substitute the term “Florida College System Institution” for the terms “Florida college,” “community college,” and “junior college” where those terms appear in the Florida K-20 Education Code; providing an effective date.

—was referred to the Committee on Rules.

By Senator Hill—

SB 948—A bill to be entitled An act relating to homelessness; amending ss. 320.02, 322.08, and 322.18, F.S.; requiring the motor vehicle registration form and registration renewal form, the driver license application form, and the driver license application form for renewal issuance or renewal extension to include an option to make a voluntary contribution to aid the homeless; providing for such contributions to be deposited into the Grants and Donations Trust Fund of the Department of Children and Family Services and used by the State Office on Homelessness for certain purposes; providing that voluntary contributions for the homeless are not income of a revenue nature for the purpose of applying certain service charges; creating s. 414.161, F.S.; establishing a homelessness prevention grant program; requiring grant applicants to be ranked competitively; providing preference for certain grant applicants; providing eligibility requirements; providing grant limitations and restrictions; requiring lead agencies for local homeless assistance continuums of care to track, monitor, and report on assisted families for a specified period of time; amending s. 420.622, F.S.; limiting the percentage of funding that lead agencies may spend on administrative costs; amending s. 420.625, F.S.; deleting a cross-reference to conform; amending s. 420.6275, F.S.; revising legislative findings relating to the Housing First approach to homelessness; repealing s. 414.16, F.S., relating to the emergency assistance program for families with children that have lost shelter or face loss of shelter due to an emergency; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Transportation; and Budget.

By Senator Bennett—

SB 950—A bill to be entitled An act relating to water and wastewater utilities; creating s. 367.0819, F.S.; providing for recovery through a quarterly surcharge of certain costs relating to water and wastewater system improvement projects; defining a “non-revenue producing project,” requiring utilities to submit surcharge tariffs reflecting the surcharge calculation for recovery of such costs to the Florida Public Service Commission for approval and to provide specified notice of such surcharge tariff filings; providing for the automatic approval of the surcharge tariff within a specified period after filing the surcharge tariff with the commission; requiring the surcharge notice be presented as a separate line item on the customer’s bill; specifying a limitation for the surcharge amount; providing requirements for billing, reconciliation, and quarterly adjustment of the surcharge; specifying a limitation for recovery of project costs; providing project eligibility criteria; specifying water and wastewater treatment criteria; providing requirements for notice, maintenance, and availability of certain records; authorizing the commission to review specified projects; providing that surcharges are subject to refund under certain conditions; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications, Energy, and Public Utilities; and Budget.

By Senators Richter and Gaetz—

SB 952—A bill to be entitled An act relating to uniform prudent management of institutional funds; creating s. 617.2104, F.S.; creating a short title; providing definitions; providing requirements for the management of funds held by an institution exclusively for charitable purposes; providing standards of conduct in managing and investing institutional funds; providing requirements for appropriation for expenditure or accumulation of an endowment fund by an institution; authorizing an institution to delegate to an external agent the man-

agement and investment of an institutional fund; authorizing the release or modification of a restriction on management, investment, or purpose of an institutional fund; providing for determination of compliance; providing for application to existing or newly established institutional funds; providing relationship to federal law; providing requirements for uniformity of application and construction of the act; repealing s. 1010.10, F.S., relating to the Florida Uniform Management of Institutional Funds Act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Higher Education; Governmental Oversight and Accountability; and Budget.

By Senators Flores, Fasano, Wise, Bennett, Norman, Dockery, and Storms—

SM 954—A memorial to the Congress of the United States, urging Congress to propose to the states for ratification an amendment to the United States Constitution relating to parental rights.

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

By Senator Hays—

SB 956—A bill to be entitled An act relating to firearms transactions; amending s. 790.065, F.S.; providing that certain laws of this state regulating firearms transactions do not apply to transactions by a resident of this state which take place in another state; providing for the applicable law; requiring a specified background check for such transactions; repealing s. 790.28, F.S., relating to the purchase of rifles and shotguns in contiguous states by a Florida resident; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By the Committee on Budget Subcommittee on Finance and Tax; and Senators Bogdanoff, Alexander, and Gaetz—

SJR 958—A joint resolution proposing an amendment to Section 1 of Article VII and the creation of Section 19 of Article VII and Section 32 of Article XII of the State Constitution to replace the existing state revenue limitation with a new state revenue limitation based on inflation and population changes.

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

By Senator Bennett—

SB 960—A bill to be entitled An act relating to liquefied petroleum gas; amending s. 527.06, F.S.; prohibiting the Department of Agriculture and Consumer Services and other state agencies from requiring compliance with certain national standards for liquefied petroleum gas tanks unless the department or agencies require compliance with a specified edition of the national standards; amending s. 527.21, F.S.; revising the term “propane” for purposes of the Florida Propane Gas Education, Safety, and Research Act, to incorporate changes to certain national standards in a reference thereto; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Commerce and Tourism; and Budget.

By Senator Detert—

SB 962—A bill to be entitled An act relating to the marshal of the Supreme Court; repealing s. 25.281, F.S., relating to compensation of the marshal; providing an effective date.

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

By Senator Wise—

SB 964—A bill to be entitled An act relating to construction liens and bonds; amending s. 255.05, F.S.; requiring that a contractor record in the official records a payment bond for a public works construction project; requiring that the bond number be stated on the first page of the bond; prohibiting the issuing authority for a building permit or a private provider performing inspection services from inspecting the property being improved until certain documents are filed; providing that a payment and performance bond is not required for certain contracts; authorizing certain entities to exempt certain contracts from the requirement for a payment and performance bond; requiring the contractor to serve a notice of contest of claim against the payment bond; providing the form and content for a notice to contractor; providing for a sworn notice of nonpayment and providing the form and content of the notice; prohibiting a public authority from withholding payment to a contractor when the contractor has provided a payment bond; amending s. 713.015, F.S.; requiring that a contractor provide an owner with a general statement of an owner’s rights and responsibilities under Florida’s Construction Lien Law; requiring that a signed copy of the statement be filed with the building permit application; specifying the form and content of the statement; deleting the requirement that notice be included in the direct contract between the contractor and the owner; amending s. 713.06, F.S.; revising the form of a notice for liens of persons not in privity with the owner; amending s. 713.13, F.S.; revising the form of the notice of commencement; requiring a payment bond to be attached to a notice of commencement if a project is bonded; amending s. 713.135, F.S.; revising the warning to the owner printed on certain permit cards; deleting a requirement relating to filing a notice of commencement before certain inspections; revising the warning to the owner provided on a building permit form; creating s. 713.137, F.S.; prohibiting the authority issuing a building permit or a private provider performing inspection services from inspecting an improvement until certain documents have been filed and the information in the notice of commencement meets certain standards; providing exceptions; amending s. 713.16, F.S.; revising requirements for demands for a copy of a construction contract and a statement of account; authorizing a lienor who submits or mails a claim of lien to the clerk for recording to make certain demands to an owner for certain written statements; providing requirements for such written demands; amending s. 713.18, F.S.; providing additional methods by which certain items may be served; specifying the information required on certain written instruments under certain circumstances; amending s. 713.22, F.S.; requiring that the contractor serve a notice of contest of lien; amending s. 713.23, F.S.; providing for a sworn notice of nonpayment and providing the form and content of the notice; requiring that the contractor serve a notice of contest of claim against the payment bond and a notice of bond; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; Judiciary; and Budget.

By Senator Bennett—

SB 966—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; providing that certain health care providers and vendors, and their agents and employees, who primarily serve clients with specified conditions may be considered agents and employees of the state or its subdivisions with respect to such services while acting within the scope of and pursuant to guidelines established in a contractual agreement or Medicaid provider agreement; requiring indemnification; providing construction of provisions; amending ss. 29.0081, 163.01, 324.022, 456.048, 458.320, 459.0085, 616.242, 624.461, 624.462, and 627.733, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Judiciary.

By Senator Dean—

SB 968—A bill to be entitled An act relating to boating safety; amending s. 327.395, F.S.; providing for agents of the Fish and Wildlife Conservation Commission to issue boater safety identification cards that must be similar in appearance to cards issued by the commission; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

By Senator Oelrich—

SB 970—A bill to be entitled An act relating to the 21st Century Technology, Research, and Scholarship Enhancement Act; repealing s. 6, ch. 2006-58, Laws of Florida; abrogating the repeal of s. 1004.226, F.S., which created the 21st Century World Class Scholars Program; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

By Senator Wise—

SB 972—A bill to be entitled An act relating to public school attendance; amending ss. 1002.01, 1002.20, 1002.42, and 1002.43, F.S.; conforming cross-references; amending s. 1003.01, F.S.; redefining the term “habitual truancy” to apply to students who are subject to pilot program requirements; defining the term “regular program attendance” to conform to changes made by the act; amending s. 1003.21, F.S.; requiring that a student in a pilot program school district be informed of attendance and completion requirements; creating s. 1003.215, F.S.; creating the Student Preparedness Pilot Program; requiring that the Duval County School District and each selected school district review and identify curricula options for certain students; requiring that students in pilot program districts who attain the age of 16 years but have not reached the age of 18 years and who do not regularly attend school be subject to specific attendance and completion requirements; providing for an application and selection process for school district participation; specifying procedures for termination of school enrollment and requirements for pilot program attendance and completion; providing that students who select a nontraditional academic option are not eligible students for purposes of school grading; requiring that the Office of Program Policy Analysis and Government Accountability conduct and submit an annual study and report; amending s. 1003.26, F.S.; conforming a cross-reference; providing an effective date.

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

By Senator Detert—

SB 974—A bill to be entitled An act relating to district court marshals; repealing s. 35.27 F.S., relating to compensation of the marshal; providing an effective date.

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

By Senator Bogdanoff—

SB 976—A bill to be entitled An act relating to capital formation for infrastructure projects; amending ss. 288.9621, 288.9622, and 288.9623, F.S.; conforming a short title, revising legislative findings and intent, and providing definitions for the Florida Capital Formation Act; conforming cross-references; creating s. 288.9627, F.S.; providing for creation of the Florida Infrastructure Fund Partnership; providing the partnership’s purpose and duties; providing for management of the partnership by the Florida Opportunity Fund; authorizing the fund to lend moneys to the partnership; requiring the partnership to raise funds from investment partners; providing for commitment agreements with and issuance of certificates to investment partners; authorizing the partnership to invest in certain infrastructure projects; requiring the partnership to submit an annual report to the Governor and Legislature; prohibiting the partnership and the fund from pledging the credit or taxing power of the state or its political subdivisions; prohibiting the partnership from investing in projects with or accepting investments from certain companies; creating s. 288.9628, F.S.; creating the Florida Infrastructure Investment Trust; providing for powers and duties, a board of trustees, and an administrative officer of the trust; providing for the trust’s issuance of certificates to investment partners who invest in the partnership; specifying that the certificates are redeemable for tax credits under certain conditions; authorizing the trust and the fund to

charge fees; limiting the amount of tax credits issued and the amount of tax credits that may be claimed or applied against state taxes in any year; providing for the redemption or sale of certificates; providing for the issuance of the tax credits by the Department of Revenue; specifying the taxes against which the credits may be applied; limiting the period within which tax credits may be used; providing for the state’s obligation for use of the tax credits; limiting the liability of the fund; providing for the transferability of certificates and tax credits; requiring the department to provide a certain written assurance to the trust under certain circumstances; specifying that certain provisions regulating securities transactions do not apply to certificates and tax credits transferred or sold under the act; providing an effective date.

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

By Senator Flores—

SB 978—A bill to be entitled An act relating to individual retirement accounts; amending s. 222.21, F.S.; clarifying the exemption of inherited individual retirement accounts from legal processes; providing intent; providing for retroactive application; providing an effective date.

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

By Senator Bennett—

SB 980—A bill to be entitled An act relating to convention development taxes; amending s. 212.0305, F.S.; making technical and grammatical changes; authorizing an increase in the rate of the charter county convention development tax; specifying permissible uses of the additional revenues; providing an effective date.

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

By Senator Norman—

SB 982—A bill to be entitled An act relating to wage protection for employees; providing for a short title; providing legislative findings; prohibiting a county, municipality, or political subdivision of the state from adopting a wage theft ordinance or regulation that exceeds certain state and federal laws; preempting such activities to the state; providing an effective date.

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

By Senator Norman—

SB 984—A bill to be entitled An act relating to local government code enforcement boards; amending s. 162.05, F.S.; allowing a local government code enforcement board to adopt requirements that are in lieu of residency standards for members of the board; providing criteria; providing an effective date.

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

By Senator Bennett—

SB 986—A bill to be entitled An act relating to the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation; amending s. 561.422, F.S.; revising provisions relating to issuance by the division of temporary permits to nonprofit civic organizations to sell alcoholic beverages; permitting the issuance of permits to any nonprofit organization; allowing the sale to include beverages for consumption on or off the premises; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Budget.

By Senator Detert—

SB 988—A bill to be entitled An act relating to public school student participation in fine arts courses; amending s. 1008.34, F.S.; revising the basis for the designation of school grades to include participation rates of students in kindergarten through grade 12 who are enrolled in fine arts courses; providing an effective date.

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

By Senator Bennett—

SB 990—A bill to be entitled An act relating to motor vehicle title loans; providing a directive to the Division of Statutory Revision; repealing s. 537.001, F.S., relating to a short title; amending s. 537.002, F.S.; preempting the regulation of motor vehicle title loans to the state; amending s. 537.003, F.S.; revising definitions; providing that title loans are secured by a nonpurchase money security interest in a motor vehicle; amending s. 537.004, F.S.; prohibiting a title loan lender from also providing deferred presentment transactions; amending ss. 537.005, 537.006, and 537.007, F.S.; conforming provisions to changes made by the act; amending s. 537.008, F.S.; revising the information that must be in a title loan agreement; specifying the maturity timeframe for a title loan; requiring that a statement relating to the cost of the loan be included in the title loan agreement; revising provisions relating to the title loan lender's actions upon executing an agreement; creating s. 537.0085, F.S.; allowing a borrower to rescind a loan under certain circumstances; amending s. 537.009, F.S.; revising provisions relating to recordkeeping; conforming provisions to changes made by the act; amending s. 537.011, F.S.; revising provisions relating to title loan charges; prohibiting a title loan from being extended; amending s. 537.012, F.S.; revising provisions relating to the repossession of a motor vehicle for loan default; requiring prior notice to the borrower; prohibiting a title loan lender from seeking a money judgment against a borrower except in certain circumstances; amending s. 537.013, F.S.; revising prohibited acts; requiring a lender to return a certificate of title 3 days after regaining possession of it; prohibiting a lender from loaning a principal amount that exceeds 50 percent of the fair market value of the motor vehicle; repealing s. 537.014, F.S., relating to the right to reclaim the loan property; amending ss. 537.015, 537.016, and 537.017, F.S.; conforming provisions to changes made by the act; repealing s. 537.018, F.S., relating to authorization for county and municipal ordinances; amending s. 494.00797, F.S.; conforming provisions to changes made by the act; transferring activities relating to title loans from the Department of Financial Services to the Department of Agriculture and Consumer Services by a type two transfer; providing an effective date.

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

By Senator Dockery—

SB 992—A bill to be entitled An act relating to public school funding; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study to determine minimum per-student funding to meet constitutional requirements; requiring a report to the Legislature; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Community Affairs; and Budget.

By Senator Latvala—

SB 994—A bill to be entitled An act relating to public records; creating s. 332.16, F.S.; providing definitions; providing an exemption from public-records requirements for proprietary confidential business information submitted to or held by a public airport and for any proposal or counterproposal exchanged between the governing body of a public airport and a nongovernmental entity relating to the sale, use, development, or lease of airport land or airport facilities; providing for ex-

ceptions to the exemptions; providing for future legislative review and repeal of the exemptions under the Open Government Sunset Review Act; providing a finding of public necessity; providing an effective date.

—was referred to the Committees on Community Affairs; Commerce and Tourism; and Governmental Oversight and Accountability.

By Senator Simmons—

SB 996—A bill to be entitled An act relating to communications among the branches of state government; providing a short title; creating ss. 25.079 and 35.079, F.S.; requiring the clerks of the State Supreme Court and district courts of appeal to transmit certain judicial opinions to the Governor, the President of the Senate, and the Speaker of the House of Representatives within a specified time; providing an effective date.

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

By Senators Simmons, Hays, Thrasher, Wise, Bennett, Alexander, Dean, and Gaetz—

SB 998—A bill to be entitled An act relating to property rights; amending s. 70.001, F.S.; revising a definition; shortening a notice period for certain actions; providing for the state land planning agency to receive notice of claims; revising procedures for determining a governmental entity's final decision identifying the allowable uses for a property; providing that enactment of a law or adoption of a regulation does not constitute applying the law or regulation; providing for a waiver of sovereign immunity for liability; providing for prospective application; providing an effective date.

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

By Senator Wise—

SB 1000—A bill to be entitled An act relating to interscholastic and intrascholastic sports; amending s. 1006.15, F.S.; removing certain provisions relating to a pilot program in which a middle school student or a high school student in a private school may participate in athletics at a public school; providing for statewide implementation of the program; requiring that the athletic director of each public school maintain the records of students participating in the program; requiring that any private school that is not a member of the Florida High School Athletic Association make the records of participating students available to the association upon request; requiring that a student apply to participate in the program through the appropriate application process; limiting participation in the program to students who are enrolled in non-FHSA member private schools consisting of a maximum number of students; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; and Budget.

By Senator Montford—

SB 1002—A bill to be entitled An act relating to state agency business cards; amending s. 287.042, F.S.; requiring the Department of Management Services to delegate to state agencies the authority to braille their business cards or to purchase business cards that are brailled; providing an effective date.

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

SB 1004—Withdrawn prior to introduction.

By Senator Altman—

SB 1006—A bill to be entitled An act relating to estate, inheritance, and other death taxes; providing a short title; creating s. 198.46, F.S.; providing definitions; imposing a retaliatory tax on property of a non-resident decedent when the nonresident's state of domicile imposes estate, inheritance, or other death taxes upon a resident of this state; providing a limitation; specifying tax rate criteria; providing tax payment requirements; providing application; providing an effective date.

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

By Senator Simmons—

SB 1008—A bill to be entitled An act relating to liens for recovering, towing, or storing vehicles or vessels; amending s. 713.78, F.S.; defining the term “department”; revising procedures for notification concerning liens for the recovery of certain costs for recovering, towing, or storing a vehicle or vessel; removing the authority of the Department of Highway Safety and Motor Vehicles to release information concerning the insurance company; establishing fees for the lien notification; revising requirements governing the contents of the notification; revising requirements for locating and notifying persons about the impending sale of an unclaimed vehicle or vessel or its contents; revising requirements concerning public notice of the impending sale; removing duplicative provisions concerning rulemaking by the department; amending s. 715.07, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Transportation; Commerce and Tourism; and Budget.

By Senator Simmons—

SB 1010—A bill to be entitled An act relating to neighborhood improvement districts; amending s. 163.501, F.S.; revising the short title to become the “Neighborhoods Improvement Act”; amending s. 163.502, F.S.; revising legislative findings and purpose; amending s. 163.503, F.S.; revising a definition and removing definitions for “environmental security,” “crime prevention,” “defensible space,” “enterprise zone,” and “community policing innovation”; amending s. 163.5035, F.S.; conforming provisions to changes made by the act; amending s. 163.504, F.S.; authorizing the governing body of any municipality or county to form a neighborhood improvement district through the adoption of an ordinance rather than by a planning ordinance; removing provisions pertaining to the creation and funding of safe neighborhood districts; amending s. 163.5055, F.S.; requiring each neighborhood improvement district authorized under law to notify the Department of Community Affairs and the Department of Legal Affairs of their existence rather than to register with them; amending s. 163.506, F.S.; revising provisions authorizing a local governing body to create a local government neighborhood improvement district; specifying that the ordinance may authorize the improvement district to borrow money, issue bonds, and collect special assessments; authorizing the governing body of the improvement district to levy ad valorem taxes upon real and tangible personal property within the district which the governing body deems necessary for payment on the general obligation bonds; authorizing the district to make and collect special assessments; removing provisions allowing an alternative organization for the board of directors; amending s. 163.508, F.S., relating to property owners’ association neighborhood improvement districts; revising the requirements for creating a property owners’ association neighborhood improvement district by the enactment of a separate ordinance for each district; authorizing the governing body to request grants from the state; amending s. 163.511, F.S., relating to special neighborhood improvement districts; revising provisions to conform to changes made by the act; revising the method of appointing and removing directors of the district; amending s. 163.512, F.S.; revising provisions authorizing a municipality or county to create a community redevelopment neighborhood improvement district; authorizing the district to receive grants and other funding; providing that the local governing body may dissolve the district under certain circumstances; repealing s. 163.513, F.S., relating to crime prevention through community policing innovations; amending s. 163.514, F.S.; specifying the powers of neighborhood improvement districts; allowing the district to contract with legal counsel and other needed professionals; authorizing the districts to collect special assessments under certain circumstances

and following designated procedures; amending s. 163.5151, F.S.; requiring a local government to prepare its budget in a specified manner if levying an ad valorem tax on real or personal property; amending s. 163.516, F.S.; requiring neighborhood improvement plans to be created for each improvement district; specifying the contents of the neighborhood improvement district’s plan; repealing s. 163.517, F.S., relating to the safe neighborhoods program; repealing s. 163.519, F.S., relating to the duties of the Department of Legal Affairs; repealing s. 163.521, F.S., relating to the neighborhood improvement district inside an enterprise zone; repealing s. 163.5215, F.S., relating to the effect and construction of the existing laws; repealing s. 163.522, F.S., relating to state redevelopment programs; repealing s. 163.523, F.S., relating to safe neighborhood districts; repealing s. 163.524, F.S., relating to the Neighborhood Preservation and Enhancement Program; repealing s. 163.526, F.S., relating to Neighborhood Councils and the local government designated agency; providing an effective date.

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

By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations—

SB 1012—A bill to be entitled An act relating to trust funds; re-creating the State Attorneys Revenue Trust Fund within the Justice Administrative Commission without modification; repealing s. 27.367(2), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations—

SB 1014—A bill to be entitled An act relating to trust funds; re-creating the Public Defenders Revenue Trust Fund within the Justice Administrative Commission without modification; repealing s. 27.61(2), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations—

SB 1016—A bill to be entitled An act relating to trust funds; re-creating the Indigent Civil Defense Trust Fund within the Justice Administrative Commission without modification; repealing s. 27.5111(2), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations—

SB 1018—A bill to be entitled An act relating to trust funds; re-creating the State Courts Revenue Trust Fund within the state courts system without modification; repealing s. 29.22(2), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations—

SB 1020—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Legal Affairs without modification; repealing s. 20.112(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations—

SB 1022—A bill to be entitled An act relating to trust funds; re-creating the Operating Trust Fund within the Department of Legal Affairs without modification; repealing s. 20.111(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations—

SB 1024—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Juvenile Justice without modification; repealing s. 20.3161(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on Education Pre-K - 12 Appropriations—

SB 1026—A bill to be entitled An act relating to trust funds; re-creating the Operating Trust Fund within the Department of Education without modification; repealing s. 1001.281(4), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on Education Pre-K - 12 Appropriations—

SB 1028—A bill to be entitled An act relating to trust funds; re-creating the Administrative Trust Fund within the Department of Education without modification; repealing s. 1001.282(4), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on General Government Appropriations—

SB 1030—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of Financial Services; providing for the disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on General Government Appropriations—

SB 1032—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Environmental Protection without modification; repealing s. 20.25501(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on General Government Appropriations—

SB 1034—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Revenue without modification; repealing s. 215.197(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on General Government Appropriations—

SB 1036—A bill to be entitled An act relating to trust funds; re-creating and renaming the Operations Trust Fund within the Department of Revenue; repealing s. 215.198(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on General Government Appropriations—

SB 1038—A bill to be entitled An act relating to trust funds; creating s. 17.67, F.S.; creating the Federal Grants Trust Fund within the Department of Financial Services; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on General Government Appropriations—

SB 1040—A bill to be entitled An act relating to trust funds; amending s. 455.116, F.S.; providing a statutory reference for the trust fund created by the act; creating s. 499.0031, F.S.; creating the Florida Drug, Device, and Cosmetic Trust Fund within the Department of Business and Professional Regulation; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations—

SB 1042—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; repealing s. 20.241(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations—

SB 1044—A bill to be entitled An act relating to trust funds; terminating the International Registration Clearing Trust Fund within the Department of Highway Safety and Motor Vehicles; providing for the disposition of balances in and revenues of the trust fund; prescribing procedures for terminating the trust fund; repealing s. 2(4)(a), ch. 2004-235, Laws of Florida, relating to an exemption from termination provided for the trust fund; providing an effective date.

—was referred to the Committee on Budget.

By Senator Montford—

SB 1046—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending ss. 121.0515, 125.27, 253.036, 258.501, 259.035, 259.036, 259.037, 259.101, 259.105, 259.10521, 260.0142, 261.03, 261.04, 261.06, 261.12, 317.0010, 317.0016, 373.591, 379.226, 403.7071, 479.16, 570.548, 570.549, 570.903, 581.1843, 589.01, 589.011, 589.012, 589.04, 589.06, 589.07, 589.071, 589.08, 589.081, 589.09, 589.10, 589.101, 589.11, 589.12, 589.13, 589.14, 589.18, 589.19, 589.20, 589.21, 589.26, 589.27, 589.275, 589.277, 589.28, 589.29, 589.30, 589.31, 589.32, 589.33, 589.34, 590.015, 590.02, 590.42, 591.17, 591.18, 591.19, 591.20, 591.24, 591.25, 633.115, 633.821, and 790.15, F.S.; renaming the Division of Forestry within the department as the “Florida Forest Service”; replacing the term “Division of Forestry” with the term “Florida Forest Service” and replacing the term “division” with the term “agency”; making conforming changes; providing an effective date.

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

By Senator Lynn—

SB 1048—A bill to be entitled An act relating to public utilities; amending s. 366.02, F.S.; revising the definition of the term “public utility” to exclude certain renewable energy production facilities; providing an effective date.

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

By Senators Fasano and Lynn—

SB 1050—A bill to be entitled An act relating to effects of crimes; amending s. 61.075, F.S.; providing that a court may not make an equitable distribution of property in a dissolution of marriage to a party convicted of certain offenses concerning the other party; amending s. 61.08, F.S.; prohibiting persons convicted of specified crimes after a marriage from receiving alimony; creating s. 732.8025, F.S.; providing that a parent who commits specified offenses against a minor child shall lose all right to the intestate succession in the child’s estate and all right to administer the estate; providing for distribution of that share of the estate; providing an effective date.

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

By Senator Altman—

SB 1052—A bill to be entitled An act relating to crisis stabilization units; amending s. 394.875, F.S.; increasing the number of client beds a crisis stabilization unit is authorized to provide; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Hill—

SB 1054—A bill to be entitled An act relating to injunctions for protection against domestic violence, repeat violence, sexual violence, or dating violence; amending s. 741.29, F.S.; requiring a law enforcement officer, under certain circumstances, to arrest and keep in custody for a specified period a person who is suspected of domestic violence; requiring a law enforcement officer, under certain circumstances, to arrest and to keep in custody for a specified period a suspected primary aggressor in a case of domestic violence; amending ss. 741.30 and 784.046, F.S.; requiring the court, under certain circumstances, to order the sheriff to take into custody and to keep in custody for a specified period the respondent of a petition for an injunction for protection against domestic violence or for an injunction for protection against repeat violence, sexual violence, or dating violence; requiring a law enforcement officer, under certain circumstances, to arrest and to keep in custody for a specified period a person who is suspected of dating violence or who is

the primary aggressor in a case of dating violence; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Sachs—

SB 1056—A bill to be entitled An act relating to infant eye care; amending s. 383.04, F.S.; requiring certain eye examinations for all infants born in hospitals in the state; exempting this requirement from s. 383.07, F.S., relating to a penalty; revising an exception to certain applicability requirements concerning infant eye care; amending ss. 627.6416 and 641.31, F.S.; providing that coverage for children under health insurance policies and health maintenance organization contracts must include certain eye examinations for infants and children; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Budget.

By Senator Hill—

SB 1058—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; defining the terms “agency” and “member of the individual’s immediate family”; amending s. 443.091, F.S.; conforming a cross-reference; revising the requirements for eligibility to receive benefits; prohibiting a determination of ineligibility based solely on the fact that the individual is available only for part-time work; amending s. 443.101, F.S.; revising the definition of the term “good cause”; prohibiting a determination of ineligibility based solely on the fact that the individual is available only for part-time work; amending ss. 443.1216 and 443.131, F.S.; conforming cross-references; providing an effective date.

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

By Senator Lynn—

SB 1060—A bill to be entitled An act relating to programs for misdemeanor offenders; amending s. 948.15, F.S.; providing for defendants found guilty of certain misdemeanor drug offenses to be placed into licensed substance abuse education and treatment intervention programs; authorizing private or public entities to provide such programs; requiring that a private entity provide such programs under contract and comply with applicable laws; amending s. 948.16, F.S.; removing certain eligibility criteria prohibiting such placement if the defendant has previously been admitted to a pretrial program; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senators Hill and Gaetz—

SB 1062—A bill to be entitled An act relating to Veterans’ Day; requiring school districts to observe Veterans’ Day; prohibiting holding classes on that day and providing an exception; requiring the date of the Veterans’ Day observance to correspond to the federal holiday; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Education Pre-K - 12; and Community Affairs.

By Senator Lynn—

SB 1064—A bill to be entitled An act relating to the practice of surgical technology; providing legislative purpose and intent; providing definitions; prohibiting a person from practicing surgical technology in a health care facility unless he or she meets certain criteria; providing an exception for a specified time; prohibiting a health care facility from employing or contracting for the services of a surgical technologist unless the surgical technologist meets certain requirements; requiring continuing education for persons qualified to practice surgical technology;

requiring a health care facility to verify that a person who is qualified to practice surgical technology meets continuing education requirements and maintains the credential of certified surgical technologist; requiring a health care facility to supervise persons employed or contracted by a health care facility to practice surgical technology; providing that the act does not prohibit certain licensed health care practitioners and medical and osteopathic students from performing tasks or functions related to surgical technology; requiring the Agency for Health Care Administration to adopt rules; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Altman—

SB 1066—A bill to be entitled An act relating to sentencing in capital felonies; amending ss. 921.141 and 921.142, F.S.; requiring that, after a specified date, an advisory sentence of death be made by a unanimous recommendation of the jury following a defendant's conviction or adjudication of guilt for a capital felony or capital drug trafficking felony; requiring that the court enter a sentence notwithstanding the unanimous recommendation of the jury; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Hays—

SB 1068—A bill to be entitled An act relating to the Department of Financial Services; amending s. 20.121, F.S.; revising duties of the Division of Consumer Services; amending ss. 284.01 and 284.36, F.S.; revising criteria for premiums charged to agencies and departments for purposes of the State Risk Management Trust Fund; amending s. 284.42, F.S.; revising reporting requirements for the Department of Financial Services and the Department of Management Services on the state insurance program; requiring the Division of Risk Management to analyze and report on certain agency return-to-work programs and activities; amending s. 284.50, F.S.; requiring certain agencies to establish and maintain return-to-work programs for certain employees; providing program goals; requiring the Division of Risk Management to evaluate agency risk management programs; requiring reports; requiring agencies to respond to the division's evaluation and recommendations within a specified time; requiring the division to submit the evaluation report to the legislative appropriations committees in certain circumstances; amending s. 440.13, F.S.; revising requirements for determining the amount of a reimbursement for repackaged or relabeled prescription medication; providing limitations; amending s. 440.50, F.S.; providing for reversion of certain unencumbered and undisbursed funds to the Workers' Compensation Administration Trust Fund; providing an effective date.

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

By Senator Hays—

SB 1070—A bill to be entitled An act relating to the Florida Clean Indoor Air Act; amending s. 386.209, F.S.; limiting state preemption of the regulation of smoking to indoor smoking; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Regulation; and Community Affairs.

By Senator Latvala—

SB 1072—A bill to be entitled An act relating to real property; amending s. 222.01, F.S.; revising procedures for a person, including certain lienholders, subsequent owners, and successors in interest, to claim that a property is exempt from forced sale; authorizing the exemption from forced sale to be claimed if a code enforcement lien exists or has been recorded against a property; providing a form notice of exemption from forced sale for use by certain lienholders, subsequent owners, or successors in interest; requiring a clerk of court to mail a notice of exemption from forced sale to a judgment lienor or lienholder; providing that the judgment lien or lien of a lienor or lienholder who fails

to institute certain legal actions within a certain time does not attach to the interest of a subsequent owner, lienholder, or successor in interest who files a notice of exemption from forced sale; amending s. 695.01, F.S.; providing that certain conveyances, transfers, or mortgages of real property are not valid against creditors or subsequent purchasers unless such documents are recorded in the official records; providing that a lien imposed on real property by a governmental or quasi-governmental entity for certain purposes is not valid against a creditor or subsequent purchasers unless the lien is recorded; specifying the priority of liens; providing for the assignment of a lien; amending s. 695.27, F.S.; including s. 695.28, F.S., in the Uniform Real Property Electronic Recording Act; extending the existence of the Electronic Recording Advisory Committee; creating s. 695.28, F.S.; providing for the validity of certain documents that have been recorded electronically; providing that the act is intended to clarify existing law and applies retroactively; providing effective dates.

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

Senate Resolutions 1074-1078—Not referenced.

By Senator Altman—

SB 1080—A bill to be entitled An act relating to exemptions from the tax on sales, use, and other transactions; amending s. 212.08, F.S.; exempting certain items used to manufacture, produce, or modify gas turbine engine parts from the tax on sales, use, and other transactions; providing an effective date.

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

By Senator Altman—

SB 1082—A bill to be entitled An act relating to medical devices; amending s. 401.2915, F.S.; requiring certain entities to notify local emergency services medical directors of the locations of automated external defibrillators; requiring local emergency medical services medical directors to maintain registries of certain automated external defibrillator locations; amending s. 768.1326, F.S.; directing the State Surgeon General, with the assistance of the Department of Management Services, to adopt rules to establish guidelines for the appropriate placement and deployment of automated external defibrillators in places of public assembly; providing a definition; providing exceptions; clarifying the scope of the requirements of the act; amending s. 1006.165, F.S.; requiring the placement of an automated external defibrillator in each public school in this state; requiring training of certain persons; requiring registration of such devices with local emergency medical services medical directors; providing an effective date.

—was referred to the Committees on Health Regulation; Community Affairs; and Budget.

By Senator Altman—

SB 1084—A bill to be entitled An act relating to enterprise zones; creating s. 290.00726, F.S.; authorizing the City of Palm Bay to apply to the Office of Tourism, Trade, and Economic Development for designation of an enterprise zone; providing an application deadline; providing requirements for the area of the enterprise zone; requiring the office to establish the effective date of the enterprise zone; providing an effective date.

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

By Senator Hill—

SB 1086—A bill to be entitled An act relating to the restraint of incarcerated pregnant women; providing a short title; defining terms; prohibiting a correctional institution or county or municipal detention facility from using restraints on a prisoner known to be pregnant unless

a corrections official makes an individualized determination that the prisoner presents an extraordinary circumstance requiring restraints; providing that a doctor, nurse, or other health care professional treating the prisoner may request that restraints not be used, in which case the corrections official accompanying the prisoner shall remove all restraints; requiring that any restraint applied must be done in the least restrictive manner necessary; requiring the corrections official to make written findings within 10 days as to the extraordinary circumstance that dictated the use of restraints; requiring that the findings be kept on file by the correctional institution or detention facility for at least 5 years and be made available for public inspection under certain circumstances; authorizing any woman who is restrained in violation of the act to file a complaint within a specified period; providing that these remedies do not prevent a woman harmed from filing a complaint under any other relevant provision of federal or state law; directing the Department of Corrections and the Department of Juvenile Justice to adopt rules; requiring correctional institutions and detention facilities to inform prisoners of the rules upon admission, including the policies and practices in the prisoner handbook, and post the policies and practices in the correctional institution or detention facility; requiring the Secretary of Corrections, the Secretary of Juvenile Justice, and county and municipal corrections officials to annually file written reports with the Executive Office of the Governor detailing each incident of shackling; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; Community Affairs; and Budget.

By Senator Altman—

SB 1088—A bill to be entitled An act relating to criminal conduct; amending s. 827.03, F.S.; defining the term “mental injury” with respect to the offenses of abuse, aggravated abuse, and neglect of a child; requiring that a person acting as an expert witness have certain credentials; providing affirmative defenses to the offenses of child abuse, aggravated child abuse, and neglect; amending ss. 775.084, 775.0877, 782.07, 921.0022, and 948.062, F.S.; conforming cross-references; amending s. 960.03, F.S.; redefining the term “crime” for purposes of crime victims compensation to include additional forms of injury; redefining the term “victim” to conform with the modified definition of the term “crime”; providing an effective date.

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

By Senators Dean and Lynn—

SB 1090—A bill to be entitled An act relating to numeric nutrient water quality criteria; prohibiting the Department of Environmental Protection, the water management districts, and other governmental entities from implementing federal rules relating to numeric nutrient water quality criteria; providing that the prohibition does not limit a water management district or a state, regional, or local governmental entity from applying for a pollution discharge permit or complying with the permit or from implementing certain practices or measures; authorizing the department to adopt site-specific water quality criteria subject to certain conditions; providing that certain nutrient numeric standards already developed by the department constitute site-specific criteria under certain conditions; providing that such criteria are subject to administrative challenge and may be modified; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

By Senator Wise—

SB 1092—A bill to be entitled An act relating to state attorneys; amending s. 27.366, F.S.; deleting a provision that requires each state attorney to quarterly submit deviation memoranda relating to offenders who are not sentenced to the mandatory minimum prison sentence in cases involving the possession or use of a weapon; amending s. 775.082, F.S.; deleting a provision that requires each state attorney to quarterly submit deviation memoranda relating to why a defendant did not receive the mandatory minimum prison sentence in cases involving certain

specified offenses; repealing s. 775.08401, F.S., relating to criteria to be used when state attorneys decide to pursue habitual felony offenders or habitual violent felony offenders; repealing s. 775.087(5), F.S., relating to a provision that requires each state attorney to report why a case-qualified defendant did not receive the mandatory minimum prison sentence in cases involving certain specified offenses; amending s. 938.27, F.S.; deleting a provision requiring that agencies request a convicted person to pay certain costs; deleting a provision regarding the burden of establishing financial resources of the defendant; repealing s. 985.557(4), F.S., relating to direct-file policies and guidelines for juveniles; amending s. 775.0843, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Fasano—

SB 1094—A bill to be entitled An act relating to offenses against unborn children; providing a short title; amending s. 782.071, F.S.; defining the term “unborn child” for purposes of vehicular homicide; revising terminology to refer to “unborn child” rather than “viable fetus”; providing legislative intent; amending s. 782.09, F.S.; revising terminology; providing that certain offenses relating to the killing of an unborn child by injury to the mother do not require specified knowledge or intent; amending ss. 316.193, 435.04, and 921.0022, F.S.; conforming terminology; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Hays—

SB 1096—A bill to be entitled An act relating to columbaria; amending s. 497.260, F.S.; exempting from regulation certain columbaria located on a motorsports entertainment complex; providing an effective date.

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

By Senator Hays—

SB 1098—A bill to be entitled An act relating to collective bargaining for certain public employees; amending s. 447.203, F.S.; specifying that for purposes of resolving an impasse the sheriff, the tax collector, the property appraiser, the supervisor of elections, and the clerk of the circuit court are each deemed the “legislative body” for their respective employees; providing that in a county that has expressly abolished the office of any constitutional officer, such duties are transferred to the officer as provided for under the county charter if the charter is not inconsistent with general law or a special law approved by a vote of the electors; providing an effective date.

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

By Senator Detert—

SB 1100—A bill to be entitled An act relating to residence of the clerk of the circuit court; repealing s. 28.08, F.S., relating to the clerk of the circuit court’s place of residence; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Detert—

SB 1102—A bill to be entitled An act relating to energy; amending s. 366.92, F.S.; revising definitions and providing additional definitions; requiring that electric utilities meet or exceed specified standards for the production or purchase of clean energy; establishing a schedule for compliance; providing a penalty if a utility fails to meet the standards; authorizing the Public Service Commission to exempt certain electric

utilities from compliance under specified conditions; requiring that the commission adopt rules; requiring an annual report to the Legislature; amending s. 366.93, F.S.; authorizing the Public Service Commission to allow a utility to recover the costs of converting an existing fossil fuel plant to a biomass plant under certain conditions; encouraging utilities to pursue joint ownership of nuclear power plants; requiring that certain costs be shared; creating s. 366.99, F.S.; providing a short title; providing legislative findings with respect to the need to reduce greenhouse gas emissions through the direct end-use of natural gas; defining terms; authorizing a utility to establish a surcharge for the purpose of constructing natural gas installations in areas that lack natural gas service; providing limitations on the surcharge; providing procedures for determining the surcharge and making filings to the commission; requiring that the commission conduct limited proceedings to determine the amount of the surcharge; providing for future expiration of provisions authorizing the surcharge; amending s. 377.6015, F.S.; providing that terms for members of the Florida Energy and Climate Commission begin and end on specified dates; deleting an obsolete provision; amending s. 377.705, F.S.; requiring that the Solar Energy Center charge testing fees; directing the Florida Building Commission to make all changes to the building and energy codes necessary to conform to the act; amending s. 403.503, F.S.; redefining the term "electrical power plant" to exclude solar electrical generating facilities; amending s. 525.09, F.S.; imposing a fee on alternative fuel containing alcohol; requiring that the Florida Energy and Climate Commission prepare a report identifying ways to increase the energy-efficiency practices of low-income households; requiring that the report include certain determinations and recommendations and be submitted to the Legislature by a specified date; providing for the extension of the appointment of a commissioner on the Florida Energy and Climate Commission if he or she is not confirmed during the 2011 Regular Session or the 2012 Regular Session; requiring that the Florida Energy and Climate Commission obtain the approval of the joint Legislative Budget Commission before spending or disbursing any funds received from the Federal Government as part of a federal stimulus package; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; and Budget.

By Senator Altman—

SB 1104—A bill to be entitled An act relating to intellectual disabilities; amending s. 39.502, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens for purposes of certain proceedings relating to children; amending ss. 40.013, 86.041, 92.53, 92.54, and 92.55, F.S.; substituting the term "intellectual disability" for the term "mental retardation"; amending s. 320.10, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens; amending ss. 383.14, 393.063, 393.11, and 394.455, F.S.; substituting the term "intellectual disability" for the term "mental retardation"; clarifying in s. 393.063, that the meaning of the terms "intellectual disability" or "intellectually disabled" is the same as the meaning of the terms "mental retardation," "retarded," and "mentally retarded" for purposes of matters relating to the criminal laws and court rules; amending s. 400.960, F.S.; revising definitions relating to intermediate care facilities for the developmentally disabled to delete unused terms; amending s. 408.032, F.S.; conforming a cross-reference; amending s. 409.908, F.S.; substituting the term "intellectually disabled" for the term "mentally retarded"; amending ss. 413.20, 440.49, and 499.0054, F.S.; substituting the term "intellectual disability" for the term "mental retardation"; amending s. 514.072, F.S.; conforming a cross-reference and deleting obsolete provisions; amending ss. 627.6041, 627.6615, 641.31, 650.05, 765.204, 849.04, 914.16, 914.17, 916.105, and 916.106, F.S.; substituting the term "intellectual disability" for the term "mental retardation"; amending s. 916.107, F.S.; substituting the term "intellectual disability" for the term "retardation"; providing a directive to the Division of Statutory Revision; amending ss. 916.301, 916.3012, 916.302, 916.3025, 916.303, 916.304, 918.16, 921.137, 941.38, 944.602, 945.025, 945.12, 945.42, 947.185, 984.19, 985.14, 985.145, 985.18, 985.19, 985.195, and 985.61, F.S.; clarifying in s. 921.137, F.S., that the terms "intellectual disability" or "intellectually disabled" are interchangeable with and have the same meaning as the terms "mental retardation," or "retardation" and "mentally retarded," as defined before the effective date of the act; substituting the term "intellectual disability" for the term "mental retardation"; expressing legislative intent; providing an effective date.

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

By Senator Bennett—

SB 1106—A bill to be entitled An act relating to an exemption from hunter safety course requirements; amending ss. 379.353 and 379.3581, F.S.; providing an exemption from hunter safety course requirements for a person issued a permit, license, or authorization to take game or furbearing animals on private land; directing the Fish and Wildlife Conservation Commission to adopt rules; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Budget.

By Senator Storms—

SB 1108—A bill to be entitled An act relating to the use of cigarette tax proceeds; amending s. 210.20, F.S.; revising the payment and distribution of funds in the Cigarette Tax Collection Trust Fund; providing specified purposes for the use of funds that are appropriated out of the trust fund; amending s. 210.201, F.S.; authorizing moneys transferred to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute to be used to secure financing to pay costs related to constructing, furnishing, equipping, and maintaining clinical facilities for cancer research; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senators Dean and Gaetz—

SB 1110—A bill to be entitled An act relating to commemoration of the 40th anniversary of the end of the United States' involvement in the Vietnam War; creating s. 683.025, F.S.; designating March 25 annually as "Vietnam Veterans' Day"; specifying the date on which the observance of Vietnam Veterans' Day commences; specifying purpose of the observance; creating s. 292.075, F.S.; requiring the Department of Veterans' Affairs to administratively promote and support the efforts of counties, municipalities, and veterans' organizations that voluntarily hold special community events commemorating the 40th anniversary of the end of the United States' involvement in the Vietnam War and subsequent observances of Vietnam Veterans' Day; authorizing solicitation of private donations to fund grants to counties, municipalities, and veterans' organizations that voluntarily hold activities in support of such commemoration; providing for rulemaking of the department; providing for the creation of a special volunteer advisory board to the department for the purpose of reviewing and making recommendations with respect to activities and expenditures of private funds raised in support of such commemoration; amending ss. 320.08056 and 320.08058, F.S.; creating the Vietnam Veterans license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Community Affairs; and Budget.

By Senator Detert—

SB 1112—A bill to be entitled An act relating to the homestead exemption; authorizing any person to report to a local property appraiser a possible homestead exemption violation under certain circumstances; requiring the property appraiser to certify to the tax collector the name and address of the person who reports a violation; requiring that the tax collector pay a specified maximum reward to the reporting individual after the recovery of any back taxes, interest, or penalties; requiring that funds for such reward be taken from a specified source; providing that a reward may be paid to only one person for each verified violation; providing for the determination of the recipient of a reward if more than one resident reports a violation; requiring associations for condominiums and cooperatives to provide a list of rented units to the property appraiser's office; requiring that the Department of Revenue create a form for reporting such violations and provide such form by specified means; requiring that each submitted form contain certain information; re-

quiring that the property appraiser stamp each submitted form with the current date and time upon receipt; providing an effective date.

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

By Senator Detert—

SB 1114—A bill to be entitled An act relating to verification of a prisoner's immigration status; creating s. 907.06, F.S.; requiring the staff of a jail or other detention center or facility to make a reasonable effort to determine the citizenship status of a person charged with specified crimes; requiring the facility staff to make a reasonable effort to verify whether the prisoner is lawfully present in the United States; requiring facility staff to request the assistance of the United States Department of Homeland Security to verify the immigration status of a person within 48 hours after the person is confined in the jail or other detention center or facility; requiring facility staff to notify the United States Department of Homeland Security if the person is not lawfully in the United States; creating, for purposes of a release bond, a rebuttable presumption that a prisoner is at risk of flight if the Department of Homeland Security verifies that the prisoner is a foreign national and is not lawfully present in the United States; requiring that certain agencies adopt written procedures to conform to the act; requiring that the act be construed consistent with applicable federal law; providing an effective date.

—was referred to the Committees on Criminal Justice; Military Affairs, Space, and Domestic Security; Community Affairs; and Budget.

By Senator Storms—

SB 1116—A bill to be entitled An act relating to debt buyers; amending s. 559.55, F.S.; providing a definition for “debt buyer”; amending ss. 559.553 and 559.565, F.S.; conforming cross-references; creating s. 559.717, F.S.; providing requirements for debt buyers; requiring a debt buyer to provide a receipt for any payments made by a debtor; providing acts that are prohibited by a debt buyer; providing the requirements for filing an action against a debtor by a debt buyer or for collecting attorney's fees charged for collection services; providing requirements for obtaining a default or summary judgment against a debtor; providing penalties against a debt buyer for violations; providing an effective date.

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

By Senator Bogdanoff—

SB 1118—A bill to be entitled An act relating to nursing services; creating s. 395.0192, F.S.; providing definitions; requiring that hospitals establish nurse staffing collaborative councils; providing for membership and responsibilities; requiring the council to produce annual hospital nurse staffing plans; requiring the chief nurse executive to communicate with the council to ensure appropriate implementation of the nurse staffing plan; requiring that the council conduct a semiannual review of the nurse staffing plan; requiring the nurse staffing plan to be reviewed with the nurse personnel and made available to the public upon request; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Norman—

SB 1120—A bill to be entitled An act relating to special districts; amending s. 189.4042, F.S.; revising provisions relating to merger and dissolution procedures for special districts; requiring certain merger and dissolution procedures to include referenda; providing an exception; providing that such provisions preempt certain special acts; providing for a local government to assume the indebtedness of, and receive the title to property owned by, a special district under certain circumstances; amending s. 189.4044, F.S.; revising dissolution procedures for special districts declared inactive by a governing body; providing an effective date.

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

By Senator Bennett—

SB 1122—A bill to be entitled An act relating to growth management; amending s. 163.3164, F.S.; clarifying the definition of the term “urban service area”; amending s. 163.3171, F.S.; providing legislative intent regarding joint agreements between municipalities and counties; amending s. 163.3177, F.S.; extending the deadline for a local government to comply with the financial feasibility requirement for the capital improvements element of its comprehensive plan; expanding future land use categories to require the consideration of compatibility with adjacent lands, the preservation of recreational and commercial working waterfronts, public schools, and future municipal incorporation; deleting consideration of future planned industrial use, based on certain criteria; eliminating certain criteria specific to coastal counties; reenacting s. 163.31801(5), F.S., relating to the requirement that the government has the burden to prove that the imposition or amount of an impact fee meets the state requirements for legal precedent; providing for retroactive application, and providing legislative intent if a court finds such retroactive application to be unconstitutional; amending s. 163.31801, F.S.; prohibiting a local government from increasing an impact fee or imposing a new impact fee on nonresidential development; providing certain exceptions; providing for future expiration of the prohibition; amending s. 163.3194, F.S.; requiring a governing body to issue a development order or permit to erect, operate, use, or maintain a sign if the sign is located in certain zones; providing definitions; providing circumstances in which a parcel is considered unzoned commercial or industrial; providing criteria under which a development order or permit is in compliance with certain requirements governing the placement of signs; providing that the Department of Transportation may rely on a determination by the local permitting agency; amending s. 163.3246, F.S.; requiring the Office of Program Policy Analysis and Government Accountability to submit a report on the effectiveness of the comprehensive planning certification program; directing the office to obtain input from certain entities in developing the report; providing minimum criteria for the report; providing for future expiration of the local government comprehensive planning certification program; providing for future expiration of certain agreements; creating s. 163.3250, F.S.; creating an autonomous planning program; providing legislative findings that local governments can implement plans without state oversight; providing criteria for autonomous planning; requiring a county or municipality to notify the state land planning agency and provide a map of the designated or modified autonomous planning area; requiring the state land planning agency to provide notice on its website of the name of any jurisdiction that has a designated autonomous planning area; providing the effective date of the plan; providing conditions for automatic approval; requiring a public hearing before an application may be submitted; providing for comments; providing exceptions to the process; requiring jurisdictions to be subject to frequency and timing requirements; providing procedures for the initial hearing on the comprehensive plan amendment for the autonomous planning program; providing procedures for the adoption of the comprehensive plan amendments in autonomous planning areas; providing procedures for administrative challenges to plan amendments for autonomous planning areas; requiring any development within the autonomous planning area to be consistent with the local comprehensive plan; providing that local governments implementing a program using an alternative state review process may elect to file an application under the autonomous planning program; creating s. 163.3260, F.S.; prohibiting a local government from duplicating state regulatory authority; providing effective dates.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; and Budget.

By Senators Montford and Lynn—

SB 1124—A bill to be entitled An act relating to public school buses; amending s. 1006.25, F.S.; providing for district school board policies that authorize commercial advertisements on school buses; providing policy requirements relating to reimbursement to the school district, prohibited advertisements, and signage and equipment standards; requiring a school bus to be withdrawn from use under certain circumstances; providing school district indemnification from liability; providing for the remittance and allocation of revenue; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Transportation; and Budget.

By Senator Margolis—

SB 1126—A bill to be entitled An act relating to art in state buildings; amending s. 255.043, F.S.; removing a provision allowing the purchase of works of art produced by artists or craftspeople who are not from Florida; providing an effective date.

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

By Senator Ring—

SB 1128—A bill to be entitled An act relating to public retirement plans; amending s. 112.66, F.S.; providing that a local governmental entity may not offer a defined benefit retirement plan to a plan member hired on or after a certain date; providing that local plans must use at least 5 years to determine a plan member's average final compensation for calculating retirement benefits for members hired on or after a certain date; providing a death benefit for the spouse and minor children of a member hired on or after a certain date who is killed in the line of duty; amending s. 121.051, F.S.; providing that a firefighters' or police officers' plan is eligible for participation in the Florida Retirement System, at the discretion of the Department of Management Services; amending s. 175.032, F.S.; clarifying the definition of "compensation" or "salary"; amending s. 175.351, F.S.; revising provisions relating to benefits paid from the premium tax by a municipality or special fire control district that has its own pension plan; amending s. 185.02, F.S.; revising definitions; amending s. 185.35, F.S.; revising provisions relating to benefits paid by a municipality that has its own pension plan; conforming a cross-reference; directing the Department of Financial Services to rate the financial strength of local government defined benefit plans; specifying the factors for assigning the ratings; requiring certain entities to cooperate in providing data for the ratings; requiring the ratings to be posted on the department's website; creating the Task Force on Public Employee Disability Presumptions; providing for appointment and membership; specifying the issues for the task force to address; providing for a report to be submitted to the Governor, Chief Financial Officer, and Legislature by a certain date; providing for expiration; directing the Department of Financial Services to submit a report on the financial health of local government pension plans to the Governor and Legislature by a certain date; specifying the issues the report must address; providing a declaration of important state interest; providing an effective date.

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

By Senator Ring—

SB 1130—A bill to be entitled An act relating to retirement; amending s. 110.123, F.S.; conforming provisions to changes made by the act; amending ss. 112.0801, 112.363, and 112.65, F.S.; conforming provisions to changes made by the act; amending s. 121.011, F.S.; requiring employee and employer contributions to the retirement system by a certain date; amending s. 121.021, F.S.; redefining the terms "system," "prior service," "compensation," "average final compensation," "benefit," and "payee"; amending s. 121.051, F.S.; conforming provisions to changes made by the act; clarifying that employer-paid employee contributions are subject to certain taxes; amending s. 121.0515, F.S.; providing that special risk employee contributions be used, if applicable, when purchasing credit for past service; conforming a cross-reference; amending s. 121.052, F.S., relating to the membership class of elected officers; conforming provisions to changes made by the act; providing for a refund of contributions under certain circumstances for an officer who leaves office; prohibiting such refund if an approved qualified domestic relations order is filed against the participant's retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; conforming a cross-reference; amending s. 121.053, F.S.; conforming provisions to changes made by the act; amending s. 121.055, F.S., relating to the Senior Management Service Class; conforming provisions to changes made by the act; prohibiting such refund if an approved qualified domestic relations order is

filed against the participant's retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; requiring employee and employer contributions for participants in the Senior Management Service Optional Annuity Program after a certain date; limiting the payment of benefits before a participant's termination of employment; amending s. 121.071, F.S.; requiring employee and employer contributions to the retirement system beginning on a certain date; providing for a refund of contributions under certain circumstances following termination of employment; prohibiting such refund if an approved qualified domestic relations order is filed against the participant's retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; requiring repayment plus interest of an invalid refund; amending s. 121.081, F.S.; providing requirements for contributions for prior service performed on or after a certain date; amending s. 121.091, F.S.; conforming a cross-reference; delaying the refund or payment of accumulated employee contributions if a member's employment is terminated for any reason other than death or retirement; prohibiting such refund if an approved qualified domestic relations order is filed against the participant's retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; requiring repayment plus interest of an invalid refund; conforming provisions to changes made by the act; revising the age at which a member can elect to participate in the Deferred Retirement Option Program after a certain date; amending s. 121.121, F.S., relating to the purchase of credit service following an authorized leave of absence; requiring that service credit be purchased at the employee and employer contribution rates in effect during the leave of absence; reducing the interest rate on benefits payable under the Deferred Retirement Option Program for employees hired after a certain date; amending s. 121.125, F.S.; conforming provisions to changes made by the act; amending s. 121.35, F.S., relating to the optional retirement program for the State University System; conforming provisions to changes made by the act; requiring employee and employer contributions for participants in the optional retirement program after a certain date; deleting certain requirements governing employer contributions to conform to changes made by the act; conforming cross-references; amending s. 121.4501, F.S.; changing the name of the Public Employee Optional Retirement Program to the Florida Retirement System Investment Plan; limiting the option of enrolling in the State Retirement System's defined benefit program or defined contribution program to public employees employed before a certain date; requiring public employees employed on or after a certain date to enroll in the defined contribution program; requiring that participants in the plan make contributions to the plan based on the employee's membership class; revising definitions; deleting obsolete provisions relating to the 2002 optional transfer of public employees from the defined benefit program to the defined contribution program; conforming provisions to changes made by the act relating to the commencement of retirement benefits; providing for past employees who reenter the system; providing for contribution adjustments as a result of errors or corrections; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; providing for a participant to retain his or her prior plan choice following a return to employment; excluding certain retirees from renewed membership in the Florida Retirement System; limiting certain refunds of contributions which exceed the amount that would have accrued had the member remained in the defined benefit program; providing certain requirements and limitations with respect to contributions; clarifying that participant and employer contributions are earmarked for specified purposes; providing duties of the third-party administrator; providing that a participant is vested immediately with respect to employee contributions paid by the participant; providing for the forfeiture of nonvested employer contributions and service credit based on years of service; amending s. 121.4502, F.S.; conforming provisions to changes made by the act; amending s. 121.4503, F.S.; providing for the deposit of participant contributions into the Florida Retirement System Contributions Clearing Trust Fund; amending s. 121.571, F.S.; conforming provisions to changes made by the act; providing requirements for submitting participant contributions; amending s. 121.591, F.S.; limiting the payment of benefits prior to a participant's termination of employment; providing for the forfeiture of nonvested accumulations upon payment of certain vested benefits; providing that the distribution payment method selected by the participant or beneficiary is irrevocable at the time of distribution; prohibiting a distribution of employee contributions if a qualified domestic relations order is filed against the participant's account; providing for the distribution of a

participant's contributions if the participant dies before being vested; providing for the establishment of a death benefits program in the Florida Retirement System Trust Fund and the payment of benefits if the participant dies in the line of duty; conforming provisions to changes made by the act; amending ss. 121.5911 and 121.70, F.S.; conforming provisions to changes made by the act; amending s. 121.71, F.S.; providing for employee contributions to be deducted from the employee's monthly salary, beginning on a specified date, and treated as employer contributions under certain provisions of federal law; clarifying that an employee may not receive such contributions directly; specifying the required employee contribution rates for the membership of each membership class and subclass of the Florida Retirement System; specifying the required employer retirement contribution rates for each membership class and subclass of the system in order to address unfunded actuarial liabilities of the system; requiring an assessment to be imposed if the employee contributions remitted are less than the amount required; providing for the employer to receive a credit for excess contributions remitted; conforming cross-references; amending s. 121.72, F.S.; revising certain requirements governing allocations to optional retirement program participant accounts; conforming cross-references; amending s. 121.73, F.S., relating to disability coverage for participants in the optional retirement program; conforming provisions to changes made by the act; amending s. 121.74, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 121.77, F.S.; conforming provisions to changes made by the act; amending s. 121.78, F.S.; revising certain requirements for administering the payment and distribution of contributions; requiring that certain fees be imposed for delinquent payment; providing that an employer is responsible for recovering any refund provided to an employee in error; revising the terms of an authorized waiver of delinquency; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; amending s. 1012.875, F.S.; requiring employee and employer contributions for participants in the State Community College System Optional Retirement Program on a certain date; conforming cross-references; requiring the state actuary to consider additional factors when conducting the annual actuarial study on the Florida Retirement System; providing that the act fulfills an important state interest; providing a directive to the Division of Statutory Revision; providing appropriations to and authorizing additional positions for the Division of Retirement within the Department of Management Services; requiring the State Board of Administration and the Department of Management Services to request a private letter ruling from the United States Internal Revenue Service regarding this act; providing for severability; providing effective dates.

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

By Senator Margolis—

SB 1132—A bill to be entitled An act relating to cooperatives; amending s. 719.103, F.S.; defining the term "immediate family member"; amending s. 719.106, F.S.; prohibiting immediate family members residing in the same unit from serving concurrently on the board of administration of a cooperative; providing an effective date.

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

Senate Resolutions 1134-1136—Not referenced.

By Senators Garcia and Lynn—

SB 1138—A bill to be entitled An act relating to public high school students; prohibiting a public high school student from leaving school grounds during his or her designated lunch period; requiring that district school boards implement the prohibition by a specified date; providing an effective date.

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

By Senator Sachs—

SB 1140—A bill to be entitled An act relating to child care facilities; providing a short title; amending s. 402.305, F.S.; requiring vehicles used by child care facilities and large family child care homes to be equipped with an alarm system that prompts the driver to inspect the vehicle for children before exiting the vehicle; requiring the Department of Children and Family Services to adopt rules and maintain a list of approved alarm systems; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Transportation; and Budget.

By Senator Dockery—

SB 1142—A bill to be entitled An act relating to adverse possession; amending s. 95.18, F.S.; specifying that occupation and maintenance of property satisfies the requirements for possession for purposes of gaining title to property via adverse possession without color of title; requiring a person seeking property by adverse possession to use a uniform adverse possession return provided by the Department of Revenue; requiring the property appraiser to notify the owner of record of an adverse possession claim; requiring that a person claiming adverse possession attest to the truthfulness of the information provided in the return under penalty of perjury; authorizing the Department of Revenue to adopt emergency rules; requiring that the property appraiser add certain information related to the adverse possession claim to the parcel information on the tax roll and prescribing conditions for removal of that information; prescribing procedures and requirements for adverse possession claims against a portion of an identified parcel or against property to which the property appraiser has not assigned a parcel number; requiring the property appraiser to include a notation of an adverse possession filing in any searchable property database maintained by the property appraiser; amending s. 197.212, F.S.; excluding property subject to adverse possession claims without color of title from provisions authorizing the tax collector not to send a tax notice for minimum tax bills; creating s. 197.3335, F.S.; requiring the tax collector to determine whether a duplicate tax payment is made by an adverse possessor; providing for priority of tax payments made by an owner of record who is subject to an adverse possession claim; providing for a refund of tax payments under certain conditions; providing for retroactive application of certain provisions governing procedures for administering a claim of adverse possession and establishing tax priority for owners of record; providing an effective date.

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

By Senator Margolis—

SB 1144—A bill to be entitled An act relating to local government; amending s. 125.35, F.S.; authorizing a board of county commissioners to negotiate the lease of certain real property for a limited period; amending s. 337.29, F.S.; authorizing transfers of right-of-way between local governments by deed; providing an effective date.

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

By Senator Sachs—

SB 1146—A bill to be entitled An act relating to drug-related overdoses; providing a short title; creating s. 893.21, F.S.; providing that a person acting in good faith who seeks medical assistance for an individual experiencing a drug-related overdose may not be charged, prosecuted, or penalized for specified offenses in certain circumstances; providing that a person who experiences a drug-related overdose and needs medical assistance may not be charged, prosecuted, or penalized for specified offenses in certain circumstances; providing that the protections from prosecution for specified offenses are not grounds for suppression of evidence in other prosecutions; amending s. 921.0026, F.S.; amending mitigating circumstances under which a departure from the lowest permissible criminal sentence is reasonably justified to include circumstances in which a defendant was making a good faith effort

to obtain or provide medical assistance for an individual experiencing a drug-related overdose; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; Judiciary; and Budget.

By Senators Dean and Lynn—

SB 1148—A bill to be entitled An act relating to operating grants for public libraries; amending s. 257.17, F.S.; authorizing the Department of State to waive certain operating-grant eligibility requirements for a specified period of time for a library administrative unit located in a rural area of critical economic concern; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Community Affairs; and Budget.

By Senator Latvala—

SB 1150—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 20.24, F.S.; specifying that the executive director of the department serves at the pleasure of the Governor and Cabinet; creating a Division of Motorist Services within the department; eliminating the Division of Driver Licenses and the Division of Motor Vehicles; amending s. 261.03, F.S.; conforming cross-references; amending s. 288.816, F.S., relating to Consul Corps license plates; conforming a reference; amending s. 316.1933, F.S.; authorizing a health care provider to notify a law enforcement agency after detecting the presence of a controlled substance in the blood of a person injured in a motor vehicle crash; amending s. 316.1957, F.S., relating to parking violations; conforming a reference; amending ss. 316.2122, 316.2124, 316.21265, 316.3026, and 316.550, F.S., relating to the operation of low-speed vehicles, motorized disability access vehicles, and all-terrain or utility vehicles, the unlawful operation of motor carriers, and special permits, respectively; conforming cross-references; amending s. 316.545, F.S.; providing for the regulation of apportionable vehicles; amending s. 316.646, F.S.; authorizing the department to suspend the registrations and driving privilege of a person convicted of failing to maintain the required security while operating a private passenger motor vehicle; amending s. 317.0003, F.S., relating to off-highway vehicles; conforming a cross-reference; amending s. 317.0016, F.S.; eliminating a requirement that the department provide expedited service for certificates of repossession; amending s. 318.14, F.S.; clarifying provisions authorizing a person cited for a noncriminal traffic infraction to elect to attend a driver improvement course or enter a plea of nolo contendere; amending s. 318.15, F.S., relating to the suspension of driving privileges; conforming a reference; amending s. 319.14, F.S.; prohibiting a person from knowingly offering for sale, selling, or exchanging certain vehicles unless the department has stamped in a conspicuous place on the certificate of title words stating that the vehicle is a custom vehicle or street rod vehicle; defining the terms “custom vehicle” and “street rod”; amending s. 319.225, F.S.; revising the requirements for the transfer and reassignment forms for vehicles; requiring that a dealer selling a vehicle out of state mail a copy of the power of attorney form to the department; providing for the electronic transfer of a vehicle title; amending s. 319.23, F.S.; authorizing the department to accept a bond if the applicant for a certificate of title is unable to provide a title that assigns the prior owner’s interest in the motor vehicle; providing requirements for the bond and the affidavit; providing for future expiration of the bond; amending s. 319.28, F.S.; eliminating certain requirements that a lienholder obtain a certificate of repossession following repossession of a vehicle or mobile home; amending s. 319.323, F.S., relating to title offices for expedited service; conforming provisions to changes made by the act; amending s. 319.40, F.S.; authorizing the department to issue electronic certificates of title and use electronic mail addresses for purposes of notification; amending s. 320.01, F.S.; deleting an obsolete definition; revising the gross vehicle weight for purposes of defining the terms “apportionable vehicle” and “commercial motor vehicle”; amending s. 320.02, F.S.; providing that an active-duty military member is exempt from the requirement to provide an address on an application for vehicle registration; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to End Hunger in Florida; requiring that the department retain certain records for a specified period; amending s. 320.023, F.S.; authorizing the department to retain certain proceeds derived from the voluntary contribu-

tributions program to cover certain specified costs to the department; amending s. 320.03, F.S., relating to the International Registration Plan; conforming provisions to changes made by the act; amending s. 320.05, F.S.; deleting a provision requiring that the department provide a procedures manual for a fee; clarifying that the creation and maintenance of records by the Division of Motorist Services is not a law enforcement function of agency recordkeeping; amending s. 320.06, F.S.; authorizing the department to conduct a pilot program to evaluate alternative license plate technologies for use on government-owned motor vehicles; specifying that all license plates issued by the department are the property of the state; amending s. 320.061, F.S.; providing that it is a noncriminal traffic infraction to alter a temporary license plate; amending s. 320.071, F.S.; providing for the renewal of registration for an apportionable vehicle that is registered under the International Registration Plan; amending s. 320.0715, F.S.; clarifying provisions requiring the registration of apportionable vehicles under the International Registration Plan; amending s. 320.08, F.S., relating to license taxes; conforming cross-references; amending s. 320.0847, F.S., relating to license plates for mini trucks and low-speed vehicles; conforming cross-references; amending s. 320.0848, F.S.; revising the requirements for the deposit of fee proceeds from temporary disabled parking permits; amending s. 320.275, F.S., relating to the Automobile Dealers Industry Advisory Board; conforming provisions to the elimination of the Division of Motor Vehicles within the department; amending s. 320.771, F.S.; specifying circumstances under which certain dealers may apply for a certificate of title to a recreational vehicle using a manufacturer’s statement of origin; amending s. 320.95, F.S.; authorizing the department to use electronic mail addresses for the purpose of providing license renewal notices; amending s. 321.02, F.S.; designating the director of the Division of Highway Patrol of the department as the Colonel of the Florida Highway Patrol; amending s. 322.02, F.S.; providing for a director of the Division of Motorist Services; amending s. 322.04, F.S.; revising provisions exempting a nonresident from the requirement to obtain a driver’s license under certain circumstances; amending s. 322.051, F.S.; revising requirements by which an applicant for an identification card may prove nonimmigrant classification; clarifying the validity of an identification card based on specified documents; providing for the department to waive the fees for issuing or renewing an identification card to persons who present good cause for such waiver; amending s. 322.058, F.S.; conforming a cross-reference; amending s. 322.065, F.S.; revising the period of expiration that constitutes the offense of driving with an expired driver’s license; amending s. 322.07, F.S.; clarifying the qualifications for obtaining a temporary commercial instruction permit; amending s. 322.08, F.S.; revising requirements by which an applicant for a driver’s license may prove nonimmigrant classification; clarifying the validity of a license based on specified documents; authorizing the department to use electronic mail addresses for the purposes of providing license renewal notices; amending s. 322.081, F.S.; authorizing the department to retain certain proceeds derived from the voluntary contributions made on driver’s license applications to cover certain specified costs to the department; amending s. 322.12, F.S.; deleting provisions requiring a separate examination for applicants for a license to operate a motorcycle; requiring that the motorcycle safety course for a first-time applicant include a final examination; requiring that completion of the course be indicated on the license; amending s. 322.121, F.S.; clarifying provisions authorizing the automatic extension of a license for members of the Armed Forces or their dependents while serving on active duty outside the state; amending s. 322.14, F.S.; deleting a requirement that applicants for specified licenses appear in person for issuance of a color photographic or digital imaged driver’s license; amending s. 322.20, F.S., relating to department records; conforming provisions to changes made by the act; amending s. 322.202, F.S.; clarifying that the Division of Motorist Services is not a law enforcement agency; amending s. 322.21, F.S.; conforming provisions to changes made by the act; authorizing a driver to renew his or her driver’s license during a specified period before the license expiration date; amending s. 322.53, F.S.; revising provisions exempting certain farmers and drivers who operate straight trucks from the requirement to obtain a commercial driver’s license; amending s. 322.54, F.S.; requiring that the weight of a commercial motor vehicle be based on the vehicle’s actual weight under certain circumstances; repealing s. 322.58, F.S., relating to holders of chauffeur’s licenses; amending s. 322.59, F.S.; requiring that the department disqualify a driver holding a commercial driver’s license who fails to comply with specified federal certification requirements; amending s. 322.61, F.S.; providing that the holder of a commercial driver’s license is permanently disqualified from operating a commercial motor vehicle following two violations of specified offenses committed

while operating any vehicle; amending s. 322.64, F.S.; providing that a notice of disqualification from operating a commercial motor vehicle acts as a conviction for purposes of certain federal restrictions imposed for the offense of operating a commercial motor vehicle while under the influence of alcohol; deleting provisions authorizing the department to impose certain alternative restrictions for such offense; amending s. 328.30, F.S.; authorizing the department to issue electronic certificates of title for vessels and use electronic mail addresses for purposes of providing renewal notices; amending s. 413.012, F.S., relating to a prohibition on disclosing confidential records held by the department; conforming provisions to changes made by the act; amending s. 713.78, F.S.; conforming a cross-reference; providing an effective date.

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

By Senator Simmons—

SB 1152—A bill to be entitled An act relating to limited liability companies; amending s. 608.433, F.S.; providing that a charging order against a member's limited liability company interest is the sole and exclusive remedy available to enforce a judgment creditor's unsatisfied judgment against a member or member's assignee; providing an exception for enforcing a judgment creditor's unsatisfied judgment against a judgment debtor or assignee of the judgment debtor of a single-member limited liability company under certain circumstances; providing legislative intent; providing for retroactive application; providing an effective date.

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

By Senator Garcia—

SB 1154—A bill to be entitled An act relating to slot machine licensee fees; amending s. 551.118, F.S.; removing a requirement that the Division of Pari-mutuel Wagering in the Department of Business and Professional Regulation contract for certain services related to the prevention of compulsive and addictive gambling; removing an annual nonrefundable regulatory fee used to fund the services; amending s. 550.135, F.S.; conforming cross-references; providing an effective date.

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

By Senator Garcia—

SB 1156—A bill to be entitled An act relating to dextromethorphan; providing a short title; amending s. 893.1495, F.S., and reenacting subsection (11), relating to penalties; revising a definition; prohibiting obtaining or delivering to an individual in a retail sale any non-prescription compound, mixture, or preparation containing dextromethorphan or related compounds in excess of specified amounts; regulating retail display of products containing dextromethorphan or related compounds; requiring the training of retail employees; requiring a person who purchases or otherwise acquires a nonprescription compound, mixture, or preparation containing any detectable quantity of dextromethorphan or related compounds to meet specified requirements; providing criminal penalties; providing limited civil immunity for the release of information to law enforcement officers; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Judiciary.

By Senator Garcia—

SB 1158—A bill to be entitled An act relating to a teaching agency for home and community-based care; creating s. 430.81, F.S.; providing a definition; authorizing the Agency for Health Care Administration to designate a home health agency as a teaching agency for home and community-based care and to charge a fee for such designation; establishing criteria for qualification; authorizing a teaching agency to be affiliated with an academic research university in the state that meets

certain criteria; authorizing a teaching agency to be affiliated with an academic health center; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By Senator Gaetz—

SB 1160—A bill to be entitled An act relating to retirement; amending s. 121.091, F.S.; revising provisions relating to employment after retirement; providing that a retiree of a state-administered retirement system who retires on or after a certain date may not be reemployed by an employer that participates in a state-administered retirement system and receive both a salary for employment and retirement benefits; requiring that a retiree who retires on or after a certain date and who is reemployed within 6 calendar months after retirement apply to establish a future retirement date; providing that a retiree who is employed by an employing entity or contractor that does not participate in a state-administered retirement system, but who performs services for an employer that does participate, may not receive retirement benefits during such employment; amending s. 121.591, F.S.; conforming a cross-reference; providing an effective date.

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

By Senator Storms—

SB 1162—A bill to be entitled An act relating to obscenity; amending s. 847.001, F.S.; revising the definition of the term “sexual conduct” for purposes of provisions relating to obscenity to include certain forms of simulated conduct; providing an effective date.

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

By Senator Storms—

SB 1164—A bill to be entitled An act relating to radio frequency identification tags; requiring retailers to remove radio frequency identification tags upon the purchase of an item or product having a tag; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Commerce and Tourism; and Health Regulation.

By Senators Detert and Lynn—

SB 1166—A bill to be entitled An act relating to high school accountability; amending ss. 1003.435 and 1008.34 F.S.; revising provisions relating to the high school equivalency diploma program and the school rating system to include students who receive a high school equivalency diploma in the high school graduation rates for purposes of determining a school's grade; providing an effective date.

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

By Senators Oelrich and Lynn—

SB 1168—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; exempting from public-records requirements the dissemination of a photograph, videotape, or other image of any part of the body of a victim of a sexual offense which is made or broadcast by a video voyeur and which constitutes criminal investigation information or criminal intelligence information in an agency investigation; providing a finding of public necessity; reenacting s. 92.56(1)(a), F.S., relating to judicial proceedings and court records involving sexual offenders, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; reenacting s. 119.0714(1)(h), F.S., relating to court files and records, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; reenacting s. 794.024(1), F.S., relating to the unlawful disclosure of identifying information, to incorporate the amendment

made to s. 119.071, F.S., in a reference thereto; providing an effective date.

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

By Senator Oelrich—

SB 1170—A bill to be entitled An act relating to lewd or lascivious offenses; amending and reenacting s. 800.04, F.S.; revising the definition of the term “sexual activity” for purposes of provisions relating to certain lewd or lascivious offenses; providing penalties; providing an effective date.

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

By Senator Oelrich—

SB 1172—A bill to be entitled An act relating to road and bridge designations; designating Deputy Hal P. Croft and Deputy Ronald Jackson Memorial Highway in Union County and designating Deputy Jack A. Romeis Road in Alachua County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Siplin—

SB 1174—A bill to be entitled An act relating to agricultural-related exemptions to water management requirements; amending s. 373.406, F.S.; revising an exemption for agricultural-related activities to include certain impacts to surface waters and wetlands; providing for retroactive application of the exemption; amending s. 373.407, F.S.; providing exclusive authority to the Department of Agriculture and Consumer Services to determine whether certain activities qualify for an agricultural-related exemption under specified conditions; requiring a specified memorandum of agreement between the department and each water management district; authorizing the department to adopt rules; amending s. 403.927, F.S.; providing an exemption from mitigation requirements for converted agricultural lands under certain conditions; revising the definition of the term “agricultural activities” to include cultivating, fallowing, and leveling and to provide for certain impacts to surface waters and wetlands; providing an effective date.

—was referred to the Committees on Agriculture; Environmental Preservation and Conservation; and Budget.

By Senator Ring—

SB 1176—A bill to be entitled An act relating to high school athletic trainers; amending s. 1012.46, F.S.; encouraging school districts to employ at least one full-time certified athletic trainer at each high school in this state; requiring athletic trainers at high schools to be certified by the Board of Certification of the National Athletic Trainers’ Association; providing a rebuttable presumption that a school district did not negligently employ an athletic trainer for purposes of a civil action for negligence by the athletic trainer if the school district made a good faith effort to comply with the certification requirements for athletic trainers; providing legislative intent; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Judiciary; and Budget.

By Senator Bogdanoff—

SB 1178—A bill to be entitled An act relating to sexual offenders and predators; amending s. 856.022, F.S.; clarifying provisions concerning loitering by certain offenders; amending s. 775.21, F.S.; defining the term “homelessness status” and deleting the definition of the term “transient residence”; conforming provisions to the revisions in terminology made by the act; amending ss. 943.0435, 944.606, 944.607, 985.481, and 985.4815, F.S.; conforming provisions to the revisions in

terminology made by the act; requiring specified monthly registration by homeless offenders and predators; providing that failure to comply with such registration is a violation of specified provisions; providing an effective date.

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

By Senator Latvala—

SB 1180—A bill to be entitled An act relating to transportation; amending s. 20.23, F.S.; providing that the Florida Statewide Passenger Rail Commission has the primary and exclusive authority to monitor certain designated functions related to passenger rail systems; removing from the Florida Transportation Commission the responsibility and duty to monitor the efficiency, productivity, and management of all publicly funded passenger rail systems in the state; amending s. 316.3025, F.S.; providing a uniform civil penalty for failure to possess a current, prescribed form of medical examiner’s certificate reflecting a driver’s physical qualification to drive a commercial motor vehicle; amending s. 334.03, F.S.; revising and repealing obsolete definitions in the Florida Transportation Code; amending s. 334.044, F.S.; revising the duties and powers of the Department of Transportation; amending s. 334.047, F.S.; repealing an obsolete provision prohibiting the department from establishing a maximum number of miles of urban principal arterial roads within a district or county; amending s. 336.021, F.S.; revising the date when imposition of the ninth-cent fuel tax will be levied; amending s. 336.025, F.S.; revising the date when imposition or rate charges of the local option fuel tax shall be levied; amending s. 337.111, F.S.; providing additional forms of security for the cost of removal of monuments or memorials or modifications to an installation site at highway rest areas; repealing s. 338.001, F.S., relating to the Florida Interstate Highway System Plan; amending s. 338.01, F.S.; clarifying provisions governing the designation and function of limited access facilities; amending s. 338.227, F.S.; replacing a reference to the Florida Intrastate Highway System Plan with a reference to the Strategic Intermodal System Plan to provide for the participation of minority businesses in certain contracts related to the plan; amending ss. 338.2275 and 338.228, F.S., relating to turnpike projects; revising cross-references; amending s. 338.234, F.S.; replacing a reference to the Florida Intrastate Highway System with a reference to the Strategic Intermodal System to exempt certain lessees from payment of commercial rental tax; amending s. 339.62, F.S.; replacing a reference to the Florida Intrastate Highway System with a reference to highway corridors to clarify the components of the Strategic Intermodal System; amending s. 339.63, F.S.; adding military access facilities to the types of facilities included in to the Strategic Intermodal System and the Emerging Strategic Intermodal System; amending s. 339.64, F.S.; deleting provisions creating the Statewide Intermodal Transportation Advisory Council; creating s. 339.65, F.S.; requiring the department to plan and develop for Strategic Intermodal System highway corridors to aid traffic movement around the state; requiring the department to follow specified policy guidelines when developing the corridors; directing the department to establish standards and criteria for functional designs of the highway system; providing for an appropriation for developing the corridor; requiring strategic highway projects to be a part of the department’s adopted work program; amending s. 339.155, F.S.; providing a reference to federally required transportation planning factors; clarifying provisions relating to the Florida Transportation Plan; deleting certain duplicative performance reporting requirements; amending s. 341.840, F.S.; replacing references to the “Florida High Speed Rail Authority” with references to the “Florida Rail Enterprise” for purposes of a tax exemption; amending ss. 163.3180, 288.063, 311.07, 311.09, 316.2122, 316.515, 336.01, 338.222, 341.8225, 479.01, 479.07, and 479.261, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Ring—

SB 1182—A bill to be entitled An act relating to the State Board of Administration; amending s. 215.44, F.S.; authorizing the board to invest the assets of a governmental entity in the Local Government Surplus Funds Trust Fund without a trust agreement with that governmental entity; providing that certain investments made by the board under a trust agreement are subject only to the restrictions and lim-

itations contained in the trust agreement; amending s. 215.4755, F.S.; correcting cross-references; clarifying provisions prohibiting certain conflicts of interest by investment advisers and managers retained by the board; providing an effective date.

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

By Senator Siplin—

SB 1184—A bill to be entitled An act relating to economic development; amending ss. 288.1081 and 288.1082, F.S.; establishing the Economic Gardening Business Loan Program and the Economic Gardening Technical Assistance Program as permanent programs; revising conditions under which loan agreements may provide borrowers with flexibility in meeting the projected number of jobs; revising the method for calculating the servicing fee payable to a loan administrator; deleting a requirement that certain funds be deposited in the General Revenue Fund; providing for use of the funds; deleting an obsolete provision authorizing the adoption of initial emergency rules; deleting provision prohibiting the award of new loans after a specified date; deleting provision for the reversion of certain unexpended appropriations; deleting provisions for future repeal of the loan program; revising the date upon which the Office of Tourism, Trade, and Economic Development must begin to submit annual reports to the Governor and Legislature on the loan program and technical assistance program; providing for retroactive application of provisions revising the loan program; providing an effective date.

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

SB 1186—Withdrawn prior to introduction.

By Senator Detert—

SB 1188—A bill to be entitled An act relating to a financial incentive program for Florida’s entertainment industry; amending s. 288.1254, F.S.; modifying the definition for the term “off-season certified production”; amending s. 288.1258, F.S.; clarifying the calculations made by the Office of Film and Entertainment for its annual sales and use tax report to the Legislature; providing an effective date.

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

By Senator Detert—

SB 1190—A bill to be entitled An act relating to driver’s licenses and identification cards; amending ss. 322.14 and 322.051, F.S.; providing for a person’s status as a veteran to be indicated on his or her driver’s license or identification card upon payment of an additional fee and presentation of the person’s Form DD 214; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Transportation; and Budget.

By Senators Rich and Flores—

SB 1192—A bill to be entitled An act relating to public records; amending s. 1004.55, F.S.; providing an exemption from public-records requirements for all records that relate to a client of a regional autism center, the client’s family, or a teacher or other professional who receives the services of a center or participates in center activities; providing for release of specified confidential and exempt information by a center under certain circumstances; providing for review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

By Senator Oelrich—

SB 1194—A bill to be entitled An act relating to postsecondary education; amending s. 1004.04, F.S.; deleting provisions relating to the College-Level Academic Skills Test (CLAST); amending s. 1004.68, F.S.; deleting provisions relating to the use of test scores for assessment of college-level communication and computation skills; amending s. 1007.01, F.S.; providing legislative intent and requirements relating to articulation; requiring the establishment of the Articulation Coordinating Committee and providing its responsibilities; amending s. 1007.25, F.S.; deleting provisions relating to the CLAST and authorized examinations that demonstrate mastery of certain academic competencies; revising degree requirements; amending ss. 1007.264 and 1007.265, F.S.; deleting provisions that exclude students with intellectual disabilities from eligibility for substitute requirements for admission to or graduation from a public postsecondary educational institution; amending s. 1008.30, F.S.; revising requirements of the common placement testing program; requiring access to approved remedial instruction; requiring rules for remediation opportunities, retesting, and academic competencies; requiring that students be advised of academic requirements, financial aid eligibility, and certain costs; amending s. 1008.345, F.S.; deleting Department of Education duties relating to tests and assessment procedures that measure student achievement of college-level communication and computation skills; amending s. 1008.38, F.S.; revising and conforming provisions relating to the articulation process; amending s. 1009.534, F.S.; revising provisions relating to approval of community service work for eligibility for the Florida Academic Scholars award; amending ss. 467.009 and 1012.56, F.S.; deleting provisions relating to the CLAST; providing an effective date.

—was referred to the Committees on Higher Education; Children, Families, and Elder Affairs; and Budget.

By Senator Bogdanoff—

SB 1196—A bill to be entitled An act relating to construction liens on leased premises; amending s. 713.10, F.S.; specifying circumstances under which the interest of a lessor in leased premises is subject to a construction lien for an improvement made by a lessee; providing that the interest of the lessor is not subject to a lien if certain documents relating to a lessor’s liability for a construction lien are recorded in the official records before the recording of a notice of commencement; providing that a creditor secured by an interest in a parcel or a purchaser for valuable consideration of a parcel may rely on as accurate and correct a recorded lease, memorandum of lease, or notice that prohibits the imposition of a lien on the lessor’s interest in leased premises; providing that a lienor that is materially prejudiced by a willful misstatement of fact in certain recorded documents may have a cause of action for damages against the lessor; providing that a creditor or purchaser of a leased premises may rely on certain recorded documents relating to a lessor’s liability for a lien; authorizing a contractor or lienor to demand a verified copy of a provision of a lease prohibiting the imposition of a construction lien; amending s. 713.13, F.S.; providing that the owner of property for purposes of a notice of commencement is a lessee that contracts for an improvement on leased premises; providing an effective date.

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

By Senator Bogdanoff—

SB 1198—A bill to be entitled An act relating to the communications services tax; amending s. 202.16, F.S.; providing for a rounding algorithm; allowing dealers to compute the tax using the rounding algorithm for certain aggregated state and local taxes; providing for retroactive application; clarifying that the act does not provide for an assessment of any tax not paid or create a right to a refund of any tax paid before a date certain; amending s. 202.11, F.S.; conforming a cross-reference; providing an effective date.

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

By Senator Jones—

SB 1200—A bill to be entitled An act relating to the treatment of stroke; creating s. 395.3044, F.S.; providing legislative findings; providing definitions; providing duties for the Agency for Health Care Administration with regard to the statewide system for stroke response and treatment; requiring the agency to establish the Stroke Task Force; requiring the Secretary for Health Care Administration to appoint the members of the Stroke Task Force; providing the membership for the task force; requiring the agency and the task force to require specified health care facilities to report certain data; providing additional duties of the task force; requiring primary and comprehensive stroke centers and certain medical facilities to report certain data regarding stroke patients to a private, tier-one research university in this state; requiring that the private, tier-one research university store and maintain the reported data and compiled information and statistics in a registry; providing that the implementation of the registry is contingent upon the availability of funding; requiring the private tier-one research university to use a specified data platform for the registry; requiring the private tier-one research university to coordinate with national voluntary health organizations that are involved in quality improvement of stroke patients; providing for health care information collected in the registry to be released only under certain conditions; requiring the agency and the task force to submit a report to the Governor, the Legislature, and the State Surgeon General; providing that the act does not restrict a hospital from providing services for which it is licensed to provide; requiring the agency to adopt rules; providing an effective date.

—was referred to the Committees on Health Regulation; Higher Education; and Budget.

By Senator Thrasher—

SCR 1202—A concurrent resolution establishing the Joint Rules of the Florida Legislature for the 2010-2012 term.

—was referred to the Committee on Rules.

By Senator Thrasher—

SB 1204—A bill to be entitled An act relating to joint legislative organizations; repealing ss. 11.511 and 11.513, F.S., relating to the Office of Program Policy Analysis and Government Accountability; repealing s. 11.60, F.S., relating to the Joint Administrative Procedures Committee; repealing s. 11.70, F.S., relating to the Legislative Committee on Intergovernmental Relations; repealing s. 11.80, F.S., relating to the Joint Legislative Committee on Everglades Oversight; repealing ss. 11.901-11.920, F.S., relating to the Florida Government Accountability Act; repealing s. 163.3247(4)(g), F.S., relating to creation of a joint select committee to review the findings and recommendations of the Century Commission for a Sustainable Florida for potential action; repealing ss. 216.0446, 216.163(2)(f), and 282.322, F.S., relating to the review of information technology resources needs and a special monitoring process for designated information resources management projects; repealing s. 350.012, F.S., relating to the Committee on Public Counsel Oversight; repealing ss. 450.201, 450.221, 450.231, and 450.241, F.S., relating to the Legislative Commission on Migrant and Seasonal Labor; amending s. 1.01, F.S.; defining the terms “Administrative Procedures Committee,” “Legislative Auditing Committee,” “Office of Program Policy Analysis and Government Accountability,” and “Office of Economic and Demographic Research,” applicable throughout the statutes; amending s. 11.147, F.S.; revising provisions relating to creation and duties of the Office of Legislative Services; amending s. 11.40, F.S.; revising duties of the Legislative Auditing Committee; conforming provisions to changes made by the act; amending s. 11.51, F.S.; revising provisions relating to creation and duties of the Office of Program Policy Analysis and Government Accountability; amending s. 409.146, F.S.; revising reporting duties of the Department of Children and Family Services with respect to the children and families client and management information system; conforming provisions to changes made by the act; amending s. 1000.01, F.S.; deleting provisions relating to creation of the Council for Education Policy Research and Improvement; amending ss. 11.45, 29.0085, 112.313, 112.3189, 112.324, 125.045, 163.055, 163.3245, 166.021, 189.421, 216.181, 218.32, 218.38, 287.0943, 288.7001, 350.061, 350.0614, 373.026, 373.036, 373.45926, 450.261, and 590.33, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committee on Rules.

By Senator Negrón—

SB 1206—A bill to be entitled An act relating to eyewitness identification; providing a short title; defining terms; requiring state, county, municipal, and other law enforcement agencies that conduct lineups to follow certain specified procedures; requiring the eyewitness to sign an acknowledgement that he or she received the instructions about the lineup procedures from the law enforcement agency; providing for an alternative method of identification of suspects; requiring the Criminal Justice Standards and Training Commission to specify and approve any alternative method used for eyewitness identification; requiring that any such method be neutral in its administration; specifying remedies for failing to adhere to the eyewitness identification procedures; requiring the Criminal Justice Standards and Training Commission to create educational materials and conduct training programs on how to conduct lineups in compliance with the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Norman—

SB 1208—A bill to be entitled An act relating to school to work; creating s. 1004.995, F.S.; establishing the Postsecondary School-to-Work Program to be administered jointly by the State Board of Education, the Board of Governors, and the Department of Revenue; providing that a student participating in the program earns course credit at a career center, Florida College System institution, or state university while employed as an apprentice with a private business in his or her field of study; providing for a credit against the corporate income tax liability for a participating business; providing limitations; requiring the adoption of rules and regulations; amending s. 220.02, F.S.; adding a new tax credit to the list of corporate income tax credits; amending s. 220.13, F.S.; requiring addition of the amount of the tax credit for determination of adjusted federal income; providing an effective date.

—was referred to the Committees on Higher Education; Commerce and Tourism; and Budget.

By Senator Norman—

SB 1210—A bill to be entitled An act relating to counties and municipalities; creating ss. 125.01052 and 166.0498, F.S.; authorizing the board of county commissioners and the governing body of a municipality to pursue the collection of delinquent fees, service charges, fines, or costs through the use of a private attorney or a collection agent; providing that the collection fee, including attorney’s fees, may be added to the balance owed; limiting the amount of the fee; providing an effective date.

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

By Senator Garcia—

SB 1212—A bill to be entitled An act relating to motor vehicle operation; prohibiting smoking in a motor vehicle in which certain minors are passengers; providing for secondary enforcement; providing penalties; providing an effective date.

—was referred to the Committees on Health Regulation; Transportation; and Criminal Justice.

By Senator Altman—

SB 1214—A bill to be entitled An act relating to school-aged dependents of military personnel; amending s. 1003.05, F.S.; requiring that a school board provide an option to school-aged dependents of military personnel to choose certain schools if the student is reassigned as a result of school rezoning; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Education Pre-K - 12; and Budget.

By Senator Altman—

SB 1216—A bill to be entitled An act relating to energy conservation standards; amending s. 553.955, F.S.; providing definitions relating to roofing standards and hardscape standards; amending s. 553.957, F.S.; including roofs and hardscapes within those products that are covered by specific energy conservation standards; amending s. 553.963, F.S.; establishing standards for roof and roofing materials; providing exemptions; establishing standards for hardscapes and materials related to hardscapes; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

By Senator Altman—

SJR 1218—A joint resolution proposing an amendment to Section 3 of Article I of the State Constitution to provide that an individual may not be barred from participating in any public program because of choosing to use public benefits at a religious provider and to delete a prohibition against using public revenues in aid of any church, sect, or religious denomination or any sectarian institution.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; Education Pre-K - 12; and Budget.

By Senator Altman—

SB 1220—A bill to be entitled An act relating to concealed weapons or firearms; creating s. 790.062, F.S.; providing for otherwise qualified members and veterans of the United States Armed Forces to be issued a concealed weapon or firearm license regardless of age or United States residency in certain circumstances; providing additional methods for the taking of fingerprints from such license applicants; providing an effective date.

—was referred to the Committees on Criminal Justice; Military Affairs, Space, and Domestic Security; and Budget.

By Senator Norman—

SB 1222—A bill to be entitled An act relating to the incremental reduction and future repeal of the corporate income tax; amending s. 220.11, F.S.; providing for incremental reductions of the corporate income tax effective on specified dates; providing for future repeal of part I of chapter 220, F.S., relating to the chapter title, legislative intent, and definitions, and part II of chapter 220, F.S., relating to the imposition and apportionment of the corporate income tax; providing legislative findings, intent, and application; providing for future repeal of part III of chapter 220, F.S., relating to corporate income tax returns, declarations, and records, part IV of chapter 220, F.S., relating to corporate income tax payments, part V of chapter 220, F.S., relating to corporate income tax accounting, part VI of chapter 220, F.S., relating to miscellaneous corporate income tax provisions, part VIII of chapter 220, F.S., relating to the administrative procedures and judicial review applicable to the corporate income tax, part IX of chapter 220, F.S., relating to the penalties and interest applicable to, and the enforcement of, the corporate income tax, and part X of chapter 220, F.S., relating to the criminal offenses and penalties applicable to the corporate income tax; amending s. 220.64, F.S.; providing for the future application to the franchise tax of specified parts and sections of chapter 220, F.S., as those parts and sections existed before their repeal; providing direction to the Division of Statutory Revision to assist legislative committee staff in the preparation of conforming legislation for submission at specified future regular sessions; providing effective dates.

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

By Senator Altman—

SB 1224—A bill to be entitled An act relating to corporate tax credits for spaceflight projects; amending s. 14.2015, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to administer corporate income tax credits for spaceflight projects; amending s. 213.053, F.S.; authorizing the Department of Revenue to share information relating to corporate income tax credits for spaceflight projects with the Office of Tourism, Trade, and Economic Development; amending s. 220.02, F.S.; revising the order in which credits against the corporate income tax or franchise tax may be taken to include credits for spaceflight projects; amending s. 220.13, F.S.; requiring that the amount taken as a credit for a spaceflight project be added to taxable income; prohibiting a deduction from taxable income for any net operating loss taken as a credit against corporate income taxes or transferred; amending s. 220.16, F.S.; requiring that the amount of payments received in exchange for transferring a net operating loss for spaceflight projects be allocated to the state; creating s. 220.194, F.S.; providing a short title; providing legislative purpose; defining terms; authorizing a certified spaceflight business to take or transfer corporate income tax credits related to spaceflight projects carried out in this state; specifying tax credit amounts and business eligibility criteria; providing limitations; requiring a business to demonstrate to the satisfaction of the office and the department its eligibility to claim a tax credit; requiring a business to submit an application to the office for approval to earn credits; specifying the required contents of the application; requiring the office to approve or deny an application within 60 days after receipt; specifying the approval process; requiring a spaceflight business to submit an application for certification to the office; specifying the required contents of an application for certification; specifying the approval process; requiring the office to submit a copy of an approved certification to the department; providing procedures for transferring a tax credit to a taxpayer; authorizing the department to perform audits and investigations necessary to verify the accuracy of returns relating to the tax credit; specifying circumstances under which the office may revoke or modify a certification that grants eligibility for tax credits; requiring a certified spaceflight business to file an amended return and pay any required tax within 60 days after receiving notice that previously approved tax credits have been revoked or modified; authorizing the department to assess additional taxes, interest, or penalties; authorizing the office and the department to adopt rules; requiring the office to submit an annual report to the Governor and Legislature regarding the Florida Space Business Incentives Act; providing for application; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Commerce and Tourism; and Budget.

By Senator Joyner—

SB 1226—A bill to be entitled An act relating to health care fraud; amending s. 456.0635, F.S.; revising the grounds under which the Department of Health or corresponding board is required to refuse to admit a candidate to an examination and refuse to issue or renew a license, certificate, or registration of a health care practitioner; providing an exception; requiring the department to adopt rules; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

By Senator Altman—

SB 1228—A bill to be entitled An act relating to military spouses; amending s. 456.024, F.S.; providing for issuance of a temporary license to specified health care practitioners who are spouses of active duty members of the Armed Forces under certain circumstances; providing for criminal history checks; providing fees; providing for expiration of a temporary license; providing an effective date.

—was referred to the Committees on Health Regulation; Military Affairs, Space, and Domestic Security; and Budget.

By Senator Fasano—

SB 1230—A bill to be entitled An act relating to the Department of Veterans' Affairs; directing the department to provide a plan and financial analysis by a certain date to the Governor, Cabinet, and Legislature regarding the transfer of the operations of the department's veterans' homes to a public corporation; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; and Budget.

By Senator Norman—

SB 1232—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which sales of firearms are exempt from the tax; authorizing the Department of Revenue to adopt rules; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Smith—

SB 1234—A bill to be entitled An act relating to a special assessment for law enforcement services; creating s. 166.212, F.S.; authorizing a municipality to impose a special assessment to fund the costs of providing law enforcement services; making the imposition of the assessment contingent upon adoption of an ordinance approved by the governing body of a municipality and a reduction in the municipality's ad valorem millage; limiting the maximum millage reduction required; specifying the rolled-back rate for the calculation of a future increase in ad valorem millage; providing for the construction of the act as a general law authorizing taxation by a municipality; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; and Budget.

By Senator Richter—

SB 1236—A bill to be entitled An act relating to state revenues; amending s. 220.11, F.S.; providing for the gradual reduction of the corporate income tax rate and the termination of the tax over a specified time; providing that the termination of the corporate income tax applies to taxable years of a taxpayer which begin on or after January 1, 2018; amending s. 210.011, F.S.; providing for the revenue from the cigarette surcharge to be deposited into the General Revenue Fund; amending s. 210.276, F.S.; providing for the revenue from the surcharge on tobacco products to be deposited into the General Revenue Fund; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide the Department of Education and the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation with information relative to tax credits against taxes or surcharges on tobacco products for contributions to eligible nonprofit scholarship-funding organizations; amending s. 220.63, F.S.; providing for the gradual reduction of the rate of the franchise tax imposed on banks and savings associations and the termination of the tax over a specified time; providing that the termination of the franchise tax applies to taxable years of a taxpayer which begin on or after January 1, 2018; amending s. 1002.395, F.S.; specifying additional taxes against which a taxpayer may claim a credit for an eligible contribution to an eligible nonprofit scholarship-funding organization to include taxes or surcharges on tobacco products; authorizing a taxpayer to receive a tax credit against taxes or surcharges on tobacco products for an eligible contribution to an eligible nonprofit scholarship-funding organization; limiting the amount of the tax credit to 90 percent of the taxpayer's tax liability for taxes or surcharges on tobacco products; providing that the distribution of tax revenues to the General Revenue Fund is the only distribution that is reduced as a result of the tax credits; authorizing a taxpayer to exchange unused corporate income tax credits or franchise tax credits for other tax credits under certain circumstances; authorizing a taxpayer to sell or transfer unused corporate income tax credits or franchise tax credits under certain circumstances; authorizing the Department of Revenue to adopt emergency rules relating to the exchange, sale, or transfer of corporate income tax credits or franchise tax credits; authorizing the Department of Revenue to adopt emergency rules to administer the act; providing an effective date.

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

By Senator Fasano—

SB 1238—A bill to be entitled An act relating to pain-management clinics; amending ss. 458.327 and 459.013, F.S.; providing that persons who are convicted of, enter a plea of guilty or nolo contendere to, or have adjudication withheld for knowingly operating, owning, or managing an unregistered pain-management clinic are subject to the Florida Contraband Forfeiture Act; amending s. 932.701, F.S.; redefining the term "contraband article" as it relates to owning, operating, or managing an unregistered pain-management clinic; amending s. 932.7055, F.S.; requiring that proceeds from a forfeiture involving an unregistered pain-management clinic be deposited in the Crimes Compensation Trust Fund within the Department of Revenue; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

By Senator Montford—

SB 1240—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating exemptions from public-records requirements for the home addresses, telephone numbers, and photographs of emergency medical technicians and paramedics, the home addresses, telephone numbers, photographs, and places of employment of the spouses and children of such emergency medical technicians and paramedics, and the names and locations of schools and day care facilities attended by the children of such emergency medical technicians and paramedics; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

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

By Senator Bennett—

SB 1242—A bill to be entitled An act relating to taxes; amending s. 212.08, F.S.; expanding exemptions from the sales and use tax on labor and parts and equipment used in aircraft repairs on certain aircraft weighing more than 2,000 pounds; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Transportation; and Budget.

By Senator Norman—

SB 1244—A bill to be entitled An act relating to mold-related services; repealing part XVI of chapter 468, F.S., relating to the mold-related services licensing program of the Department of Business and Professional Regulation, the regulation of mold assessment and mold remediation, the examination, licensure, continuing education, and discipline of mold assessors and mold remediators, and the certification of corporations and partnerships offering mold assessment or mold remediation to the public; amending ss. 20.165 and 455.2123, F.S.; conforming provisions; providing an effective date.

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

By Senator Norman—

SB 1246—A bill to be entitled An act relating to farms; prohibiting a person from entering onto a farm or photographing or video recording a farm without the owner's written consent; providing a definition; providing penalties; providing an effective date.

—was referred to the Committees on Agriculture; Criminal Justice; and Budget.

By Senator Norman—

SB 1248—A bill to be entitled An act relating to the enforcement of county and municipal codes and ordinances; amending s. 162.12, F.S.; authorizing notices relating to a code violation to be sent by certified mail to the property owner at an address provided to the local government for the purposes of receiving notices or to the registered agent of a corporation for property owned by a corporation; deleting a requirement for such notices to be sent by first-class mail; amending s. 162.21, F.S.; authorizing a code enforcement officer to immediately issue a citation for a code violation if the violator is engaged in violations of an itinerant or transient nature; amending s. 173.01, F.S.; authorizing a municipality or its assignee to foreclose on an abatement assessment lien against real property; amending s. 173.03, F.S.; authorizing a foreclosure for an abatement assessment lien after the conclusion of proceedings to challenge the lien or after a certain period after the lien is recorded in the official records; making grammatical and technical changes; amending s. 173.04, F.S.; authorizing a municipality or its assignee to enforce an abatement assessment lien in circuit court by a bill in chancery that describes the delinquent lien and the lands to which the lien applies; making grammatical and technical changes; creating s. 173.16, F.S.; authorizing a municipality to assign an abatement assessment lien to a private party under certain circumstances; providing an effective date.

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

By Senator Dockery—

SB 1250—A bill to be entitled An act relating to powers and duties of district school boards; amending s. 1001.42, F.S.; deleting a specific requirement for the uniform opening date of schools in the district; providing an effective date.

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

By Senator Smith—

SB 1252—A bill to be entitled An act relating to persons designated to receive insurer notifications; amending s. 627.4133, F.S.; changing the designated person or persons who must be notified by an insurer from the “insured” to the “first-named insured” in situations involving the nonrenewal, renewal premium, cancellation, or termination of workers’ compensation, employer liability, or certain property and casualty insurance coverage; amending s. 627.7277, F.S.; making a conforming change that specifies the “first-named insured” as the person who is to receive notification of a renewal premium; amending s. 627.728, F.S.; changing the designated person or persons who must be notified by an insurer from the “insured” to the “first-named insured” in certain situations involving the cancellation or nonrenewal of motor vehicle insurance coverage; making a conforming change that specifies the “first-named insured’s insurance agent” as a person who is to receive certain notifications relating to motor vehicle insurance coverage; amending s. 627.7281, F.S.; making a conforming change that specifies the “first-named insured” as the person who is to receive notification of cancellation of motor vehicle insurance coverage; providing an effective date.

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

By Senator Wise—

SB 1254—A bill to be entitled An act relating to auditory-oral education programs; providing a short title; amending s. 1002.20, F.S.; revising provisions relating to public school choice options for parents of public school students to include auditory-oral education programs; creating s. 1002.391, F.S.; providing definitions; providing that a parent of a child who is deaf or hard of hearing may enroll the child in an auditory-oral education program at a school accredited by OPTION Schools, Inc., or at a school in which the supervisor and the majority of faculty are certified as Listening and Spoken Language Specialists by the Alexander Graham Bell Academy for Listening and Spoken Language; providing that the child may continue attending the school and complete the development of listening and spoken language skills if

specified criteria are met; requiring that the level of services be determined by the individual educational plan team or individualized family support plan team; providing that a child is no longer eligible under certain circumstances; amending s. 1011.62, F.S.; revising provisions relating to the funding model for exceptional student education programs to require the Department of Education to review and revise the descriptions of services and supports in the matrix of services used to determine exceptional education cost factors; providing an effective date.

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

By Senator Altman—

SB 1256—A bill to be entitled An act relating to the aviation fuel tax; providing a short title; amending s. 206.9825, F.S.; authorizing a refund of the aviation fuel tax collected on aviation fuel purchased by certain commercial airlines in the state capital under certain circumstances; specifying criteria; providing for application of certain refund administration procedures; prohibiting application in certain municipalities; prohibiting implementation from reducing or otherwise adversely affecting certain aviation grants; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Budget.

By Senator Altman—

SB 1258—A bill to be entitled An act relating to preference to Florida businesses in procurement of personal property and services; amending s. 283.35, F.S.; requiring an agency, county, municipality, school district, or other political subdivision of the state to provide preferential consideration to a Florida business in awarding competitively bid contracts for printing under certain circumstances; specifying the percentages of preference to be granted; providing nonapplicability; requiring bid, proposal, and reply documents from out-of-state vendors to include agreements to hire Florida residents; amending s. 287.084, F.S.; requiring an agency, county, municipality, school district, or other political subdivision of the state to provide preferential consideration to a Florida business in awarding competitively bid contracts to purchase personal property or construction services; specifying the percentage of preference to be granted; providing nonapplicability; requiring bid, proposal, and reply documents from out-of-state vendors to include agreements to hire residents of the state; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senator Bennett—

SR 1260—A resolution opposing the plan by the United States Environmental Protection Agency to regulate greenhouse gases under the Clean Air Act.

—was referred to the Committee on Environmental Preservation and Conservation.

By Senator Fasano—

SB 1262—A bill to be entitled An act relating to disability awareness; amending s. 1003.4205, F.S.; requiring that district school boards provide disability history and awareness instruction in all K-12 public schools; requiring certification of individuals delivering the instruction; requiring that the Governor’s Commission on Disabilities initiate a study on disability awareness training to be conducted by a private nonprofit entity; providing requirements for the study and submission of findings to the commission; requiring that the commission oversee a statewide disability awareness training provider and certification program; providing program components to include requirements for approval of providers and certification of individuals to provide disability awareness instruction; providing for the payment of certain fees; requiring that the commission promote disability awareness training in all

public entities in the state; requiring rulemaking; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; and Budget.

By Senator Wise—

SB 1264—A bill to be entitled An act relating to background screening; amending s. 413.20, F.S.; defining the term “direct service provider” for purposes of services provided to the Division of Vocational Rehabilitation of the Department of Education; amending s. 413.208, F.S.; requiring direct service providers to participate in level 2 background screening as a condition for certification to serve clients of vocational rehabilitation; specifying which persons are required to undergo level 2 screening; prohibiting persons for whom background screening is required from having contact with any vulnerable person until the screening process is completed; providing for a temporary exception; requiring rescreening during a specified time period; identifying the criminal offenses the commission of which disqualifies a person from serving vulnerable persons; requiring that the cost of criminal history records checks be borne by the direct service provider or the person seeking certification; authorizing the division to deny, suspend, reject, terminate, or revoke the certification or other agreement of a person who fails to meet the criteria of the screening; requiring the division to provide written notification to the person affected if the division has reasonable cause to believe that grounds for denial or termination of certification exist; providing penalties if an employer does not dismiss an employee who is not compliant with the screening standards; creating s. 413.2105, F.S.; directing the division to require all employees and applicants for employment to undergo personnel screening and security background investigations using the level 2 standards; creating s. 1001.12, F.S.; requiring all employees of the Department of Education, and applicants being considered for employment at the department, to submit to level 2 background screening; authorizing a temporary exemption from disqualification; amending s. 1005.02, F.S.; defining the term “admissions staff” for purposes of provisions governing nonpublic postsecondary educational institutions; amending s. 1005.22, F.S.; requiring the Commission for Independent Education to investigate the criminal justice information history for certain persons applying for a license or license renewal; amending s. 1005.31, F.S.; requiring the commission to establish minimum standards required of admissions staff employed by institutions under the commission’s jurisdiction; amending s. 1005.38, F.S.; authorizing the commission to deny or fail to reissue a license if the person has been a party to a civil action or has been convicted of, or entered a plea of guilty or nolo contendere to, certain crimes; creating s. 1012.02, F.S.; directing the Department of Education to require level 2 background screening for all personnel of all contractors required to perform contractual duties at a facility of the department, local school board facility, or any other location, if the person will have access to confidential data or have contact with vulnerable persons; requiring contractors to meet specified criteria; requiring that contractors be rescreened every 5 years; authorizing the department to deny, suspend, terminate, or revoke the license of a contractor who fails to satisfy the screening standards; authorizing the department to grant a temporary disqualification exemption under limited circumstances; amending ss. 413.407 and 744.1083, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

By Senator Altman—

SB 1266—A bill to be entitled An act relating to early voting; amending s. 101.657, F.S.; authorizing the supervisor of elections to designate any public university, college, or community college facility as an early voting site; requiring that the supervisor for each county establish early voting hours; providing a minimum and a maximum daily duration for such early voting hours; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; Higher Education; and Budget.

By Senator Oelrich—

SB 1268—A bill to be entitled An act relating to pharmacy; amending s. 465.189, F.S.; revising the types of vaccines that pharmacists are authorized to administer; authorizing pharmacy interns to administer the vaccines under certain circumstances; authorizing pharmacists and pharmacy interns to administer an epinephrine autoinjection under certain circumstances; revising protocol requirements for vaccine administration and the duties of supervising physicians under such protocols; revising requirements for training programs, certifications, and patient records related to vaccine administration; amending s. 465.003, F.S.; revising terminology to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Dean—

SB 1270—A bill to be entitled An act relating to the alternative high school course credit pilot project; amending s. 1002.375, F.S.; revising the pilot project to include up to five school districts beginning in the 2012-2013 school year; conforming dates for implementation; providing additional courses for which alternative credit may be earned and end-of-course assessments approved; providing an effective date.

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

By Senator Wise—

SB 1272—A bill to be entitled An act relating to educational services in Department of Juvenile Justice programs; amending s. 1003.52, F.S.; providing that adult education general education development test preparation courses and adult education career education courses may be offered as electives to high school level students who have a transition plan that does not include a return to public high school; providing an effective date.

—was referred to the Committees on Criminal Justice; Higher Education; and Budget.

By Senator Montford—

SB 1274—A bill to be entitled An act relating to testimony given by children; amending s. 92.55, F.S.; authorizing a court to use registered service or therapy animals to aid children in giving testimony in legal proceedings when appropriate; requiring the court to consider certain factors before permitting such testimony; requiring that such registered service or therapy animals be evaluated and registered according to national standards; providing an effective date.

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

By Senator Alexander—

SJR 1276—A joint resolution proposing an amendment to Section 4 of Article IV of the State Constitution, relating to the duties of the Chief Financial Officer.

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

By Senator Storms—

SB 1278—A bill to be entitled An act relating to the College-Level Academic Skills Test; amending s. 1007.25, F.S.; deleting provisions relating to the College-Level Academic Skills Test (CLAST) and authorized examinations that demonstrate mastery of certain academic competencies; amending ss. 467.009, 1004.04, 1008.30, 1008.38, and 1012.56, F.S.; deleting provisions relating to the CLAST; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

By Senator Dockery—

SB 1280—A bill to be entitled An act relating to inspectors general; transferring, renumbering, and amending s. 14.32, F.S.; providing that the Chief Inspector General is responsible for all agency inspectors general, including cabinet agencies and the Executive Office of the Governor; housing the office of the Chief Inspector General in the Executive Office of the Governor for administrative purposes only; providing that the Chief Inspector General reports to the Cabinet; amending s. 20.055, F.S.; revising definitions; providing that the term “state agencies” includes cabinet agencies; updating a cross-reference; requiring the agency inspector general to keep the Chief Inspector General informed of any agency fraud, abuses, or deficiencies and authorizing the inspector general to not inform the agency head under certain circumstances; requiring agency inspectors general to be appointed by the Chief Inspector General, subject to the consent of the agency head; revising the procedures for removing an inspector general; providing that an agency inspector general may be removed only by the Chief Inspector General in consultation with the agency head; requiring an agency inspector general to be certified by the Association of Inspectors General; requiring agency inspectors general to establish internal and external procedures for receiving complaints from employees and the public; authorizing the inspector general of the Department of Law Enforcement to bypass informing the executive director of the Department of Law Enforcement under certain circumstances; requiring agency inspectors general to provide final reports on investigations, an annual report, and certain written complaints to the Chief Inspector General; requiring one or more investigators within the agency inspector general’s office to be a sworn law enforcement officer; amending s. 112.3187, F.S.; revising the definition of “independent contractor” under the state Whistle-blower’s Act to include anyone who receives public funds; conforming provisions to changes made by the act; amending s. 112.3189, F.S.; conforming provisions to changes made by the act; permitting employees disclosing information resulting in a recovery of funds to receive a percent of any funds recovered; amending ss. 112.31895 and 112.31901, F.S.; conforming provisions to changes made by the act; creating s. 287.0565, F.S.; directing the Department of Management Services to adopt criteria for the use of purchasing cards; requiring the agency inspector general to conduct periodic audits of the use of such cards; amending s. 14.2015, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

By Senator Storms—

SB 1282—A bill to be entitled An act relating to women’s health; creating the Gynecologic and Ovarian Cancer Education and Awareness Act; amending s. 381.04015, F.S.; establishing the Gynecologic and Ovarian Cancer Awareness Program in the Department of Health; requiring the Department of Health to disseminate information on gynecologic cancers to the extent that funding is available; directing the department to establish a Women’s Gynecologic Cancer Information Advisory Council; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Bennett—

SB 1284—A bill to be entitled An act relating to biodiesel; amending s. 206.02, F.S.; exempting certain biodiesel manufacturers from bonding requirements; amending s. 206.874, F.S.; exempting certain biodiesel manufacturers from specific taxes on diesel fuel; amending s. 206.9925, F.S.; redefining the term “pollutants” to exclude certain biodiesel; amending s. 526.202, F.S.; providing legislative findings regarding the sale of diesel containing biodiesel; amending s. 526.203, F.S.; defining the terms “biodiesel” and “diesel fuel”; establishing standards for the amount of biodiesel that must be contained in diesel fuel; requiring dealers and wholesalers to provide certified fuel analyses upon the department’s request; providing an exemption from regulation; requiring reports to the Department of Revenue; amending s. 526.205, F.S.; providing for certain persons to apply for extensions to comply with the

requirements of the act; amending s. 581.083, F.S.; exempting nonnative plants cultivated for fuel production from specific restrictions on such cultivation; providing an effective date.

—was referred to the Committees on Agriculture; Commerce and Tourism; and Budget.

By Senator Bennett—

SB 1286—A bill to be entitled An act relating to state reciprocity in workers’ compensation claims; amending s. 440.09, F.S.; providing extraterritorial coverage; exempting certain employees working in this state and the employers of such employees from the Workers’ Compensation Law of this state under certain conditions; providing requirements for the establishment of prima facie evidence that the employer carries certain workers’ compensation insurance; requiring courts to take judicial notice of the construction of certain laws; authorizing the Division of Workers’ Compensation to enter into agreements with the workers’ compensation agencies of other states for certain purposes; providing requirements for claims made in other states; providing criteria for employees to be considered temporarily in a state; providing application; providing an effective date.

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

By Senator Hays—

SB 1288—A bill to be entitled An act relating to nonjudicial foreclosure of commercial real property; creating chapter 52, F.S., relating to nonjudicial foreclosure of commercial real property; providing a short title; providing for applicability of provisions; providing definitions; providing for appointment of a trustee; providing for trustee initiation of foreclosure of mortgage liens; providing for objections by obligors; providing for redemption of property; providing requirements to be met before encumbered property may be sold by trustee; providing for notice of default and intent to foreclose; providing for notice and manner of sale; specifying the effect of a sale; providing for a trustee’s certificate of compliance and deed; providing for disposition of sale proceeds; providing that provisions concerning the trustee foreclosure procedure do not impair or otherwise affect a foreclosing creditor’s right to bring a judicial foreclosure action; providing for civil actions against foreclosing creditors for material failure to follow trustee foreclosure procedures; providing criminal penalties for a trustee who intentionally violates provisions concerning the trustee foreclosure procedure; providing for construction; providing for application of provisions to mortgage liens existing prior to the effective date of this act for which a foreclosure proceeding has not commenced; providing a directive to the Division of Statutory Revision; providing an effective date.

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

By Senator Dean—

SB 1290—A bill to be entitled An act relating to pest control; amending s. 482.051, F.S.; providing rule changes that allow operators to provide certain emergency notice to the Department of Agriculture and Consumer Services by facsimile or electronic means; amending s. 482.071, F.S.; increasing the minimum bodily injury and property damage insurance coverage required for pest control businesses; creating s. 482.072, F.S.; providing for licensure by the department of pest control customer contact centers; providing application requirements; providing for fees, licensure renewal, penalties, licensure expiration, and transfer of licenses; creating s. 482.157, F.S.; providing for the certification of commercial wildlife trappers; providing certification requirements, examination requirements, and fees; limiting the scope of work permitted by certificate holders; clarifying that licensees and certificateholders who practice accepted pest control methods are immune from liability for violating laws prohibiting cruelty to animals; amending s. 482.226, F.S.; increasing the minimum financial responsibility requirements for licensees that perform certain inspections; providing an effective date.

—was referred to the Committees on Agriculture; Environmental Preservation and Conservation; and Budget.

By Senator Alexander—

SB 1292—A bill to be entitled An act relating to the Chief Financial Officer; providing definitions; requiring governmental and statutorily created entities to maintain their financial data in accordance with the requirements of the Chief Financial Officer by a certain date; requiring the Chief Financial Officer to adopt charts of accounts that meet certain requirements by a certain date; requiring a review and update of the charts of accounts; requiring the Chief Financial Officer to adopt certain procedures relating to the charts of accounts; providing a declaration of important state interest; providing a contingent effective date.

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

By Senator Hays—

SB 1294—A bill to be entitled An act relating to application of foreign law; creating s. 45.022, F.S.; defining the term “foreign law, legal code, or system”; specifying the public policy of this state in applying the choice of a foreign law, legal code, or system under certain circumstances; declaring that certain decisions rendered under such laws, codes, or systems are void; declaring that certain choice of venue or forum provisions in a contract are void; declaring that claims of forum non conveniens or related claims must be denied under certain circumstances; providing that the act does not apply to a corporation, partnership, or other form of business association; clarifying that the public policies expressed in the act apply to violations of a natural person’s constitutional rights; providing for severability; providing an effective date.

—was referred to the Committees on Judiciary; Commerce and Tourism; and Children, Families, and Elder Affairs.

By Senator Detert—

SB 1296—A bill to be entitled An act relating to enterprise zones; amending s. 290.016, F.S.; advancing the date of the expiration of the Florida Enterprise Zone Act; amending ss. 14.2015, 159.27, 159.803, 163.2514, 163.2517, 163.2523, 163.336, 163.345, 163.457, 163.503, 163.522, 195.099, 196.012, 196.1995, 212.08, 213.053, 220.02, 220.03, 220.191, 288.018, 288.047, 288.063, 288.0655, 288.0659, 288.095, 288.1045, 288.106, 288.1089, 288.11621, 288.1175, 288.99, 376.84, 403.973, 624.509, 624.5091, and 624.5105, F.S.; deleting references to enterprise zones; deleting provisions relating to the designation and administration of enterprise zones, tax credits, tax refunds, or economic development incentives available to businesses within an enterprise zone, to conform to the expiration of the Florida Enterprise Zone Act; conforming cross-references; amending s. 163.521, F.S.; providing for the expiration of a provision to conform to the expiration of the Florida Enterprise Zone Act which authorizes the governing body of a county or municipality containing an enterprise zone to make a funding request for capital improvements relating to crime prevention under certain circumstances; amending s. 377.809, F.S.; deleting an obsolete provision requiring the Office of Tourism, Trade, and Economic Development to submit a report relating to the energy economic zone pilot program; repealing s. 196.095, F.S., relating to an exemption from property taxes for certain child care facilities operating in an enterprise zone; repealing s. 196.1996, F.S., which provided that a board of county commissioners or the governing body of a municipality does not need to reenact certain ordinances or resolutions to grant economic development ad valorem tax exemptions in certain enterprise zones; repealing s. 290.06561, F.S., which directed the Office of Tourism, Trade, and Economic Development to designate a catalyst site as a rural enterprise zone; repealing s. 379.2353, F.S., relating to the designation of enterprise zones in communities adversely affected by the constitutional limit on the use of nets to harvest marine species; providing that the repeal of the Florida Enterprise Zone Act does not affect the availability of certain tax credits or tax refunds; providing effective dates.

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

SR 1298—Not referenced.

By Senator Storms—

SB 1300—A bill to be entitled An act relating to juvenile civil citations; amending s. 985.12, F.S.; requiring that a juvenile civil citation program be established at the local level with the concurrence of the chief judge of the circuit and other designated persons; authorizing a law enforcement agency, the Department of Juvenile Justice, a juvenile assessment center, the county or municipality, or an entity selected by the county or municipality to operate the program; authorizing a law enforcement officer, upon making contact with a juvenile who admits to having committed a misdemeanor, to require participation in intervention services based upon an assessment of the needs of the juvenile; restricting eligibility of participants for the civil citation program to first-time misdemeanor offenders; requiring the issuing agency to report on the outcome to the Department of Juvenile Justice at the conclusion of a youth’s civil citation program; providing that the issuance of a civil citation is not considered a referral to the department; requiring the department to develop a civil citation model that includes intervention services and is based upon proven civil citation programs within the state; requiring a law enforcement officer to issue a report if the child has not complied with the requirements of the civil citation program; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Sachs—

SB 1302—A bill to be entitled An act relating to enterprise zones for bioscience clusters; creating s. 290.0155, F.S.; authorizing a county to designate an area for a bioscience cluster of a specified size; providing conditions of eligibility to designate the bioscience cluster; defining the term “major bioscience cluster”; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Higher Education; and Budget.

By Senator Sachs—

SB 1304—A bill to be entitled An act relating to concealed weapons and firearms; amending s. 790.06, F.S.; increasing the penalty imposed for carrying a concealed weapon or firearm into certain prohibited places; reenacting s. 790.115(2)(e), F.S., relating to the possession of weapons or firearms on school property, to incorporate the amendment to s. 790.06, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Dockery—

SB 1306—A bill to be entitled An act relating to physical education in the public schools; amending s. 1003.455, F.S.; deleting provisions relating to requirements for physical education instruction for students in grades 6 through 8, reporting and auditing of student enrollment in physical education instruction, and criteria for a student’s waiver from participation in physical education instruction; providing an effective date.

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

By Senator Wise—

SB 1308—A bill to be entitled An act relating to fire prevention and control; amending s. 633.027, F.S.; defining the term “light-frame truss-type construction”; providing for the installation of signs or symbols at entrances to certain areas; providing an effective date.

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

By Senator Oelrich—

SB 1310—A bill to be entitled An act relating to 911 emergency telephone calls; amending s. 365.171, F.S.; providing that any release of an oral recording of a 911 emergency transmission be digitally modified in order to protect the personal identity of any person requesting emergency services or reporting an emergency; providing an effective date.

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

By Senator Siplin—

SB 1312—A bill to be entitled An act relating to school nutrition programs; providing a short title; transferring and reassigning functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources for the administration of the school food and nutrition programs from the Department of Education to the Department of Agriculture and Consumer Services; creating s. 570.98, F.S.; requiring the Department of Agriculture and Consumer Services to conduct, supervise, and administer all school food and nutrition programs; requiring the department to cooperate fully with the United States Government; authorizing the department to act as agent of, or contract with, the Federal Government, other state agencies, or any county or municipal government for the administration of the school food and nutrition programs; transferring, renumbering, and amending s. 1006.06, F.S., relating to school food service programs; conforming provisions to changes made by the act; deleting obsolete provisions; transferring, renumbering, and amending ss. 1006.0606 and 1010.77, F.S., relating to the children's summer nutrition program and the Food and Nutrition Services Trust Fund, respectively; conforming provisions to changes made by the act; deleting obsolete provisions; amending s. 1003.453, F.S.; requiring each school district to send an updated copy of its wellness policy and physical education policy to the Department of Education and the Department of Agriculture and Consumer Services; deleting obsolete provisions; requiring certain information to be accessible from the website of the Department of Agriculture and Consumer Services; providing an effective date.

—was referred to the Committees on Agriculture; Education Pre-K-12; and Budget.

By Senator Alexander—

SB 1314—A bill to be entitled An act relating to state financial matters; amending s. 216.011, F.S.; defining the term “lease or lease-purchase of equipment”; amending s. 216.023, F.S.; requiring that specified information relating to certain contracts be included in an agency's legislative budget request; amending s. 216.311, F.S.; defining the terms “contract” and “agreement”; prohibiting an agency or branch of state government, without legislative authority, from contracting to pay liquidated damages or early termination fees resulting from the breach or early termination of a contract or agreement, from paying interest because of insufficient budget authority to pay an obligation in the current year, from obligating the state to make future payments to cover unpaid payments, or from granting a party the right to collect fees or other revenues from nonparties; providing certain exemptions; prohibiting an agency from entering into certain leases without authorization by the Legislature or the Legislative Budget Commission; creating s. 216.312, F.S.; requiring the executive and judicial branch to notify the Governor and Legislature before entering into contracts containing certain provisions relating to expenditures; transferring, renumbering, and amending s. 287.0582, F.S.; requiring a state contract to identify the appropriation that funds a contract; expanding the statement that must be included in state contracts to include grounds for terminating the contract based on budget deficits; requiring the judicial branch to include the statement in its contracts; requiring the agency head, executive director, or chief judge, as appropriate, or a designated senior management employee, to sign contracts that exceed a specified amount; requiring the agency head, executive director, or chief judge to review certain contracts and certify compliance with ch. 216, F.S.; requiring contracts exceeding a specified amount to require written acceptance or rejection of contract deliverables; providing that contracts in violation of these provisions are null and void; providing penalties; amending s. 287.063, F.S.; prohibiting certain lease or deferred-payment purchases

by state agencies unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending s. 287.064, F.S.; prohibiting certain master equipment financing agreements unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending ss. 376.3075 and 403.1837, F.S.; conforming cross-references; providing for application; providing an effective date.

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

By Senator Detert—

SB 1316—A bill to be entitled An act relating to loan processing; amending s. 494.001, F.S.; creating and revising definitions; deleting a redundant definition; amending s. 494.0011, F.S.; specifying rulemaking powers; amending s. 494.0025, F.S.; prohibiting acting as an in-house loan processor without a specified license; amending s. 494.0018, F.S.; revising cross-references; amending s. 494.00255, F.S.; including licensed in-house loan processors in disciplinary provisions; creating s. 494.00314, F.S.; providing for licensing of in-house loan processors; providing application requirements; specifying when an application is considered received; providing grounds for denial of licensure; prohibiting issuance of licenses to applicants who have had certain licenses revoked in other jurisdictions; providing for annulment of licenses in certain circumstances; requiring annual renewal of licenses; providing that an in-house loan processor may not act as a loan originator without a loan originator license; providing that a licensed loan originator may act as an in-house loan processor without an in-house loan processor license; creating s. 494.00315, F.S.; providing for license renewals; amending s. 494.00312, F.S.; providing that a loan originator license may not be issued to a person who has had an in-house loan processor license or its equivalent revoked in any jurisdiction; amending s. 494.00331, F.S.; providing that specified provisions do not apply to a licensed contract loan processor who has on file with the office a declaration of intent to act solely as a contract loan processor; deleting a definition; providing restrictions on employment of persons licensed as in-house loan processors; amending s. 494.0035, F.S.; clarifying provisions concerning operation of mortgage brokers; amending s. 494.0038, F.S.; revising provisions relating to disclosure of settlement charges and loan terms; amending s. 494.00421, F.S.; revising an agency reference; amending s. 494.00611, F.S.; providing that a mortgage lender license may not be issued to an applicant if any of the applicant's control persons has ever had an in-house loan processor license or its equivalent revoked in any jurisdiction; amending s. 494.00612, F.S.; requiring that in order to renew a mortgage lender license a mortgage lender must authorize the Nationwide Mortgage Licensing System and Registry to obtain an independent credit report on each of the mortgage lender's control persons; amending s. 494.0067, F.S.; requiring each mortgage lender to submit certain reports to the registry as may be required; providing an effective date.

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

By Senator Benacquisto—

SB 1318—A bill to be entitled An act relating to the tax refund program for qualified target industry businesses; amending s. 288.106, F.S.; revising the criteria for the determination of target industry businesses by the Office of Tourism, Trade, and Economic Development; providing an effective date.

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

By Senator Wise—

SB 1320—A bill to be entitled An act relating to physical education instruction in public schools; amending s. 1003.455, F.S.; requiring that physical education instruction for students in kindergarten through grade 5 be delivered by a certified physical education teacher; requiring that each school district implement such requirement during a 5-year period; requiring that each district school board provide 150 minutes of physical education instruction by a certified physical education teacher

each week for students in grade 6 who are enrolled in a school that contains one or more elementary grades so that on any day during which physical education instruction is conducted there are at least 30 consecutive minutes per day; providing that a student may have the physical education requirement waived for a period of one semester each year under certain circumstances; providing an effective date.

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

By Senator Jones—

SB 1322—A bill to be entitled An act relating to legislative lobbying expenditures; amending s. 11.045, F.S.; redefining the term “expenditure”; specifying that the term “expenditure” does not include the salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the recipient’s employment, business, or service; specifying that the term does not include awards or certificates given in recognition of the recipient’s public, civic, charitable, or professional service; specifying that the term does not include honorary membership in a service or fraternal organization presented merely as a courtesy by such organization, transportation provided to a member or employee by an agency in relation to officially approved governmental business, or expenditures provided directly or indirectly by a state, regional, or national organization that promotes the exchange of ideas between, or the professional development of, members or employees, and whose membership is primarily composed of elected or appointed public officials or staff; defining the term “relative”; prohibiting a member or employee of the Legislature from soliciting or accepting an expenditure from a lobbyist or principal when the expenditure is for the personal benefit of the member, an employee, or others; establishing new expenditure limitations; creating exceptions for legitimate expenditures made in connection with the member’s public office or the employee’s public employment or for an expenditure from a relative; requiring each legislative member or employee receiving certain expenditures to file quarterly expenditure statements with the committee charged with the responsibility for ethical conduct of lobbyists; prescribing the contents of the quarterly report; authorizing additional reporting requirements by legislative rule; providing criteria for the valuation of expenditures; amending ss. 112.3148 and 112.3149, F.S.; revising provisions to conform to changes made by the act; providing an effective date.

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

By Senator Bennett—

SB 1324—A bill to be entitled An act relating to disposition of human remains; creating part VII of ch. 497, F.S., consisting of ss. 497.701, 497.703, 497.705, 497.707, 497.709, 497.711, 497.713, 497.715, 497.717, 497.719, and 497.721, F.S.; amending s. 497.005, F.S.; defining terms relating to the disposition of human remains; transferring, renumbering, and amending ss. 406.50, 406.51, 406.52, 406.53, 406.55, 406.56, 406.57, 406.58, 406.59, 406.60, and 406.61, F.S.; revising procedures for the reporting and disposition of unclaimed remains; prohibiting certain uses or dispositions of the remains of deceased persons whose identities are not known; requiring that local governmental contracts for the final disposition of unclaimed remains comply with certain federal regulations; conforming provisions to changes in terminology; conforming a cross-reference; revising procedures for the anatomical board’s retention of human remains before their use; providing for claims by, and the release of human remains to, legally authorized persons after payment of certain expenses; authorizing county ordinances or resolutions for the final disposition of the unclaimed remains of indigent persons; limiting the liability of certain licensed persons for cremating or burying human remains under certain circumstances; revising exceptions from requirements for notice to the anatomical board of the death of indigent persons; deleting a requirement that the Department of Health assess fees for the burial of certain bodies; conforming provisions to changes in terminology; conforming terminology of provisions prohibiting the selling or buying of human remains or the transmitting or conveying of such remains outside the state; providing penalties; conforming terminology relating to procedures for the conveyance of plastinated human remains into or out of the state; repealing s. 406.54, F.S., relating to claims of bodies after delivery to the anatomical board; providing an effective date.

—was referred to the Committees on Health Regulation; Higher Education; Community Affairs; and Budget.

By Senator Garcia—

SB 1326—A bill to be entitled An act relating to copy machines, photocopiers, fax machines, and printers; creating s. 501.974, F.S.; providing definitions; requiring vendors of copy machines to provide specified warning labels and information with machines; requiring rule-making; requiring vendors of copy machines to erase or otherwise render non-recreatable any records stored in the memory of a machine; providing requirements for financial institutions concerning copy machines; prohibiting specified acts concerning required warning labels; providing for recovery of punitive damages for certain violations; providing an effective date.

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

By Senator Hays—

SB 1328—A bill to be entitled An act relating to public records; amending s. 119.0712, F.S.; providing a public-records exemption for certain information provided to the Office of Financial Regulation on a confidential basis or developed as part of a multiagency investigation; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

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

By Senator Hays—

SB 1330—A bill to be entitled An act relating to residential property insurance; amending s. 627.062, F.S.; authorizing an insurer to use a rate for residential property insurance that differs from its otherwise filed rate after a specified date under certain circumstances; requiring such rates to be filed with the Office of Insurance Regulation; specifying the maximum difference between rates; limiting the percentage rate increase as to any individual policyholder; preserving the authority of the office to disapprove a rate for inadequacy or discrimination; providing a future revision that requires the inclusion of a statement in certain rate filings relating to the insurer’s current or future ability to cover a specified probable maximum loss, requires certification by an insurer relating to the insurer’s ability to actually cover a specified probable maximum loss, voids certain rates if an insurer fails to maintain sufficient funds or coverages to cover a specified probable maximum loss, and requires refunds and credits to insureds if an insurer fails to maintain sufficient funds or coverages to cover a specified probable maximum loss; amending s. 627.351, F.S.; requiring insurance agents to obtain a signed acknowledgment from an applicant for coverage and certain policyholders relating to surcharges and assessments potentially being imposed under a Citizens Property Insurance Corporation policy; requiring Citizens Property Insurance Corporation to maintain signed acknowledgments for a specified time; specifying that a signed acknowledgment creates an evidentiary presumption relating to an insured’s liability for surcharges and assessments; creating s. 627.7031, F.S.; specifying circumstances under which an insurer may offer or renew residential property insurance policies subject to the amendments to s. 627.062, F.S., contained in this act; prohibiting such insurers from procuring coverage under the temporary increase in coverage limits option; requiring specific notices to applicant or insured; requiring Citizens Property Insurance Corporation premium estimates and signed acknowledgments; specifying ineligible types of policies; providing a future revision requiring an insurer to have certain resources to cover a specified probable maximum loss in order to offer or renew policies at certain rates; providing effective dates.

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

By Senator Richter—

SB 1332—A bill to be entitled An act relating to financial institutions; amending s. 655.005, F.S.; revising definitions relating to the financial institutions codes; amending s. 655.013, F.S.; updating a reference; creating s. 655.03855, F.S.; authorizing the office to appoint provisional directors or executive officers; specifying the rights, qualifications, and reporting requirements of such directors and officers; clarifying the liability of such directors and officers and of the office; amending s. 655.044, F.S.; specifying which accounting practice must be followed by financial institutions; amending s. 655.045, F.S.; authorizing the office to conduct additional examinations of financial institutions if warranted; providing for the use of certain examination methods; authorizing the office to enter into agreements with other regulatory agencies relating to examinations; amending s. 655.41, F.S.; revising definitions to conform provisions to changes made by the act; amending s. 655.411, F.S.; revising the criteria for approval of a financial entity's plan of conversion; amending s. 655.414, F.S.; providing for the transfer of assets from a federally chartered or out-of-state chartered institution; amending ss. 655.416, 655.417, and 655.418, F.S.; conforming provisions to changes made by the act; amending s. 655.4185, F.S.; revising provisions relating to emergency actions that may be taken for a failing financial institution; authorizing the office to provide prior approval for the chartering of an entity acquiring control of a failing institution; amending s. 655.419, F.S.; deleting a provision relating to actions conducted outside this state; amending s. 655.947, F.S.; conforming a cross-reference; amending s. 657.038, F.S.; specifying the loan factors that must be considered when computing a person's total obligations for purposes of extending credit; amending s. 657.042, F.S.; revising criteria that limit a credit union's investment of funds; requiring a credit union to establish policies and procedures for evaluating risk; amending ss. 657.063 and 657.064, F.S.; conforming cross-references; amending s. 658.12, F.S.; conforming a cross-reference; deleting a provision relating to the application of definitions in the financial institutions codes; repealing s. 658.20(3), F.S., relating to applications for prior approval of officers or directors; amending s. 658.28, F.S.; providing additional limitations on acquiring or controlling another bank; repealing s. 658.295, F.S., relating to the Florida Interstate Banking Act; amending s. 658.2953, F.S.; revising and updating provisions relating to Florida bank mergers with out-of-state banks; deleting legislative intent; repealing s. 658.296, F.S., relating to the control of deposit-taking institutions; amending s. 658.36, F.S.; authorizing the office to approve a special stock offering plan under certain circumstances; amending s. 658.41, F.S.; clarifying that state laws do not restrict the right of a state bank or trust company to merge with an out-of-state bank; amending s. 658.48, F.S.; revising provisions relating to bank loans; specifying the process for computing the liabilities of a person seeking a loan; amending s. 658.53, F.S.; deleting a provision providing that unpaid proceeds of sales are used to evaluate the adequacy of a bank's capital; repealing ss. 658.65, 665.013(33), and 667.003(35), F.S., relating to remote financial service units; amending s. 658.67, F.S.; updating provisions relating to the investment powers of a bank or trust company; requiring banks and trust companies to establish procedures for evaluating risk; amending ss. 288.772, 288.99, 440.12, 440.20, 445.051, 489.503, 501.005, 501.165, 624.605, 626.321, 626.730, and 626.9885, F.S.; conforming cross-references; providing an effective date.

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

By Senator Bogdanoff—

SB 1334—A bill to be entitled An act relating to the sentencing of inmates; amending s. 893.135, F.S.; removing all references to imposing mandatory minimum sentences for defendants convicted of trafficking in controlled substances; defining the terms “department” and “nonviolent offender”; directing the Department of Corrections to develop and administer a reentry program for nonviolent offenders which is intended to divert nonviolent offenders from long periods of incarceration; requiring that the program include intensive substance abuse treatment and rehabilitative programming; providing for the minimum length of service in the program; providing that any portion of a sentence before placement in the program does not count as progress toward program completion; specifying eligibility criteria for a nonviolent offender to be placed into the reentry program; directing the department to notify the nonviolent offender's sentencing court to obtain approval before the nonviolent offender is placed into the reentry program; requiring the

department to notify the state attorney; authorizing the state attorney to file objections to placing the offender into the reentry program within a specified period; requiring the sentencing court to notify the department of the court's decision to approve or disapprove the requested placement within a specified period; providing that failure of the court to timely notify the department of the court's decision constitutes approval by the requested placement; requiring the nonviolent offender to undergo an education assessment and a full substance abuse assessment if admitted into the reentry program; requiring the offender to be enrolled in an adult education program in specified circumstances; requiring that assessments of vocational skills and future career education be provided to the offender; requiring that certain reevaluation be made periodically; providing that the nonviolent offender is subject to the disciplinary rules of the department; specifying the reasons for which the offender may be terminated from the reentry program; requiring that the department submit a report to the sentencing court at least 30 days before the nonviolent offender is scheduled to complete the reentry program; setting forth the issues to be addressed in the report; requiring the sentencing court to issue an order modifying the sentence imposed and place the nonviolent offender on drug offender probation if the nonviolent offender's performance is satisfactory; authorizing the court to revoke probation and impose the original sentence in specified circumstances; authorizing the court to require the offender to complete a post-adjudicatory drug court program in specified circumstances; directing the department to implement the reentry program using available resources; requiring the department to submit an annual report to the Governor and Legislature detailing the extent of implementation of the reentry program and outlining future goals and recommendations; authorizing the department to enter into contracts with qualified individuals, agencies, or corporations for services for the reentry program; authorizing the department to impose administrative or protective confinement as necessary; authorizing the department to establish a system of incentives within the reentry program which the department may use to promote participation in rehabilitative programs and the orderly operation of institutions and facilities; directing the department to develop a system for tracking recidivism, including, but not limited to, rearrests and recommitment of nonviolent offenders who successfully complete the reentry program, and to report on recidivism in its annual report of the program; directing the department to adopt rules; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Bennett—

SB 1336—A bill to be entitled An act relating to renewable energy; amending s. 366.92, F.S.; revising legislative intent regarding the state's renewable energy policy; deleting provisions requiring that the Public Service Commission adopt rules for a renewable portfolio standard; requiring that the commission provide for full cost recovery; allowing each provider of Florida renewable energy resources to build such resources, convert existing fossil fuel generation plants to a renewable energy resource, or purchase renewable energy to recover costs; providing that each provider may purchase or produce renewable energy having capacity or energy costs in excess of the fully avoided cost limitations; specifying such cost limitations; providing for renewable attributes; providing guidelines for full cost recovery; providing caveats; amending s. 366.8255, F.S.; revising the definition of the term “environmental laws or regulations” to include any federal or state law requiring an electric utility to provide electricity from renewable energy; revising the definition of the term “environmental compliance costs” to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications, Energy, and Public Utilities; and Budget.

By Senator Detert—

SB 1338—A bill to be entitled An act relating to contraception; creating ss. 627.64194, 627.6614, and 641.31099, F.S.; providing definitions; requiring that health insurers and health maintenance organizations provide health insurance coverage for prescription contraceptive drugs and devices approved by the Food and Drug Administration and other related outpatient contraceptive services; prohibiting a health in-

insurance policy or health maintenance contract from imposing an unusual copayment, coinsurance requirement, deductible, or waiting requirement for obtaining prescription contraceptive drugs or devices or certain outpatient contraceptive services; authorizing a religious employer to request, and requiring a health insurance policy or health maintenance contract to grant, an exclusion from coverage under the policy or contract for coverage for prescription contraceptive drugs or devices or certain outpatient contraceptive services under certain conditions; providing for application of the act; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Budget.

By Senator Bogdanoff—

SB 1340—A bill to be entitled An act relating to continuing care retirement communities; providing for the provision of continuing care at-home; amending s. 651.011, F.S.; revising definitions; defining “continuing care at-home,” “nursing care,” “personal services,” and “shelter”; amending s. 651.012, F.S.; conforming a cross-reference; amending s. 651.013, F.S.; conforming provisions to changes made by the act; amending s. 651.021, F.S., relating to the requirement for certificates of authority; requiring that a person in the business of issuing continuing care at-home contracts obtain a certificate of authority from the Office of Financial Regulation; requiring written approval from the Office of Financial Regulation for a 20 percent or more expansion in the number of continuing care at-home contracts; providing that an actuarial study may be substituted for a feasibility study in specified circumstances; amending s. 651.022, F.S., relating to provisional certificates of authority; conforming provisions to changes made by the act; amending s. 651.023, F.S., relating an application for a certificate of authority; specifying the content of the feasibility study that is included in the application for a certificate; requiring the same minimum reservation requirements for continuing care at-home contracts as continuing care contracts; requiring that a certain amount of the entrance fee collected for contracts resulting from an expansion be placed in an escrow account or on deposit with the department; amending ss. 651.033, 651.035, and 651.055, F.S.; requiring a facility to provide proof of compliance with a residency contract; conforming provisions to changes made by the act; creating s. 651.057, F.S.; providing additional requirements for continuing care at-home contracts; requiring that a provider who wishes to offer continuing care at-home contracts submit certain additional documents to the office; requiring that the provider comply with certain requirements; limiting the number of continuing care and continuing care at-home contracts at a facility based on the types of units at the facility; amending ss. 651.071, 651.091, 651.106, 651.114, 651.118, 651.121, and 651.125, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Banking and Insurance; and Budget.

By Senator Flores—

SB 1342—A bill to be entitled An act relating to school district financing; amending s. 1010.49, F.S.; authorizing a district school board issuing a bond to determine the schedule of maturities of the bond; deleting a provision requiring payments on a bond to be as nearly equal as practicable; extending to 30 years from 20 years the maximum permissible term of a bond that may be issued by a district school board without approval from the Department of Education; providing that a bond is callable at such times and upon such terms as prescribed by the district school board; deleting a requirement for bonds bearing an interest rate greater than a certain rate to be callable after a certain period of time after issuance; amending s. 1011.73, F.S.; extending the maximum duration of the levy of ad valorem taxes approved by the electors of a school district for the operating expenses of the district; providing an effective date.

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

By Senator Flores—

SM 1344—A memorial to the Congress of the United States, urging Congress to direct the Department of the Treasury to withdraw a proposed rule on deposits made by nonresident aliens and to examine the proposed rule for negative effects.

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

By the Committee on Commerce and Tourism—

SB 1346—A bill to be entitled An act relating to obsolete references and programs; amending s. 14.2015, F.S.; removing an obsolete reference to the Department of Commerce; amending s. 20.18, F.S.; updating a reference to the Department of Commerce to refer instead to the Office of Tourism, Trade, and Economic Development; amending s. 45.031, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 69.041, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 112.044, F.S.; removing obsolete references to the Department of Labor and Employment Security; amending s. 212.20, F.S.; conforming cross-references to changes made by the act; amending s. 252.85, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 252.87, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 252.937, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 287.09431, F.S.; updating references to the Department of Labor and Employment Security; amending s. 287.09451, F.S.; removing references to the Department of Labor and Employment Security; amending s. 287.0947, F.S.; removing a reference to the Department of Labor and Employment Security; correcting a cross-reference; amending s. 288.021, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 288.035, F.S.; removing a reference to the Department of Commerce; repealing s. 288.038, F.S., relating to agreements of the Department of Labor and Employment Security with county tax collectors; repealing s. 288.1162, F.S., relating to professional sports franchises; repealing s. 288.1168, F.S., relating to the professional golf hall of fame facility; amending s. 288.1229, F.S.; removing a reference to the Department of Commerce; amending s. 288.1169, F.S.; updating references to the Department of Commerce; amending s. 331.369, F.S.; updating references to the Workforce Development Board of Enterprise Florida, Inc.; amending s. 377.711, F.S.; removing a reference to the Department of Commerce; providing for standard compact provisions regarding recommendations by the Southern States Energy Board; amending s. 377.712, F.S.; clarifying provisions governing participation in the compact by the state and its agencies; amending s. 409.2576, F.S.; removing references to the Department of Labor and Employment Security; amending s. 414.24, F.S.; updating references to the Department of Labor and Employment Security; amending s. 414.40, F.S.; updating provisions governing the Stop Inmate Fraud Program; updating a reference to the Department of Labor and Employment Security; amending s. 440.385, F.S.; updating a reference to the Department of Labor and Employment Security; removing obsolete provisions; amending s. 440.49, F.S.; removing a reference to the Department of Labor and Employment Security; removing obsolete provisions; repealing s. 446.60, F.S., relating to assistance for displaced local exchange telecommunications company workers; amending s. 450.161, F.S.; updating a reference to the Division of Jobs and Benefits; amending s. 464.203, F.S.; updating a reference to the Enterprise Florida Jobs and Education Partnership Grant; amending s. 489.1455, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 489.5335, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 553.62, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 597.006, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 944.012, F.S.; updating a reference to the Florida State Employment Service; amending s. 944.708, F.S.; removing a reference to the Agency for Workforce Innovation; repealing ss. 255.551-255.563, F.S., relating to the asbestos management program; repealing s. 469.003(2)(b), F.S., relating to obsolete provisions governing the licensure of asbestos surveyors; providing an effective date.

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

By Senator Bogdanoff—

SB 1348—A bill to be entitled An act relating to community residential homes; amending s. 419.001, F.S., relating to site selection of community residential homes; revising the definition of the term “community residential home”; defining the term “sober house transitional living home”; requiring supervision of the residents of such a home; requiring that a sober house transitional living home comply with standards of occupancy set by the local government; providing restrictions on the provision of onsite substance abuse treatment services; limiting applicability; providing an effective date.

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

By Senator Flores—

SB 1350—A bill to be entitled An act relating to the use, prevention, and reduction of seclusion and restraint on students with disabilities in public schools; amending s. 1003.573, F.S.; providing definitions; providing legislative findings and intent; requiring that manual physical restraint be used only in an emergency when there is an imminent risk of serious injury or death to the student or others; providing restrictions on the use of manual physical restraint; prohibiting the use of manual physical restraint by school personnel who are not certified to use district-approved methods for applying restraint techniques; prohibiting specified techniques; requiring that each school medically evaluate a student after the student is manually physically restrained; prohibiting school personnel from placing a student in seclusion; providing requirements for the use of time-out; requiring that a school district report its training and certification procedures to the Department of Education; requiring that school personnel be trained and certified in the use of manual physical restraint; requiring that a school review a student’s functional behavior assessment and positive behavioral intervention plan under certain circumstances; requiring that parents be notified of a school district’s policies regarding the use of manual physical restraint; requiring that each school send a redacted copy of any incident report or other documentation to the Advocacy Center for Persons with Disabilities, Inc.; requiring that the department make available on its website data of manual physical restraint by a specified date; requiring that each school district develop policies and procedures addressing the allowable use of manual physical restraint, personnel authorized to use such restraint, training procedures, analysis of data trends, and the reduction of the use of manual physical restraint; requiring that any revisions to a school district’s policies and procedures be filed with the bureau chief of the Bureau of Exceptional Education and Student Services by a specified date; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; Children, Families, and Elder Affairs; and Budget.

By Senator Hays—

SB 1352—A bill to be entitled An act relating to public works projects; providing definitions; prohibiting the state and political subdivisions that contract for the construction, maintenance, repair, or improvement of public works from imposing certain conditions on certain contractors, subcontractors, or material suppliers or carriers; providing an exception; prohibiting the state and political subdivisions from restricting qualified bidders from submitting bids, being awarded any bid or contract, or performing work on a public works project; amending s. 120.57, F.S.; revising written protest filing requirements for protests to contract solicitations or awards; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senator Storms—

SB 1354—A bill to be entitled An act relating to juvenile detention; amending s. 985.245, F.S.; requiring that points be added to a supervised child’s risk assessment instrument if the child is charged with committing a new offense; amending s. 985.255, F.S.; providing for the continued detention of a child who is alleged to have violated the conditions of home detention; broadening the criteria under which a child may be detained for failing to appear for any hearing; providing that a child who violates the conditions of home detention may be placed in secure detention; extending the time that a child may be held in advance of the next scheduled court hearing; deleting the provision specifying that failure to provide a current or valid address is not an adequate excuse for nonappearance; amending s. 985.26, F.S.; extending the period that a child may be held under a special detention order; clarifying that a child may not be held in detention for more than 15 days pending disposition; amending s. 985.27, F.S.; providing that a child who is awaiting placement and who is arrested for any offense may be placed in secure detention; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Jones—

SB 1356—A bill to be entitled An act relating to Medicaid eligibility; amending s. 409.902, F.S.; providing asset transfer limitations for determination of eligibility for certain nursing facility services under the Medicaid program after a specified date; requiring the Department of Children and Family Services to take certain actions if a community spouse refuses to make certain resources available to the institutional spouse; authorizing the Agency for Health Care Administration to recover certain Medicaid expenses; authorizing the Department of Children and Family Services to adopt rules; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Budget.

By Senator Oelrich—

SB 1358—A bill to be entitled An act relating to emergency medical services; amending s. 381.0034, F.S.; deleting the requirement for emergency medical technicians and paramedics to complete an educational course on the modes of transmission, infection control procedures, clinical management, and prevention of human immunodeficiency virus and acquired immune deficiency syndrome; amending s. 401.23, F.S.; redefining the term “basic life support” for purposes of the Raymond H. Alexander, M.D., Emergency Medical Transportation Services Act; amending s. 401.24, F.S.; requiring the Department of Health to develop and revise a comprehensive state plan every 5 years for basic and advanced life support services, the emergency medical services grants program, trauma centers, the injury control program, and medical disaster preparedness; amending s. 401.27, F.S.; revising the requirements for certification or recertification as an emergency medical technician or paramedic; revising the requirements for certification for an out-of-state trained emergency medical technician or paramedic; amending s. 401.2701, F.S.; revising requirements for an institution that conducts an approved program for the education of emergency medical technicians and paramedics; revising the requirements that students must meet in order to receive a certificate of completion from an approved program; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Bogdanoff—

SB 1360—A bill to be entitled An act relating to employee leasing companies; amending s. 468.525, F.S.; revising the provisions that must be addressed in a contractual arrangement between an employee leasing company and a client company; providing that the leasing company is responsible for securing workers’ compensation coverage; requiring the client company to identify its contractors and nonleased employees to the leasing company within specified times; requiring the leasing company to give 10 days’ notice before terminating an agreement; amending s. 468.529, F.S.; providing that during the term of a leasing agreement,

employees who are directly hired by a client company or who commence work for the client company become employees of the leasing company; requiring a client company that directly hires nonleased employees to have an in-force workers' compensation policy covering these employees; providing that a leasing company's insurer may recover from a client company a certain amount of premium and administrative costs in specified circumstances; providing that responsibility for workers' compensation for leased employees is by way of a multiple coordinated policy issued to the leasing company; providing for calculating the client company's workers' compensation premium while under contract with a leasing company; requiring a leasing company to notify employees if the leasing agreement is terminated; specifying when coverage ends after the agreement is terminated; requiring a leasing company to provide the client company with records relating to its loss experience during the term of the agreement; amending s. 627.192, F.S.; deleting provisions relating to an employee leasing company and its workers' compensation insurer, to conform; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Tourism; and Budget.

By Senator Garcia—

SB 1362—A bill to be entitled An act relating to Department of Children and Family Services employees; amending s. 402.35, F.S.; removing a provision prohibiting a federal, state, county, or municipal officer from serving as an employee of the department; providing an effective date.

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

By Senator Storms—

SB 1364—A bill to be entitled An act relating to child support; amending s. 61.13, F.S.; providing that certain affidavits in Title IV-D child support cases need not allege default in payments; amending s. 61.13016, F.S.; providing for the payment of paternity or support obligations by income deduction to avoid the suspension of the obligor's driver's license and motor vehicle registration; amending s. 322.058, F.S.; providing for the reinstatement of such privileges; amending s. 409.256, F.S.; permitting a caregiver to state in an affidavit or written declaration information regarding a child's putative father in order to enable the Department of Revenue to commence an administrative proceeding to establish paternity or paternity and child support; amending s. 409.2563, F.S.; extending the time within which a parent from whom support is being sought pursuant to a proposed administrative support order may request an informal conference to discuss the proposed order; requiring that such request be in writing only; providing effective dates.

—was referred to the Committees on Judiciary; Transportation; Children, Families, and Elder Affairs; and Budget.

By Senator Storms—

SB 1366—A bill to be entitled An act relating to administrative monitoring of providers of child welfare services, mental health services, and substance abuse services; amending s. 402.7306, F.S.; requiring the Department of Children and Family Services, the Department of Health, the Agency for Persons with Disabilities, the Agency for Health Care Administration, community-based care lead agencies, managing entities, and their contracted monitoring agents to adopt certain revised policies for the administrative monitoring of providers of child welfare services, mental health services, and substance abuse services; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By Senator Smith—

SB 1368—A bill to be entitled An act relating to the allocation and expenditure of state lottery revenues; amending s. 24.121, F.S.; requiring a portion of Powerball net revenues to be allocated to voluntary prekindergarten education programs; providing for the use of funds; providing an effective date.

—was referred to the Committees on Regulated Industries; Education Pre-K - 12; and Budget.

By Senator Smith—

SB 1370—A bill to be entitled An act relating to health education; amending s. 1003.428, F.S.; providing for a mandatory one-half credit in health education, independent of physical education credit requirements, for high school students; providing a waiver for students who request to take and successfully complete a health education assessment developed by the Department of Education; reducing the number of credits in elective courses; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; and Budget.

By Senator Storms—

SB 1372—A bill to be entitled An act relating to administration of medication for persons with developmental disabilities; amending s. 393.506, F.S.; requiring a registered nurse or physician to assess and validate a direct service provider's competency in all routes of medication administration at an onsite setting with an actual client; providing an exception; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Budget.

By Senator Smith—

SB 1374—A bill to be entitled An act relating to the Black Business Loan Program; amending s. 288.7102, F.S.; revising the recertification and audit periods for eligible recipients of the Black Business Loan Program; authorizing existing recipients to submit certain information to the Office of Tourism, Trade, and Economic Development instead of financial audits under certain circumstances; authorizing recipients to redress audit findings within a specified period; providing term of and revising requirements for funding agreements between recipients and the office; revising the entities with whom the office must consult before adopting rules; revising limits on the use of funds for technical support to black business enterprises and direct administrative costs; conforming provisions; reenacting s. 288.7094(2), F.S., relating to black business investment corporations, to incorporate changes made by the act in a reference thereto; providing an effective date.

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

By Senator Smith—

SB 1376—A bill to be entitled An act relating to employment of felons; creating s. 220.194, F.S.; providing a credit against the corporate income tax for employment of a person previously convicted of a felony; providing requirements to receive the credit; providing exceptions for certain felons; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; and Budget.

By Senator Latvala—

SB 1378—A bill to be entitled An act relating to economic development; creating the "Small Business Jobs Creation Act"; amending s. 288.061, F.S.; reducing the time period within which Enterprise Florida, Inc., and the Office of Tourism, Trade, and Economic Development must

review and evaluate applications for state economic development incentives; amending s. 288.106, F.S.; reducing the time period within which a local government must adopt a resolution to provide financial support to a business applying to participate in the tax refund program for qualified target industry businesses; reducing the time period within which a business applying to participate in the tax refund program for qualified target industry must sign an agreement with the Office of Tourism, Trade, and Economic Development; authorizing an extension of time for a business to sign an agreement under certain circumstances; requiring the Office of Tourism, Trade, and Economic Development to return the unused portion of local financial support within a specified time period if a business fails to timely sign an agreement or no longer participates in the tax refund program; waiving the requirements for certain businesses to pay a minimum average wage during the first year of an agreement under the tax refund program for qualified target industry businesses; amending s. 400.462, F.S.; redefining the term “remuneration” as used in the Home Health Services Act to exclude certain items having a value less than a specified threshold amount; providing an effective date.

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

By Senator Smith—

SB 1380—A bill to be entitled An act relating to operation of the Florida Lottery; amending s. 20.317, F.S.; clarifying provisions concerning regional offices; amending s. 24.101, F.S.; revising a reference; amending s. 24.102, F.S.; revising provisions relating to legislative intent to provide for the operation of the lottery under a management agreement; amending s. 24.103, F.S.; providing and revising definitions; amending s. 24.104, F.S.; revising provisions concerning the purpose of the Department of the Lottery to permit contracting with a manager; amending s. 24.105, F.S.; revising provisions concerning the powers and duties of the department to allow for possible contracting with a manager; providing that specified provisions apply regardless of whether the department contracts with a manager; deleting obsolete provisions; amending s. 24.107, F.S.; revising provisions concerning advertising and promotion of lottery games to conform to the possibility of contracting with a manager; amending ss. 24.108 and 24.111, F.S.; revising provisions relating to security and contracts for goods or services to conform to the possibility of contracting with a manager; creating s. 24.1115, F.S.; providing for a management agreement under which the lottery may be operated; providing intent; providing definitions; limiting the duration of such an agreement; providing limits on the games that may be offered under such an agreement; providing for an initial payment to the department by a manager; providing for royalty payments by a manager; providing for collection of funds in excess of a specified baseline growth percentage to ensure that the manager does not earn excess revenue; providing requirements for the contents of a management agreement; requiring periodic investigations of the performance by a manager; providing for a request for qualifications process to select a manager; providing for the public records status of specified materials under existing exemptions; providing for negotiations between one or more offerors and the department; providing selection procedures; requiring a public hearing; providing for designation of a manager by the Governor; providing for status of debt offering by the manager; providing for a time period for challenges to designation of a manager; providing department powers; prohibiting the department from selling the authorization to manage the lottery; providing that there is no prohibition on additional legislative authorization of other forms of gambling; amending s. 24.112, F.S.; revising provisions concerning retailers of lottery tickets to conform to the possibility of contracting with a manager; amending s. 24.113, F.S.; providing that provisions concerning minority participation also apply if the lottery contracts with a manager; amending ss. 24.114, 24.115, 24.1153, 24.117, 24.118, and 24.120, F.S.; revising provisions relating to bank deposits and control of lottery transactions, payment of prizes, assignment of prizes payable in installments, penalties for unlawful sale of lottery tickets, breach of confidentiality, and unlawful representation, and financial matters to conform to the possibility of contracting with a manager; amending s. 24.121, F.S.; revising provisions relating to allocation of revenues and expenditure of funds for public education to conform to the possibility of contracting with a manager; providing for a minimum allocation of proceeds received under a management agreement to the Florida Bright Futures Scholarship Program; amending ss. 24.122, 24.123, and 24.124, F.S.; revising pro-

visions relating to an exemption from taxation, state preemption, inapplicability of other laws, annual audit of financial records and reports, responsibility for ticket accuracy, and liability to conform to the possibility of contracting with a manager; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Accountability; and Budget.

By Senator Bennett—

SB 1382—A bill to be entitled An act relating to rulemaking; amending s. 120.54, F.S.; requiring that an agency include in its notice of intended rulemaking a statement as to whether the proposed rule will require legislative ratification; clarifying that certain proposed rules are adopted only when ratified by the Legislature; amending s. 120.541, F.S.; reducing the time before an agency files a rule for adoption within which the agency must notify the person who submitted a lower cost alternative and the Administrative Procedures Committee; amending s. 120.56, F.S.; reducing the time in which a substantially affected person may seek an administrative determination of the invalidity of a rule after the statement or revised statement of estimated regulatory costs is available; providing an effective date.

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

By Senator Altman—

SB 1384—A bill to be entitled An act relating to the transfer of tax liabilities; amending s. 213.758, F.S.; revising definitions; defining the terms “business,” “financial institution,” “insider,” “stock of goods,” and “tax”; requiring that a circuit court having jurisdiction over a taxpayer who fails to file a final tax return and to make tax payment for a business provide at least 20 days’ written notice before issuing a temporary injunction enjoining further business activity; specifying additional conditions for a transferee of a business, assets of the business, or stock of goods to establish that the business has no tax liability arising from the transfer; requiring the Department of Revenue to complete certain audits within a specified time in certain circumstances; requiring the Department of Revenue to charge a fee for conducting an audit of a transferor’s books and records; prohibiting a transferee who is liable for unpaid taxes of a transferor and who fails to pay taxes within a specified time from engaging in any business in the state; providing that a prohibition on the conduct of business by a transferee is stayed during a legal challenge to a determination of transferee liability by the department; authorizing the court to require the transferee to post a bond or other security in certain circumstances; authorizing the Department of Legal Affairs to require a transferee to pay maximum liability for any tax due in certain circumstances; authorizing a circuit court having jurisdiction over the taxpayer to issue to a transferee a temporary injunction enjoining further business upon at least 20 days’ written notice to the transferee; providing criteria for the determination of the fair market value and purchase price of a business, assets of the business, or a stock of goods; deleting the authority of the Department of Revenue to adopt rules relating to transferee liability; amending s. 213.053, F.S.; conforming a cross-reference; repealing s. 202.31, F.S., relating to the payment of taxes of a business of a dealer of communications services which has been sold; repealing s. 212.10, F.S., relating to the payment of taxes of a business that is a sales tax dealer, which business or stock of goods of the business has been sold; providing an effective date.

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

By Senator Bogdanoff—

SB 1386—A bill to be entitled An act relating to controlled substances; amending s. 400.9905, F.S.; redefining the terms “clinic” and “portable equipment provider” for purposes of the Health Care Clinic Act; amending s. 456.037, F.S.; conforming provisions to changes made by the act; amending s. 456.057, F.S.; authorizing the Department of Health to obtain patient records pursuant to a subpoena and without notification to the patient from a controlled-substance medical clinic under certain circumstances; amending s. 458.3265, F.S.; renaming pain-management clinics as “controlled-substance medical clinics”; prohibiting controlled-

substance medical clinics from advertising services related to the dispensing of medication; revising the criteria requiring registration with the department as a controlled-substance medical clinic; conforming provisions to changes made by the act; revising the circumstances in which the department may revoke the certificate of registration for a controlled-substance medical clinic; providing an exception for revoking and suspending a certificate of registration for a controlled-substance medical clinic; revising the responsibilities of a physician who provides professional services in a controlled-substance medical clinic; deleting the requirement that the Board of Medicine adopt a rule establishing the maximum number of prescriptions that can be written for certain controlled substances within a specified time; revising the rules setting forth the standards of practice that the board is required to adopt; deleting the provision that describes when a physician is primarily engaged in the treatment of pain; amending s. 458.327, F.S.; conforming provisions to changes made by the act; amending s. 458.331, F.S.; conforming provisions to changes made by the act; revising the acts that constitute grounds for disciplinary action for a licensee who serves as a designated physician of a controlled-substance medical clinic; amending s. 459.0137, F.S.; renaming pain-management clinics as “controlled-substance medical clinics”; prohibiting controlled-substance medical clinics from advertising services related to the dispensing of medication; revising the criteria requiring registration with the department as a controlled-substance medical clinic; conforming provisions to changes made by the act; revising the circumstances in which the department may revoke the certificate of registration for a controlled-substance medical clinic; providing an exception for revoking and suspending a certificate of registration for a controlled-substance medical clinic; revising the responsibilities of an osteopathic physician who provides professional services in a controlled-substance medical clinic; deleting the requirement that the Board of Osteopathic Medicine adopt a rule establishing the maximum number of prescriptions that can be written for certain controlled substances within a specified time; revising the rules setting forth the standards of practice that the board is required to adopt; deleting the provision that describes when an osteopathic physician is primarily engaged in the treatment of pain; amending s. 459.015, F.S.; conforming provisions to changes made by the act; revising the acts that constitute grounds for disciplinary action for a licensee who serves as a designated osteopathic physician of a controlled-substance medical clinic; amending s. 465.0276, F.S.; deleting the provision that prohibits a dispensing practitioner from dispensing a specified amount of a controlled substance under certain circumstances; amending s. 893.055, F.S.; redefining the term “patient advisory report” as it relates to the prescription drug monitoring program; revising the date by which the department is required to establish a comprehensive electronic database system; revising the responsibilities of the dispenser and the prescriber with regard to the electronic database system; revising the circumstances in which the department is required to adopt rules regarding reporting, accessing the database, evaluation, management, development, implementation, operation, security, and storage of information within the electronic database system; deleting the Office of Drug Control as one of the organizations that the department is required to work with in developing rules for the prescription drug monitoring program; requiring that a dispensed controlled substance be reported to the department within a specified number of hours; authorizing law enforcement agencies to request certain confidential and exempt information from the electronic database system upon determination that probable cause exists that a crime is being committed and issuance of a search warrant; providing that all costs incurred by the department in administering the prescription drug monitoring program be funded through federal grants, dispensing registration fees, or private funding applied for or received by the state; requiring the department rather than the Office of Drug Control to establish a direct-support organization; requiring the State Surgeon General to appoint the board of directors for the direct-support organization; requiring the direct-support organization to operate under written contract with the department; revising requirements for the contract; requiring the activities of the direct-support organization to be consistent with the goals and mission of the department; authorizing the department to permit use of certain services, property, and facilities of the department by the direct-support organization; prohibiting the department from permitting the use of any administrative services, property, or facilities of the state by the direct-support organization under certain conditions; requiring the department rather than the Office of Drug Control to study the feasibility of enhancing the prescription drug monitoring program for specified purposes; requiring the direct-support organization to provide funding for the department rather than the Office of Drug Control to conduct

training in using the prescription drug monitoring program; revising the date in which the department must adopt rules; amending s. 893.0551, F.S.; authorizing a law enforcement agency to disclose certain confidential and exempt information received from the department to a criminal justice agency pursuant to a search warrant; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

By Senator Flores—

SB 1388—A bill to be entitled An act relating to the Department of Revenue; amending s. 213.053, F.S.; authorizing the department to release certain taxpayers’ names and addresses to certain scholarship-funding organizations; amending s. 220.1875, F.S.; deleting a limitation on the amount of tax credit allowable for contributions made to certain scholarship-funding organizations; amending s. 1002.395, F.S.; extending the carry-forward period for the use of certain tax credits resulting from contributions to the Florida Tax Credit Scholarship Program; deleting a restriction on a taxpayer’s ability to rescind certain tax credits resulting from contributions to the program; providing an effective date.

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

By Senator Dockery—

SB 1390—A bill to be entitled An act relating to supervised reentry programs for inmates; amending s. 945.091, F.S.; providing legislative intent to encourage the Department of Corrections, to the extent possible, to place inmates in the community to perform paid employment for community work; providing that an inmate may leave the confinement of prison to participate in a supervised reentry program in which the inmate is housed in the community while working at paid employment or participating in other programs that are approved by the department; requiring the inmate to live at a department-approved residence while participating in the supervised reentry program; specifying the conditions for participating in the supervised reentry program; requiring that the department adopt rules to operate the supervised reentry program; providing legislative intent to encourage the department to place inmates in paid employment in the community for not less than 6 months before the inmate’s sentence expires; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Bennett—

SB 1392—A bill to be entitled An act relating to economic development; amending s. 288.1229, F.S.; authorizing a direct-support organization of the Office of Tourism, Trade, and Economic Development to establish the Florida Golf Trail; requiring the direct-support organization to cooperate with various entities; authorizing the direct-support organization to license the name “Florida Golf Trail” and receive compensation for such licensing; providing that the direct-support organization and its licensees have exclusive use of such name; encouraging the direct-support organization to enter into certain licensing arrangements or contracts; prohibiting the direct-support organization from accepting certain financial responsibility or liability for the Florida Golf Trail; authorizing various economic development and tourism promotion agencies to support the Florida Golf Trail; amending s. 288.9913, F.S.; revising the definition of the term “qualified active low-income community business” for purposes of the New Markets Development Program Act; requiring the direct-support organization to submit a report to the Governor and Legislature on the Florida Golf Trail; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; and Budget.

By Senator Evers—

SB 1394—A bill to be entitled An act relating to small community assistance; amending s. 403.1838, F.S.; clarifying that any single con-

dition in the definition of the term “financially disadvantaged small community” satisfies the criteria for such designation; increasing the size of population that qualifies as a small community; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

By Senator Bogdanoff—

SB 1396—A bill to be entitled An act relating to nursing home litigation reform; amending s. 400.023, F.S.; specifying conditions under which a nursing home resident has a cause of action against a licensee or management company; requiring the trial judge to conduct an evidentiary hearing before a claimant can assert a claim against certain interested parties; providing a timeframe for a claimant to elect survival damages or wrongful death damages; providing a limitation on recovery; amending s. 400.0237, F.S.; requiring evidence of the basis for punitive damages; requiring the trial judge to conduct an evidentiary hearing before a claimant can assert a claim for punitive damages; permitting a licensee or management company to be held liable for punitive damages under certain circumstances; providing criteria for awarding of punitive damages in a case of vicarious liability of certain entities; amending s. 400.0238, F.S.; providing additional conditions for settlements involving claims for punitive damages; amending s. 400.23, F.S.; providing limitations for admissibility of survey and licensure reports and the presentation of testimony or other evidence of staffing deficiencies; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Budget.

By Senator Bogdanoff—

SB 1398—A bill to be entitled An act relating to the judiciary; repealing s. 25.051, F.S., relating to regular terms of the Supreme Court; repealing s. 25.281, F.S., relating to compensation of the marshal; repealing s. 26.011, F.S., relating to census commissions for the judicial circuits; repealing s. 26.21, F.S., relating to terms of the circuit courts; repealing s. 26.22, F.S., relating to terms of the First Judicial Circuit; repealing s. 26.23, F.S., relating to terms of the Second Judicial Circuit; repealing s. 26.24, F.S., relating to terms of the Third Judicial Circuit; repealing s. 26.25, F.S., relating to terms of the Fourth Judicial Circuit; repealing s. 26.26, F.S., relating to terms of the Fifth Judicial Circuit; repealing s. 26.27, F.S., relating to terms of the Sixth Judicial Circuit; repealing s. 26.28, F.S., relating to terms of the Seventh Judicial Circuit; repealing s. 26.29, F.S., relating to terms of the Eighth Judicial Circuit; repealing s. 26.30, F.S., relating to terms of the Ninth Judicial Circuit; repealing s. 26.31, F.S., relating to terms of the Tenth Judicial Circuit; repealing s. 26.32, F.S., relating to terms of the Eleventh Judicial Circuit; repealing s. 26.33, F.S., relating to terms of the Twelfth Judicial Circuit; repealing s. 26.34, F.S., relating to terms of the Thirteenth Judicial Circuit; repealing s. 26.35, F.S., relating to terms of the Fourteenth Judicial Circuit; repealing s. 26.36, F.S., relating to terms of the Fifteenth Judicial Circuit; repealing s. 26.361, F.S., relating to terms of the Sixteenth Judicial Circuit; repealing s. 26.362, F.S., relating to terms of the Seventeenth Judicial Circuit; repealing s. 26.363, F.S., relating to terms of the Eighteenth Judicial Circuit; repealing s. 26.364, F.S., relating to terms of the Nineteenth Judicial Circuit; repealing s. 26.365, F.S., relating to terms of the Twentieth Judicial Circuit; repealing s. 26.37, F.S., relating to requiring a judge to attend the first day of each term of the circuit court; repealing s. 26.38, F.S., relating to requiring a judge to state a reason for nonattendance; repealing s. 26.39, F.S., relating to penalty for nonattendance of judge; repealing s. 26.40, F.S., relating to adjournment of the circuit court upon nonattendance of the judge; repealing s. 26.42, F.S., relating to calling all cases on the docket at the end of each term; repealing s. 26.49, F.S., relating to the sheriff as the executive officer of the circuit court; repealing s. 28.08, F.S., relating to the place of residence of the clerk of the circuit court or a deputy; repealing s. 35.10, F.S., relating to regular terms of the district courts of appeal; repealing s. 35.27, F.S., relating to compensation of the marshal; repealing s. 744.103, F.S., relating to guardians of incapacitated world war veterans; providing an effective date.

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

By Senator Smith—

SB 1400—A bill to be entitled An act relating to early voting; amending s. 101.657, F.S.; authorizing the supervisor of elections to designate sites, other than city halls or public libraries, as early voting sites if the early voting site is convenient, spacious, accessible, and secure; providing an effective date.

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

By Senator Smith—

SB 1402—A bill to be entitled An act relating to expunging criminal history records; creating s. 943.0595, F.S.; providing for the automatic expunction of criminal history records in specified circumstances; providing procedures to expunge a criminal history record; providing for the effect of expunction; providing that expunction granted under this section does not prevent a person who receives such relief from petitioning for the expunction or sealing of a criminal history record under other provisions of law; providing for treatment of certain statutory cross-references; amending ss. 943.0582, 943.0585, 943.059, 948.08, 948.16, 961.06, and 985.345, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Evers—

SB 1404—A bill to be entitled An act relating to environmental permitting; amending s. 120.569, F.S.; authorizing the provision of certain notices under the Administrative Procedure Act via a link to a publicly available Internet website; providing that a nonapplicant who petitions to challenge an agency’s issuance of a license or conceptual approval in certain circumstances has the burden of ultimate persuasion and the burden of going forward with evidence; amending s. 120.60, F.S.; requiring that an agency process a permit application notwithstanding an outstanding request for additional information from the applicant; revising the period for an agency to approve or deny an application for a license; creating s. 125.0112, F.S.; providing that the construction and operation of a biofuel processing facility or renewable energy generating facility and the cultivation of bioenergy by a local government is a valid and permitted land use; requiring expedited review of such facilities; providing that such facilities are eligible for the alternative state review process; amending s. 125.022, F.S.; prohibiting a county from requiring an applicant to obtain a permit or approval from another state or federal agency as a condition of approving a development permit; authorizing a county to attach certain disclaimers to the issuance of a development permit; creating s. 161.032, F.S.; requiring that the Department of Environmental Protection review an application for certain permits under the Beach and Shore Preservation Act and request additional information within a specified time; requiring that the department proceed to process the application if the applicant believes that a request for additional information is not authorized by law or rule; extending the period for an applicant to timely submit additional information, notwithstanding certain provisions of the Administrative Procedure Act; amending s. 163.3184, F.S.; redefining the term “affected person” for purposes of the adoption process for a comprehensive plan or plan amendments to include persons who can show that their substantial interest will be affected by the plan or amendment; amending s. 163.3215, F.S.; redefining the term “aggrieved or adversely affected party” for purposes of standing to enforce local comprehensive plans; deleting a requirement that the adverse interest exceed in degree the general interest shared by all persons; amending s. 166.033, F.S.; prohibiting a municipality from requiring an applicant to obtain a permit or approval from another state or federal agency as a condition of approving a development permit; authorizing a county to attach certain disclaimers to the issuance of a development permit; creating s. 166.0447, F.S.; providing that the construction and operation of a biofuel processing facility or renewable energy generating facility and the cultivation of bioenergy is a valid and permitted land use within the unincorporated area of a municipality; prohibiting any requirement that the owner or operator of such a facility obtain comprehensive plan amendments, use permits, waivers, or variances, or pay any fee in excess of a specified amount; amending s. 373.026, F.S.; requiring the Department of Environmental Protection to expand its use of Internet-based self-certifi-

cation services for exemptions and permits issued by the department and water management districts; amending s. 373.4141, F.S.; requiring that a request by the department or a water management district that an applicant provide additional information be accompanied by the signature of specified officials of the department or district; reducing the time within which the department or district must approve or deny a permit application; providing that an application for a permit that is required by a local government and that is not approved within a specified period is deemed approved by default; amending s. 373.4144, F.S.; providing legislative intent with respect to the coordination of regulatory duties among specified state and federal agencies; requiring that the department report annually to the Legislature on efforts to expand the state programmatic general permit or regional general permits; providing for a voluntary state programmatic general permit for certain dredge and fill activities; amending s. 373.441, F.S.; requiring that certain counties or municipalities apply by a specified date to the department or water management district for authority to require certain permits; providing that following such delegation, the department or district may not regulate activities that are subject to the delegation; amending s. 403.061, F.S., relating to the use of online self-certification; conforming provisions to changes made by the act; creating s. 403.0874, F.S.; providing a short title; providing legislative findings and intent with respect to the consideration of the compliance history of a permit applicant; providing for applicability; specifying the period of compliance history to be considered in issuing or renewing a permit; providing criteria to be considered by the Department of Environmental Protection; authorizing expedited review of permit issuance, renewal, modification, and transfer; providing for a reduced number of inspections; providing for extended permit duration; authorizing the department to make additional incentives available under certain circumstances; providing for automatic permit renewal and reduced or waived fees under certain circumstances; requiring the department to adopt rules that are binding on a water management district or local government that has been delegated certain regulatory duties; amending ss. 161.041 and 373.413, F.S.; specifying that s. 403.0874, F.S., authorizing expedited permitting, applies to provisions governing beaches and shores and surface water management and storage; amending s. 403.087, F.S.; revising conditions under which the department is authorized to revoke a permit; amending s. 403.412, F.S.; eliminating a provision limiting a requirement for demonstrating injury in order to seek relief under the Environmental Protection Act; amending s. 403.814, F.S.; providing for issuance of general permits for the construction, alteration, and maintenance of certain surface water management systems without the action of the department or a water management district; specifying conditions for the general permits; amending s. 380.06, F.S.; exempting a proposed phosphate mine or a proposed addition or expansion of an existing phosphate mine from provisions governing developments of regional impact; providing certain exceptions; amending ss. 380.0657 and 403.973, F.S.; authorizing expedited permitting for certain inland multimodal facilities and for commercial or industrial development projects that individually or collectively will create a minimum number of jobs; providing for a project-specific memorandum of agreement to apply to a project subject to expedited permitting; providing for review and certification of a business as eligible for expedited permitting by the Secretary of Environmental Protection rather than by the Office of Tourism, Trade, and Economic Development; amending s. 163.3180, F.S.; providing an exemption to the level-of-service standards adopted under the Strategic Intermodal System for certain inland multimodal facilities; specifying project criteria; amending s. 373.4137, F.S., relating to transportation projects; revising legislative findings with respect to the options for mitigation; revising certain requirements for determining the habitat impacts of transportation projects; providing for the release of certain mitigation funds held for the benefit of a water management district if a project is excluded from a mitigation plan; revising the procedure for excluding a project from a mitigation plan; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Agriculture; and Budget.

By Senator Bogdanoff—

SB 1406—A bill to be entitled An act relating to replacing revenue from the required local effort school property tax with revenue from a state sales tax increase; providing legislative intent and findings; amending ss. 212.03, 212.031, 212.04, 212.05, 212.0501, 212.0506,

212.06, and 212.08, F.S.; providing for a 2.5 cent increase in the tax on sales, use, and other transactions; amending s. 212.12, F.S.; revising brackets for calculating sales tax amounts; amending s. 212.20, F.S.; providing for reservation and allocation of revenues from the additional 2.5 cent increase in the tax rate; amending ss. 11.45, 202.18, 218.245, 218.65, 288.11621, and 288.1169, F.S.; conforming cross-references; amending s. 1011.62, F.S.; conforming provisions relating to calculating the required local effort for school funding; amending s. 1011.71, F.S.; deleting a requirement that a district school board levy the minimum millage rate necessary to provide the district's required local effort; amending s. 218.67, F.S.; conforming provisions relating to funding for fiscally constrained counties; amending s. 1002.32, F.S.; conforming provisions relating to funding for developmental research schools; amending s. 1011.02, F.S.; conforming provisions relating to the adoption of a district school board budget; amending s. 200.065, F.S.; revising the notice form relating to a district school board's proposed tax increase for required local effort; providing effective dates.

—was referred to the Committees on Education Pre-K - 12; Community Affairs; and Budget.

By Senator Bogdanoff—

SB 1408—A bill to be entitled An act relating to public meetings; amending s. 286.011, F.S.; revising an exemption from public-meetings requirements which authorizes a board or commission of a state agency, authority, county, municipal corporation, or political subdivision and the chief administrative or executive officer of such governmental entity to meet in private with the entity's attorney to discuss pending litigation; including within the exemption a public employee or agent having relevant information needed by the entity's attorney; revising a provision limiting what may be discussed at such a meeting; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

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

By Senator Negron—

SB 1410—A bill to be entitled An act relating to health care price transparency; amending s. 381.026, F.S.; providing a definition; requiring primary care providers to publish and post a schedule of certain charges for medical services offered to patients; requiring a primary care provider's estimates of charges for medical services to be consistent with the posted schedule; amending ss. 458.331, 459.015, and 461.013, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action against certain physicians, osteopathic physicians, or podiatric physicians, to which penalties apply; providing construction with respect to the doctrine of incorporation by reference; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Storms—

SB 1412—A bill to be entitled An act relating to the Department of Children and Family Services; amending s. 20.04, F.S.; changing the name of the department to the Department of Children and Families; authorizing the department to establish circuits and regions headed by circuit administrators and regional directors; amending s. 20.19, F.S.; revising provisions relating to the establishment of the department; providing for operating units known as circuits and regions based on judicial circuits; deleting provisions relating to the program directors for mental health and substance abuse, the service districts, child protection workers, the membership of community alliances, and the prototype region; amending ss. 20.43, 39.01, and 394.78, F.S.; conforming cross-references; repealing s. 402.35, F.S., relating to the application of Department of Management Services' rules; amending s. 420.622, F.S.; deleting the requirement for the Governor to appoint an executive director to the State Office on Homelessness; providing for legislation to conform the Florida Statutes to changes made by the act; providing an effective date.

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

By Senator Wise—

SB 1414—A bill to be entitled An act relating to health insurance; creating ss. 627.64995, 627.66995, and 641.31099, F.S.; prohibiting certain health insurance policies and health maintenance contracts from providing coverage for abortions; providing exceptions; defining the term “state”; amending s. 627.6515, F.S.; providing that certain restrictions on coverage for abortions apply to certain group health insurance policies issued or delivered outside the state which provide coverage to residents of the state; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

By Senator Benacquisto—

SB 1416—A bill to be entitled An act relating to small municipalities; amending s. 163.3164, F.S.; defining the term “municipality of special financial concern”; amending s. 163.3177, F.S.; requiring the state land planning agency to grant a waiver from requirements relating to updating the capital improvements element of the comprehensive plan and amendments updating the regional water supply plan to certain municipal applicants who meet specified criteria; amending s. 163.3191, F.S.; requiring the state land planning agency to grant a waiver of requirements to certain municipal applicants who meet specified criteria; amending s. 218.39, F.S.; revising the amount of municipal revenues or expenditures and expenses that require a municipality to complete a financial audit of its accounts and records; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; and Budget.

By Senator Altman—

SB 1418—A bill to be entitled An act relating to traffic safety; creating the Alex Brown Act; amending s. 316.0075, F.S.; prohibiting the use of handheld cellular telephones and other handheld electronic communications devices by drivers under 18 years of age; providing exceptions; providing penalties; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Budget.

By Senator Altman—

SB 1420—A bill to be entitled An act relating to judicial proceedings in civil cases; amending s. 25.073, F.S.; conforming provisions to changes made by the act; providing for the chief judge of a judicial circuit, subject to approval by the Chief Justice of the Supreme Court, to establish a program for retired justices or judges to preside over civil cases and trials upon written request of one or more parties; providing for compensation of such justices or judges; providing for an additional court cost and for deposit thereof; amending s. 44.104, F.S.; providing for the procedures governing voluntary trial resolution to include a jury trial if there is a right to a jury trial and if at least one party has requested a jury trial; providing an effective date.

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

By Senator Altman—

SB 1422—A bill to be entitled An act relating to developmental disabilities; establishing a Developmental Disabilities Savings Program to allow for the advance payment of services for individuals who have developmental disabilities and who will be ineligible for certain services due to age; providing legislative intent; defining terms; requiring the program to provide certain information; providing that the program may not be implemented until certain legal opinions are obtained; establishing the Developmental Disabilities Savings Program Board to administer the savings program; providing for board membership; specifying the powers, duties, and goals of the board; authorizing the board to adopt rules; providing an effective date.

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

By Senator Benacquisto—

SB 1424—A bill to be entitled An act relating to telemarketing; amending s. 501.604, F.S.; deleting restrictions on the business-to-business sales exemption of the Florida Telemarketing Act; providing an effective date.

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

By Senator Hays—

SB 1426—A bill to be entitled An act relating to the repeal of health insurance provisions; amending s. 627.64872, F.S.; deleting a requirement that the annual report of the Florida Health Insurance Plan’s board of directors include certain actuarial information relating to levels of coverage and funding; amending s. 627.6699, F.S.; deleting a requirement that the Office of Insurance Regulation of the Department of Financial Services annually report to the Governor and the Legislature concerning the Small Employers Access Program; providing an effective date.

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

By Senator Latvala—

SB 1428—A bill to be entitled An act relating to veterinary practice; amending s. 474.202, F.S.; defining the term “limited service veterinary vaccination clinic”; amending s. 474.215, F.S.; revising terminology; requiring that the Board of Veterinary Medicine establish minimum standards for limited service veterinary vaccination clinics rather than limited service veterinary medical practices; providing an effective date.

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

By Senator Altman—

SB 1430—A bill to be entitled An act relating to the regulation of smoking; amending s. 386.212, F.S.; authorizing a district school board to adopt rules prohibiting any person from smoking tobacco on or in any district-owned or district-leased facility or property during a specified time of the day; providing an effective date.

—was referred to the Committees on Regulated Industries; Education Pre-K - 12; and Judiciary.

By Senator Fasano—

SB 1432—A bill to be entitled An act relating to county government funding; creating s. 125.595, F.S.; providing circumstances under which a board of county commissioners may use certain revenues for a purpose other than that specified by law; defining the term “eligible county”; specifying that county eligibility must be determined annually and exercised for a limited time; prohibiting the use of certain revenues for such purposes; providing an effective date.

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

By Senator Latvala—

SB 1434—A bill to be entitled An act relating to the Office of Motor Carrier Compliance; transferring the Office of Motor Carrier Compliance from the Department of Transportation to the Division of the Florida Highway Patrol in the Department of Highway Safety and Motor Vehicles; amending ss. 110.205, 311.115, 316.3026, and 334.044, F.S.; conforming provisions to changes made by the act; creating the Law Enforcement Consolidation Task Force; providing for membership; requiring the task force to make recommendations and submit a report to the Legislature by a certain date; providing for future expiration; providing an effective date.

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

By Senator Ring—

SB 1436—A bill to be entitled An act relating to the tax refund program for qualified target industry businesses; amending s. 288.106, F.S.; defining and revising terms; revising eligibility of qualified target industry businesses for tax refunds; authorizing tax refunds for certain businesses that make capital investments in a project; revising application requirements and qualifications for review of applications by the Office of Tourism, Trade, and Economic Development; reenacting ss. 159.803(11), 212.098(1)(a), and 220.1896(1)(a), F.S., relating to definitions with respect to eligible projects for private activity bonds in the Florida First Business allocation pool and eligible businesses for the Rural Job Tax Credit Program and Jobs for the Unemployed Tax Credit Program, to incorporate changes made by the act in references thereto; amending s. 220.191, F.S.; conforming a cross-reference; reenacting ss. 288.107(1)(e) and (h), 288.1089(4)(c), and 380.0657(1) and (5), F.S., relating to definitions with respect to eligible businesses and projects for brownfield redevelopment bonus refunds, qualifications for review of applications for the Innovation Incentive Program, and economic development projects eligible for an expedited permitting process, to incorporate changes made by the act in references thereto; providing an effective date.

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

Senate Bills 1438-1590—Not referenced.

By Senator Thrasher—

SB 1592—A bill to be entitled An act relating to civil remedies against insurers; amending s. 624.155, F.S.; revising provisions relating to civil actions against insurers; providing a definition; revising the grounds for bringing an action based on the insurer's failure to accept an offer to settle within policy limits; providing who may bring such an action; providing requirements for bringing such an action; providing for the release of an insured if the insurer offers to settle a third-party claim within a specified time under certain circumstances; providing that the insurer has an affirmative defense if a third-party claimant or the insured fails to cooperate with the insurer; providing that an insurer is not liable for two or more claims that exceed the policy limits if it files an interpleader action or makes the policy limits available under arbitration; specifying responsibility for the payment of liens; providing that an insurer is not liable for amounts in excess of the policy limits if it makes timely payment of the appraisal amount; providing that certain refusals to act by the insurer are not presumptive evidence of bad faith; revising requirements relating to the preaction notice of a civil action sent to the Department of Financial Regulation and the insurer; specifying work-product protection requirements; prohibiting an award of fees and costs from including any form of multiplier or enhancement; providing that the provisions of the act replace the common law; amending s. 627.311, F.S.; conforming a cross-reference; deleting an obsolete provision; amending s. 627.727, F.S.; revising and limiting the damages that are recoverable from an uninsured motorist carrier in a civil action; providing for severability; providing an effective date.

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

Senate Bills 1594-1626—Not referenced.

SB 1628—Withdrawn prior to introduction.

Senate Bills 1630-1664—Not referenced.

SJR 1666—Withdrawn prior to introduction.

Senate Bills 1668-1968—Not referenced.

By Senator Thrasher—

SB 1970—A bill to be entitled An act relating to public records; amending s. 11.51, F.S.; creating an exemption from public-records requirements for work papers held by the Office of Program Policy Analysis and Government Accountability which relate to an authorized project or a research product; providing for retroactive application; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committee on Governmental Oversight and Accountability.

BILLS REFERRED TO SUBCOMMITTEE

January 19, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations which will report to this standing committee within 60 days: SM 216, CS for SM 214, SM 218, SM 220 and CS for SB 248.

Senator JD Alexander, Chair
Committee on Budget

January 25, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Rules Subcommittee on Ethics and Elections which will report to this standing committee within 60 days: SB 378.

Senator John Thrasher, Chair
Committee on Rules

January 27, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Budget Subcommittee on General Government Appropriations which will report to this standing committee within 60 days: SB 298.

Senator JD Alexander, Chair
Committee on Budget

February 10, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Budget Subcommittee on Finance and Tax which will report to this standing committee within 60 days: SJR 958.

Senator JD Alexander, Chair
Committee on Budget

February 14, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Budget Subcommittee on Education Pre-K - 12 Appropriations which will report to this standing committee within 60 days: CS for SB 736.

Senator JD Alexander, Chair
Committee on Budget

March 8, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Higher Education Appropriations which will report to this standing committee within 60 days: CS for SB 84, CS for SB 654, and CS for SB 414.

Senator JD Alexander, Chair
Committee on Budget

March 8, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Finance and Tax which will report to this standing committee within 60 days: SB 382 and SB 478.

Senator JD Alexander, Chair
Committee on Budget

March 8, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on General Government Appropriations which will report to this standing committee within 60 days: CS for SB 408 and SM 484.

Senator JD Alexander, Chair
Committee on Budget

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Budget; and Senators Haridopolos, Lynn, Wise, Gaetz, Dean, Benacquisto, Hays, Fasano, Bennett, Diaz de la Portilla, Oelrich, Negron, Storms, Evers, Flores, Simmons, Jones, Gardiner, Garcia, Alexander, Latvala, Altman, Thrasher, Detert, Norman, Richter, Dockery, and Bogdanoff—

CS for SJR 2—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution, relating to health care services.

By the Committee on Higher Education; and Senators Lynn, Gaetz, Thrasher, Wise, and Simmons—

CS for SB 84—A bill to be entitled An act relating to community colleges; amending s. 1000.21, F.S.; renaming Gulf Coast Community College as “Gulf Coast State College”; renaming Pensacola Junior College as “Pensacola State College”; renaming St. Johns River Community College as “St. Johns River State College”; renaming Valencia Community College as “Valencia College”; amending ss. 288.8175, 1004.74, and 1004.75, F.S., relating to linkage institutes, the Florida School of the Arts, and the consolidation of certain training schools; conforming provisions; providing an effective date.

By the Committee on Community Affairs; and Senator Gaetz—

CS for SB 88—A bill to be entitled An act relating to public employee compensation; amending s. 215.425, F.S.; revising provisions relating to the prohibition against the payment of extra compensation; providing for bonuses; specifying the conditions for paying bonuses; prohibiting provisions in contracts that provide for severance pay; allowing for severance pay under specified circumstances; defining the term “severance pay”; prohibiting a contract provision that provides for extra compensation to limit the ability to discuss the contract; amending s. 166.021, F.S.; deleting a provision that allows a municipality to pay extra compensation; amending s. 112.061, F.S.; conforming cross-references; repealing s. 125.01(1)(bb), F.S., relating to the power of a local government to pay extra compensation; repealing s. 373.0795, F.S., relating to a prohibition against severance pay for officers or employees of water management districts; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Gaetz—

CS for SB 90—A bill to be entitled An act relating to financial emergencies; amending s. 163.07, F.S.; requiring a plan of a county or municipality to improve the efficiency, accountability, and coordination of the delivery of local government services to include a plan for the consolidation of all administrative direction and support services if the county or municipality is subject to review and oversight by the Governor; amending s. 218.503, F.S.; authorizing a financial emergency review board for a local governmental entity or district school board to consult with other governmental entities for the consolidation of all adminis-

trative direction and support services; authorizing the Governor or Commissioner of Education to require a local governmental entity or district school board to develop a plan implementing the consolidation, sourcing, or discontinuance of all administrative direction and support services; providing that the members of the governing body of a local governmental entity or the members of a district school board who fail to resolve a state of financial emergency are subject to suspension or removal from office; providing an effective date.

By the Committee on Health Regulation; and Senator Gaetz—

CS for SB 94—A bill to be entitled An act relating to blood establishments; amending s. 381.06014, F.S.; redefining the term “blood establishment” and defining the term “volunteer donor”; prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit organization or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as for-profit organizations or not-for-profit organizations when determining service fees for selling blood or blood components; requiring that certain blood establishments disclose specified information on the Internet; authorizing the Department of Legal Affairs to assess a civil penalty against a blood establishment that fails to disclose specified information on the Internet; providing that the civil penalty accrues to the state and requiring that it be deposited as received into the General Revenue Fund; amending s. 499.003, F.S.; redefining the term “health care entity” to clarify that a blood establishment is a health care entity that may engage in certain activities; amending s. 499.005, F.S.; clarifying provisions that prohibit the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity or donated or supplied at a reduced price to a charitable organization, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted prescription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute under a restricted prescription drug distributor permit; authorizing the Department of Health to adopt rules regarding the distribution of prescription drugs by blood establishments; providing an effective date.

By the Committee on Judiciary; and Senator Ring—

CS for SJR 140—A joint resolution proposing amendments to Sections 8 and 20 of Article V of the State Constitution to increase the age after which a justice or judge may no longer serve in a judicial office and to increase the period of time that a person must be a member of The Florida Bar before becoming eligible for the office of circuit court or county court judge.

By the Committee on Commerce and Tourism; and Senators Richter and Gaetz—

CS for SB 142—A bill to be entitled An act relating to negligence; amending s. 768.81, F.S.; defining the terms “negligence action” and “products liability action”; requiring the trier of fact to consider the fault of all persons who contributed to an accident when apportioning damages in a products liability action alleging an additional or enhanced injury; providing legislative intent to overrule a judicial opinion; providing a legislative finding that fault should be apportioned among all responsible persons in a products liability action; providing for retroactive application of the act; providing a legislative finding that the retroactive application of the act does not impair vested rights; providing an effective date.

By the Committee on Judiciary; and Senator Bennett—

CS for SB 170—A bill to be entitled An act relating to electronic filing and receipt of court documents; creating ss. 27.341 and 27.5112, F.S.; requiring each state attorney and public defender to implement a system by which the state attorney and public defender can electronically file court documents with the clerk of the court and receive court documents from the clerk of the court; providing legislative expectations that the state attorneys and public defenders consult with specified entities; de-

fining the term “court documents”; requiring that the Florida Prosecuting Attorneys Association and the Florida Public Defender Association report to the President of the Senate and the Speaker of the House of Representatives by a specified date on the progress made in implementing the electronic filing and receipt system; providing an effective date.

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

CS for SB 178—A bill to be entitled An act relating to commercial insurance rates; amending s. 627.062, F.S.; exempting certain liability and property insurance lines from specific rate standards and filing requirements; revising certain reporting and recordkeeping requirements for such exempt insurers and certain rating organizations regarding rate changes; deleting a provision that permits the Office of Insurance Regulation of the Financial Services Commission to require such insurers to provide certain information regarding rates at the insurer’s expense; amending s. 627.0651, F.S.; exempting certain commercial motor vehicle insurance from specific rate standards and filing requirements; revising certain reporting and recordkeeping requirements for such exempt insurers and certain rating organizations regarding rate changes; deleting a provision that permits the Office of Insurance Regulation of the Financial Services Commission to require such insurers to provide certain information regarding rates at the insurer’s expense; providing an effective date.

By the Committee on Criminal Justice; and Senators Wise and Dockery—

CS for SB 204—A bill to be entitled An act relating to controlled substances; amending s. 893.02, F.S.; defining the term “homologue” for purposes of the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 893.03, F.S.; including certain hallucinogenic substances on the list of controlled substances in Schedule I; reenacting ss. 893.13(1), (2), (4), and (5), 893.135(1)(l), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties regarding controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

By the Committee on Community Affairs; and Senators Gaetz, Latvala, and Sobel—

CS for SM 214—A memorial to the Congress of the United States, urging Congress to support the tax-relief provisions of H.R. 5699 and S. 3934, initiated in the 111th Congress, or similar legislation, relating to the Deepwater Horizon Oil Spill of 2010.

By the Committee on Transportation; and Senator Bennett—

CS for SB 244—A bill to be entitled An act relating to motor vehicles; creating the “Highway Safety Act”; providing legislative intent relating to road rage and aggressive careless driving; amending s. 316.003, F.S.; defining the term “road rage”; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving; specifying the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; requiring the Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver’s license educational materials; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; providing an effective date.

By the Committees on Health Regulation; and Transportation; and Senator Bennett—

CS for CS for SB 244—A bill to be entitled An act relating to motor vehicles; creating the “Highway Safety Act”; providing legislative intent

relating to road rage and aggressive careless driving; amending s. 316.003, F.S.; defining the term “road rage”; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving, including imposition of an increased fine; amending s. 318.121, F.S.; revising the preemption of additional fees, fines, surcharges, and court costs to allow imposition of the increased fine for aggressive careless driving; amending s. 318.18, F.S.; specifying the amount of the fine and the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; requiring the Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver’s license educational materials; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; providing an effective date.

By the Committee on Health Regulation; and Senators Joyner, Margolis, and Sobel—

CS for SB 246—A bill to be entitled An act relating to human trafficking; creating s. 480.0535, F.S.; requiring operators of massage establishments to maintain valid work authorization documents on the premises for each employee who is not a United States citizen; requiring presentation of such documents upon request of a law enforcement officer; prohibiting the use of a massage establishment license for the purpose of lewdness, assignation, or prostitution; providing criminal penalties; amending s. 921.0022, F.S.; including within the severity ranking chart of the Criminal Punishment Code certain offenses prohibited by the act; providing an effective date.

By the Committee on Community Affairs; and Senators Gaetz and Montford—

CS for SB 248—A bill to be entitled An act relating to economic recovery from the Deepwater Horizon disaster; amending s. 14.2015, F.S.; defining the term “Disproportionally Affected County”; creating a process for the Office of Tourism, Trade, and Economic Development to waive any or all program requirements under certain circumstances when in the best interest of the public; creating s. 252.363, F.S.; tolling and extending the expiration dates of certain building permits or other authorizations following the declaration of a state of emergency by the Governor; providing exceptions; providing for the laws, administrative rules, and ordinances in effect when the permit was issued to apply to activities described in a permit or other authorization; providing an exception; amending s. 253.02, F.S.; requiring the Board of Trustees of the Internal Improvement Trust Fund to recommend to the Legislature whether existing multistate compacts for mutual aid should be modified or if a new multistate compact is necessary to address the Deepwater Horizon event or similar future incidents; requiring that the Board of Trustees of the Internal Improvement Trust Fund appoint members to the Commission on Oil Spill Response Coordination; providing for the designation of the chair of the commission by the Governor; requiring the commission to prepare a report for review and approval by the board of trustees; specifying the subject matter of the report; providing for future expiration; temporarily exempting the sale of commercial vessels, recreational vessels, and marine equipment sold by registered dealers in certain counties from the sales tax; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation to the Department of Revenue to administer the sales tax exemptions; defining the term “Disproportionally Affected County”; providing an appropriation to the Office of Tourism, Trade, and Economic Development to contract with Florida’s Great Northwest, Inc., in order to develop and implement an economic development program for a Disproportionally Affected County; specifying a preference for a Disproportionally Affected County which provide for expedited or combined permitting for certain purposes; providing for the appropriation to be placed in reserve by the Executive Office of the Governor for release as authorized by law or the Legislative Budget Commission; defining the term “Disproportionally Affected County”; providing for the deposit of funds received by entities involved in the Deepwater Horizon oil spill into applicable state trust funds;

specifying permissible uses of such funds; designating the Department of Environmental Protection as the lead agency for expending funds for environmental restoration; designating the Office of Tourism, Trade, and Economic Development as the lead agency for funds designated for economic incentives and diversification efforts; authorizing the holder of a lease of sovereignty submerged lands to apply to the Department of Environmental Protection for the payment or the reimbursement of lease fees for the period of the state of emergency for the Deepwater Horizon oil spill; specifying conditions for eligibility; requiring an application to the Department of Environmental Protection; requiring the Chief Financial Officer to use the full extent of the law to recover payments from the responsible party or other independently administered claims process; providing a short title for certain sections of the act; providing an effective date.

By the Committees on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Community Affairs; and Senators Gaetz, Montford, and Evers—

CS for CS for SB 248—A bill to be entitled An act relating to economic recovery from the Deepwater Horizon disaster; amending s. 14.2015, F.S.; defining the term “Disproportionally Affected County”; creating a process for the Office of Tourism, Trade, and Economic Development to waive any or all job or wage eligibility requirements under certain circumstances when in the best interest of the public; amending s. 220.191, F.S.; waiving the requirement that a facility located in a Disproportionally Affected County be in a high-impact sector in order to qualify for the capital investment tax credit; amending s. 288.106, F.S.; creating a process for the Office of Tourism, Trade, and Economic Development to waive wage or local financial support eligibility requirements; providing a special incentive under the tax refund program for a limited time for a qualified target industry business that relocates from another state to a Disproportionally Affected County; creating s. 252.363, F.S.; tolling and extending the expiration dates of certain building permits or other authorizations following the declaration of a state of emergency by the Governor; providing exceptions; providing for the laws, administrative rules, and ordinances in effect when the permit was issued to apply to activities described in a permit or other authorization; providing an exception; amending s. 253.02, F.S.; requiring the Board of Trustees of the Internal Improvement Trust Fund to recommend to the Legislature whether existing multistate compacts for mutual aid should be modified or if a new multistate compact is necessary to address the Deepwater Horizon event or similar future incidents; requiring that the Board of Trustees of the Internal Improvement Trust Fund appoint members to the Commission on Oil Spill Response Coordination; providing for the designation of the chair of the commission by the Governor; requiring the commission to prepare a report for review and approval by the board of trustees; specifying the subject matter of the report; providing for future expiration; temporarily exempting the sale of commercial vessels, recreational vessels, and marine equipment sold by registered dealers in certain counties from the sales tax; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation to the Department of Revenue to administer the sales tax exemptions; defining the term “Disproportionally Affected County”; providing an appropriation to the Office of Tourism, Trade, and Economic Development to contract with Florida’s Great Northwest, Inc., in order to develop and implement an economic development program for a Disproportionally Affected County; specifying a preference for a Disproportionally Affected County or municipalities within a Disproportionally Affected County which provide for expedited or combined permitting for certain purposes; providing for the appropriation to be placed in reserve by the Executive Office of the Governor for release as authorized by law or the Legislative Budget Commission; defining the term “Disproportionally Affected County”; providing for the deposit of funds received by entities involved in the Deepwater Horizon oil spill into applicable state trust funds; specifying permissible uses of such funds; designating the Department of Environmental Protection as the lead agency for expending funds for environmental restoration; designating the Office of Tourism, Trade, and Economic Development as the lead agency for funds designated for economic incentives and diversification efforts; authorizing the holder of a lease of sovereignty submerged lands to apply to the Department of Environmental Protection for the payment or the reimbursement of lease fees for the period of the state of emergency for the Deepwater Horizon oil spill; specifying conditions for eligibility; requiring an application to the Department of Environmental Protection; requiring the Chief Financial Officer to use the full extent of

the law to recover payments from the responsible party or other independently administered claims process; providing a short title for certain sections of the act; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senators Bennett and Lynn—

CS for SB 276—A bill to be entitled An act relating to procurement; requiring that the Chief Financial Officer review and conduct an analysis of the procurement process for the design, build, and maintenance of state buildings and facilities; requiring that the Chief Financial Officer submit a report to the Legislature by a specified date; amending s. 287.055, F.S.; authorizing a governmental agency or school board to reopen negotiations with a selected firm following termination of negotiations with other firms; providing an effective date.

By the Committee on Health Regulation; and Senators Richter and Sobel—

CS for SB 312—A bill to be entitled An act relating to the practice of dentistry; requiring persons who apply for licensure renewal as a dentist or dental hygienist to furnish certain information to the Department of Health in a dental workforce survey; requiring the Board of Dentistry to issue a nondisciplinary citation and a notice for failure to complete the survey within a specified time; providing notification requirements for the citation; requiring the department to serve as the coordinating body for the purpose of collecting, disseminating, and updating dental workforce data; requiring the department to maintain a database regarding the state’s dental workforce; requiring the department to develop strategies to maximize federal and state programs and to work with an advisory body to address matters relating to the state’s dental workforce; providing membership of the advisory body; providing for members of the advisory body to serve without compensation; requiring the department to act as a clearinghouse for collecting and disseminating information regarding the dental workforce; requiring the department and the board to adopt rules; providing legislative intent regarding implementation of the act within existing resources; amending s. 499.01, F.S.; authorizing certain business entities to pay for prescription drugs obtained by practitioners licensed under ch. 466, F.S.; amending s. 624.91, F.S.; revising the membership of the board of directors of the Florida Healthy Kids Corporation to include a member nominated by the Florida Dental Association and appointed by the Governor; providing an effective date.

By the Committee on Health Regulation; and Senators Richter and Sobel—

CS for SB 314—A bill to be entitled An act relating to public records; providing an exemption from public-records requirements for information contained in dental workforce surveys submitted by dentists or dental hygienists to the Department of Health as a condition for license renewal; providing exceptions to the exemption; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Rules Subcommittee on Ethics and Elections; and Senator Gaetz—

CS for SB 378—A bill to be entitled An act relating to the federal write-in absentee ballot; amending s. 101.6952, F.S.; authorizing absent uniformed services voters and overseas voters to use the federal write-in absentee ballot to vote in any federal and certain state or local elections, under certain circumstances; prescribing requirements for designating candidate choices; providing for the disposition of valid votes involving joint candidacies; allowing for abbreviations, misspellings, and other minor variations in the name of an office, candidate, or political party; authorizing the submission of multiple ballots under certain circumstances; detailing circumstances under which votes in federal, state, and local races on the federal write-in absentee ballot will be canvassed; amending s. 101.5614, F.S.; establishing certain canvassing procedures for federal write-in absentee ballots; amending s. 102.166, F.S.; directing the Department of State to adopt rules to determine what constitutes a valid vote on a federal write-in absentee ballot; providing restrictions;

providing minimum requirements; reenacting s. 102.166(5), F.S., to incorporate the amendment to s. 101.5614, F.S., in a reference thereto; amending s. 104.18, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

CS for SB 380—A bill to be entitled An act relating to the training and certification of child welfare personnel; amending s. 402.40, F.S.; revising legislative intent; defining the terms “child welfare certification,” “core competency,” “preservice curriculum,” and “third-party credentialing entity”; providing required criteria for the approval of credentialing entities that develop and administer certification programs for persons who provide child welfare services; revising the use of the Child Welfare Training Trust Fund within the Department of Children and Family Services; revising provisions relating to preservice curricula; requiring persons who provide child welfare services to be certified by a third-party credentialing entity; allowing entities to add to or augment preservice curriculum; allowing entities to contract for training; requiring persons to master core competencies; providing for recognition for currently certified persons; deleting requirements relating to certification and trainer qualifications; deleting provisions relating to training academies; amending s. 402.731, F.S.; authorizing approval of third-party credentialing entities; providing an effective date.

By the Committee on Criminal Justice; and Senators Wise, Fasano, and Latvala—

CS for SB 400—A bill to be entitled An act relating to treatment-based drug court programs; amending s. 397.334, F.S.; requiring all offenders sentenced to a postadjudicatory drug court program who are drug court participants and who are the subject of a violation of probation or community control hearing under specified provisions to have the violation of probation or community control heard by the judge presiding over the drug court program; providing that treatment-based drug court programs may include postadjudicatory programs provided under specified provisions; amending s. 921.0026, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.01, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.06, F.S.; making defendants other than those who have violated probation or community control by a failed or suspect substance abuse test eligible for postadjudicatory treatment-based drug court programs; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.20, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; providing an effective date.

By the Committee on Criminal Justice; and Senators Negron and Evers—

CS for SB 402—A bill to be entitled An act relating to the regulation of firearms and ammunition; amending s. 790.33, F.S.; clarifying and reorganizing provisions that preempt to the state the entire field of regulation of firearms; prohibiting specified persons and entities, when acting in their official capacity, from regulating or attempting to regulate firearms or ammunition in any manner except as specifically authorized by s. 790.33, F.S., by general law, or by the State Constitution; providing a penalty for knowing and willful violations; eliminating provisions authorizing counties to adopt an ordinance requiring a waiting period between the purchase and delivery of a handgun; providing additional intent of the section; providing that public funds may not be used to defend the unlawful conduct of any person charged with a knowing and willful violation of the section; providing exceptions; providing fines for governmental entities in whose service or employ the provisions of the section are knowingly and willfully violated; providing for investigation of complaints of criminal violations of the section and prosecution of violators by the state attorney; providing for termination of employment or contract or removal from office of a person acting in an official capacity

who knowingly and willfully violates any provision of the section; providing for declarative and injunctive relief for specified persons or organizations; providing for specified damages and interest; providing for seizure of certain vehicles for specified nonpayment of damages; providing exceptions to prohibitions of the section; providing an effective date.

By the Committee on Health Regulation; and Senators Sobel, Gaetz, Fasano, Rich, Altman, and Garcia—

CS for SB 406—A bill to be entitled An act relating to the Florida Kidcare program; amending s. 1006.06, F.S.; requiring school districts to collaborate with the Florida Kidcare program to use the application form for the school breakfast and lunch programs to provide information about the Florida Kidcare program and to authorize data on the application form be shared with state agencies and the Florida Healthy Kids Corporation and its agents; authorizing each school district the option to share the data electronically; requiring interagency agreements to ensure that the data exchanged is protected from unauthorized disclosure and is used only for enrollment in the Florida Kidcare program; amending s. 624.91, F.S.; requiring the Florida Healthy Kids Corporation to include use of the school breakfast and lunch application form in the corporation’s plan for publicizing the program; providing an effective date.

By the Committee on Banking and Insurance; and Senators Richter and Hays—

CS for SB 408—A bill to be entitled An act relating to property and casualty insurance; amending s. 215.555, F.S.; revising the definition of “losses,” relating to the Florida Hurricane Catastrophe Fund, to exclude certain losses; providing applicability; amending s. 624.407, F.S.; revising the amount of surplus funds required for domestic insurers applying for a certificate of authority after a certain date; amending s. 624.408, F.S.; revising the minimum surplus that must be maintained by certain insurers; authorizing the Office of Insurance Regulation to reduce the surplus requirement under specified circumstances; amending s. 624.4095, F.S.; excluding certain premiums for federal multiple-peril crop insurance from calculations for an insurer’s gross writing ratio; requiring insurers to disclose the gross written premiums for federal multiple-peril crop insurance in a financial statement; amending s. 624.424, F.S.; revising the frequency that an insurer may use the same accountant or partner to prepare an annual audited financial report; amending s. 626.854, F.S.; providing limitations on the amount of compensation that may be received by a public adjuster for a reopened or supplemental claim; providing statements that may be considered deceptive or misleading if made in any public adjuster’s advertisement or solicitation; providing a definition for the term “written advertisement”; requiring that a disclaimer be included in any public adjuster’s written advertisement; providing requirements for such disclaimer; requiring certain persons who act on behalf of an insurer to provide notice to the insurer, claimant, public adjuster, or legal representative for an onsite inspection of the insured property; authorizing the insured or claimant to deny access to the property if notice is not provided; requiring the public adjuster to ensure prompt notice of certain property loss claims; providing that an insurer be allowed to interview the insured directly about the loss claim; prohibiting the insurer from obstructing or preventing the public adjuster from communicating with the insured; requiring that the insurer communicate with the public adjuster in an effort to reach an agreement as to the scope of the covered loss under the insurance policy; prohibiting a public adjuster from restricting or preventing persons acting on behalf of the insured from having reasonable access to the insured or the insured’s property; prohibiting a public adjuster from restricting or preventing the insured’s adjuster from having reasonable access to or inspecting the insured’s property; authorizing the insured’s adjuster to be present for the inspection; prohibiting a licensed contractor or subcontractor from adjusting a claim on behalf of an insured if such contractor or subcontractor is not a licensed public adjuster; providing an exception; amending s. 626.8651, F.S.; requiring that a public adjuster apprentice complete a minimum number of hours of continuing education to qualify for licensure; amending s. 626.8796, F.S.; providing requirements for a public adjuster contract; creating s. 626.70132, F.S.; requiring that notice of a claim, supplemental claim, or reopened claim be given to the insurer within a specified period after a windstorm or hurricane occurs; providing a definition for the terms

“supplemental claim” or “reopened claim”; providing applicability; repealing s. 624.0613(4), F.S., relating to the requirement that the consumer advocate for the Chief Financial Officer prepare an annual report card for each personal residential property insurer; amending s. 627.062, F.S.; requiring that the office issue an approval rather than a notice of intent to approve following its approval of a file and use filing; deleting an obsolete provision; prohibiting the Office of Insurance Regulation from, directly or indirectly, impeding the right of an insurer to acquire policyholders, advertise or appoint agents, or regulate agent commissions; revising the information that must be included in a rate filing relating to certain reinsurance or financing products; deleting a provision that prohibited an insurer from making certain rate filings within a certain period of time after a rate increase; deleting a provision prohibiting an insurer from filing for a rate increase within 6 months after it makes certain rate filings; deleting obsolete provisions relating to legislation enacted during the 2003 Special Session D of the Legislature; amending s. 627.0629, F.S.; providing legislative intent that insurers provide consumers with accurate pricing signals for alterations in order to minimize losses, but that mitigation discounts not result in a loss of income for the insurer; requiring rate filings for residential property insurance to include actuarially reasonable debits that provide proper pricing; providing for an increase in base rates if mitigation discounts exceed the aggregate reduction in expected losses; deleting obsolete provisions; deleting a requirement that the Office of Insurance Regulation propose a method for establishing discounts, debits, credits, and other rate differentials for hurricane mitigation by a certain date; requiring the Financial Services Commission to adopt rules relating to such debits by a certain date; deleting a provision that prohibits an insurer from including an expense or profit load in the cost of reinsurance to replace the Temporary Increase in Coverage Limits; conforming provisions to changes made by the act; amending s. 627.351, F.S.; renaming the “high-risk account” as the “coastal account”; revising the conditions under which the Citizens policyholder surcharge may be imposed; providing that members of the Citizens Property Insurance Corporation Board of Governors are not prohibited from practicing in a certain profession if not prohibited by law or ordinance; prohibiting board members from voting on certain measures; deleting a requirement that the board reduce the boundaries of certain high-risk areas eligible for wind-only coverages under certain circumstances; amending s. 627.3511, F.S.; conforming provisions to changes made by the act; amending s. 627.4133, F.S.; revising the requirements for providing an insured with notice of nonrenewal, cancellation, or termination of personal lines or commercial residential property insurance; authorizing an insurer to cancel policies after 45 days’ notice if the Office of Insurance Regulation determines that the cancellation of policies is necessary to protect the interests of the public or policyholders; authorizing the Office of Insurance Regulation to place an insurer under administrative supervision or appoint a receiver upon the consent of the insurer under certain circumstances; creating s. 627.43141, F.S.; providing definitions; requiring the delivery of a “Notice of Change in Policy Terms” under certain circumstances; specifying requirements for such notice; specifying actions constituting proof of notice; authorizing policy renewals to contain a change in policy terms; providing that receipt of payment by an insurer is deemed acceptance of new policy terms by an insured; providing that the original policy remains in effect until the occurrence of specified events if an insurer fails to provide notice; providing intent; amending s. 627.7011, F.S.; requiring the insurer to pay the actual cash value of an insured loss for a dwelling, less any applicable deductible; requiring a policyholder to enter into a contract for the performance of building and structural repairs unless waived by the insurer; restricting insurers and contractors from requiring advance payments for repairs and expenses; authorizing an insurer to limit the initial payment for personal property to the actual cash value of the property to be replaced and to require the insured to provide receipts for purchases; requiring the insurer to provide notice of this process in the insurance contract; prohibiting an insurer from requiring the insured to advance payment; amending s. 627.70131, F.S.; specifying application of certain time periods to initial or supplemental property insurance claim notices and payments; providing legislative findings with respect to 2005 statutory changes relating to sinkhole insurance coverage and statutory changes in this act; amending s. 627.706, F.S.; authorizing an insurer to limit coverage for catastrophic ground cover collapse to the principal building and to have discretion to provide additional coverage; allowing the deductible to include costs relating to an investigation of whether sinkhole activity is present; revising definitions; defining the term “structural damage”; providing an insurer with discretion to provide a policyholder with an opportunity to purchase an endorsement to sinkhole coverage;

placing a 2-year statute of repose on claims for sinkhole coverage; amending s. 627.7061, F.S.; conforming provisions to changes made by the act; repealing s. 627.7065, F.S., relating to the establishment of a sinkhole database; amending s. 627.707, F.S.; revising provisions relating to the investigation of sinkholes by insurers; deleting a requirement that the insurer provide a policyholder with a statement regarding testing for sinkhole activity; providing a time limitation for demanding sinkhole testing by a policyholder and entering into a contract for repairs; requiring all repairs to be completed within a certain time; providing exceptions; providing a criminal penalty on a policyholder for accepting rebates from persons performing repairs; amending s. 627.7073, F.S.; revising provisions relating to inspection reports; providing that the presumption that the report is correct shifts the burden of proof; revising the reports that an insurer must file with the clerk of the court; requiring the policyholder to file certain reports as a precondition to accepting payment; amending s. 627.7074, F.S.; revising provisions relating to neutral evaluation; requiring evaluation in order to make certain determinations; requiring that the neutral evaluator be allowed access to structures being evaluated; providing grounds for disqualifying an evaluator; allowing the Department of Financial Services to appoint an evaluator if the parties cannot come to agreement; revising the timeframes for scheduling a neutral evaluation conference; authorizing an evaluator to enlist another evaluator or other professionals; providing a time certain for issuing a report; providing that certain information is confidential; revising provisions relating to compliance with the evaluator’s recommendations; providing that the evaluator is an agent of the department for the purposes of immunity from suit; requiring the department to adopt rules; amending s. 627.712, F.S.; conforming provisions to changes made by the act; providing effective dates.

By the Committee on Health Regulation; and Senator Oelrich—

CS for SB 414—A bill to be entitled An act relating to the Prostate Cancer Awareness Program; amending s. 381.911, F.S.; revising the structure and objectives of the Prostate Cancer Awareness Program; authorizing the University of Florida Prostate Disease Center, in collaboration with other organizations and institutions, to increase community education and public awareness of prostate cancer; requiring the University of Florida Prostate Disease Center to establish an advisory council to replace the existing advisory committee; providing for membership and duties of the advisory council; requiring an annual report to the Governor, Legislature, and State Surgeon General; providing an effective date.

By the Committee on Judiciary; and Senator Latvala—

CS for SB 426—A bill to be entitled An act relating to service of process; amending ss. 48.021 and 48.27, F.S.; authorizing certified process servers to serve writs of possession in actions for possession of residential property; amending s. 83.62, F.S.; authorizing a landlord to select a certified process server to serve a writ of possession; requiring a certified process server to provide notice of the posting of the writ to the sheriff; conforming provisions; providing an effective date.

By the Committee on Criminal Justice; and Senator Evers—

CS for SB 432—A bill to be entitled An act relating to the privacy of firearms owners; creating s. 790.338, F.S.; providing that inquiries by physicians or other medical personnel concerning the ownership of a firearm by a patient or the family of a patient or the presence of a firearm in a private home or other domicile of a patient or the family of a patient violates the privacy of the patient or the patient’s family members, respectively; prohibiting conditioning the receipt of medical treatment or care on a person’s willingness or refusal to disclose personal and private information unrelated to medical treatment in violation of an individual’s privacy contrary to specified provisions; prohibiting entry of certain information concerning firearms into medical records or disclosure of such information by specified individuals; providing non-criminal penalties; providing for prosecution of violations; requiring that the Attorney General be notified of prosecution of violations; providing for collection of fines by the Attorney General in certain circumstances; providing exemptions; providing an effective date.

By the Committee on Community Affairs; and Senators Latvala and Fasano—

CS for SB 434—A bill to be entitled An act relating to the assessment of residential real property; creating s. 193.624, F.S.; providing definitions; prohibiting adding the value of certain improvements to the assessed value of certain real property; providing a limitation on the assessed value of certain real property; providing application; providing procedural requirements and limitations; requiring a nonrefundable filing fee; amending ss. 193.155 and 193.1554, F.S.; specifying additional exceptions to assessments of homestead and nonhomestead property at just value; amending s. 196.012, F.S.; deleting a definition; conforming a cross-reference; amending ss. 196.121 and 196.1995, F.S.; conforming cross-references; repealing s. 196.175, F.S., relating to the renewable energy source property tax exemption; providing for application; providing an effective date.

By the Committee on Community Affairs; and Senators Bogdanoff and Benacquisto—

CS for SB 444—A bill to be entitled An act relating to scrutinized companies; creating s. 287.135, F.S.; providing definitions; prohibiting a state agency or local governmental entity from contracting for goods and services of more than a certain amount with a company that is on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; providing for a contract provision that allows for termination of the contract if the company is found to have been placed on such list; providing exceptions; providing for a civil action; providing penalties, including attorney's fees and costs; providing a statute of repose; prohibiting a private right of action; requiring the Department of Management Services to notify the Attorney General after the act becomes law; providing that the act becomes inoperative if federal law ceases to authorize states to enact such contracting prohibitions; providing an effective date.

By the Committee on Community Affairs; and Senator Wise—

CS for SB 480—A bill to be entitled An act relating to the Florida Endowment for Vocational Rehabilitation; amending s. 413.615, F.S.; removing a provision that requires the State Board of Administration to invest and reinvest moneys in the endowment fund for the Florida Endowment for Vocational Rehabilitation; requiring that a specified percent of the remainder of all civil penalties received by a county court and after distribution pursuant to ch. 318, F.S., be remitted to the Department of Revenue on a monthly basis for deposit in the endowment fund; requiring that a specified percent of the additional fine assessed for violating traffic regulations protecting mobility-impaired persons be remitted to the Department of Revenue on a monthly basis for deposit in the endowment fund; providing an effective date.

By the Committee on Community Affairs; and Senator Bogdanoff—

CS for SB 506—A bill to be entitled An act relating to economic development; amending s. 196.012, F.S.; revising the definitions of the terms “new business” and “expansion of an existing business”; amending s. 196.1995, F.S.; authorizing the board of county commissioners of a charter county to call and hold a referendum to determine whether to grant economic development ad valorem tax exemptions; revising the language of ballot questions relating to the authority to grant economic development tax exemptions; providing for application of a provision limiting the calling of another referendum within a certain time period; specifying additional information that must be included in a written application requesting adoption of an ordinance granting an economic development ad valorem tax exemption; specifying factors for a board of county commissioners or governing authority of a municipality to consider when deciding whether to approve or reject applications for economic development tax exemptions; providing legislative intent; limiting the allowable duration of an economic development tax exemption granted by a county or municipal ordinance; authorizing written tax exemption agreements consistent with the act upon approval of a tax exemption application; specifying that the written tax agreement must require the applicant to report certain information at a specific time before expiration of the exemption; authorizing the board of county commissioners or the governing authority of the municipality to revoke,

in whole or in part, the exemption under certain circumstances; providing an effective date.

By the Committee on Higher Education; and Senator Oelrich—

CS for SB 654—A bill to be entitled An act relating to student fees; amending ss. 1009.22 and 1009.23, F.S.; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College, including students enrolled in workforce education programs; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; providing an effective date.

By the Committee on Commerce and Tourism; and Senators Detert and Gaetz—

CS for SB 728—A bill to be entitled An act relating to unemployment compensation; amending s. 213.053, F.S.; increasing the number of employer payroll service providers who qualify for access to unemployment tax information by filing a memorandum of understanding; amending s. 443.036, F.S.; revising the definitions for “available for work,” “earned income,” “misconduct,” and “unemployment”; adding a definition for “initial skills review”; amending s. 443.091, F.S.; revising requirements for making continued claims for benefits; requiring that an individual claiming benefits report certain information and participate in an initial skills review; providing an exception; specifying criteria for determining an applicant's availability for work; amending s. 443.101, F.S.; clarifying “good cause” for voluntarily leaving employment; specifying acts that are “gross misconduct” for purposes of discharging an employee and disqualifying him or her for benefits; revising the criteria for determining suitable work to reduce the number of weeks a person may receive benefits before having to accept a job that pays a certain amount; disqualifying a person for benefits due to the receipt of severance pay; revising provisions relating to the effect of criminal acts on eligibility for benefits; disqualifying an individual for benefits for any week he or she is incarcerated; amending s. 443.111, F.S.; conforming provisions to changes made by the act; amending s. 443.1115, F.S.; conforming cross-references; revising, readopting, and amending s. 443.1117, F.S., relating to temporary extended benefits; providing for retroactive application; providing for applicability relating to extended benefits for certain weeks and for periods of high unemployment; providing for applicability; amending s. 443.1216, F.S.; providing that employee leasing companies may make a one-time election to report leased employees under the respective unemployment account of each leasing company client; providing procedures and application for such election; conforming a cross-reference; amending s. 443.141, F.S.; providing an employer payment schedule for 2012, 2013, and 2014 contributions; requiring an employer to pay a fee for paying contributions on a quarterly schedule; providing penalties, interest, and fees on delinquent contributions; amending s. 443.151, F.S.; requiring claims to be submitted by electronic means; conforming cross-references; specifying the allowable forms of evidence in an appeal hearing; specifying the judicial venue for filing a notice of appeal; providing for repayment of benefits in cases of agency error; amending s. 443.171, F.S.; specifying that evidence of mailing an agency document creates a rebuttable presumption; providing that the act fulfills an important state interest; providing effective dates.

By the Committee on Communications, Energy, and Public Utilities; and Senator Wise—

CS for SB 734—A bill to be entitled An act relating to assault or battery on utility workers; amending s. 784.07, F.S.; defining the term “utility worker”; providing for reclassification of certain offenses against utility workers; reenacting and amending s. 921.0022(3)(d), (f), and (g), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendments made to s. 784.07, F.S., in references thereto; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Wise, Lynn, and Gaetz—

CS for SB 736—A bill to be entitled An act relating to education personnel; providing a short title; amending s. 1012.34, F.S.; revising provisions related to the evaluation of instructional personnel and school administrators; requiring that the Department of Education approve school district evaluation systems; requiring the Department of Education to collect evaluation information from school districts and to report such information to the Governor and Legislature; providing requirements for the evaluation systems; requiring the Commissioner of Education to select formulas for school districts to use in measuring growth in learning by students; requiring the State Board of Education to adopt formulas; conforming provisions to changes made by the act; amending s. 1008.22, F.S.; revising provisions requiring school districts to develop and implement end-of-course assessments; amending s. 1012.22, F.S.; revising the powers and duties of the district school board with respect to school district compensation and salary schedules; requiring that certain performance criteria be included in the adopted schedules; revising the differentiated pay provisions; creating s. 1012.335, F.S.; providing definitions; revising the contract requirements for instructional personnel hired on or after a certain date; requiring that the State Board of Education adopt rules defining the term “just cause”; providing guidelines for such term; providing that certain individuals who are hired as instructional personnel are ineligible for contracts issued under s. 1012.33, F.S.; amending s. 1002.33, F.S.; requiring charter schools to adopt a salary schedule for instructional personnel and school administrators which meets certain requirements; requiring charter schools to comply with requirements relating to personnel evaluation procedures and criteria and certain contracts; amending s. 1003.621, F.S.; providing additional requirements for personnel in academically high-performing school districts; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; amending s. 1012.2315, F.S.; providing additional reporting requirements concerning instructional personnel and school administrator assignments; amending s. 1012.27, F.S.; revising the criteria for transfer requests by teachers; conforming provisions to changes made by the act; amending s. 1012.28, F.S.; authorizing a principal to refuse to accept the placement or transfer of instructional personnel under certain circumstances; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain education personnel; requiring that a district school board’s decision to retain personnel be primarily based on the employee’s performance; repealing s. 1012.52, F.S., relating to legislative intent for teacher quality; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; authorizing school districts to seek an exemption from the State Board of Education from the requirement of certain laws; authorizing the State Board of Education to adopt rules; providing that a certain specified provision of law does not apply to any rulemaking required to administer the act; providing for the repeal of certain special acts or general laws of local application related to instructional personnel in public schools or school districts; providing an exception; providing for severability; providing for application of a specified provision of the act; providing effective dates.

By the Committees on Budget; and Education Pre-K - 12; and Senators Wise, Lynn, and Gaetz—

CS for CS for SB 736—A bill to be entitled An act relating to education personnel; providing a short title; amending s. 1012.34, F.S.; revising provisions relating to the evaluation of instructional personnel and school administrators; requiring the Department of Education to approve each school district’s instructional personnel and school administrator evaluation systems; requiring reporting by the Commissioner of Education relating to the evaluation systems; providing requirements and revising procedures and criteria for the evaluation systems; requiring the commissioner to approve or select and the State Board of Education to adopt formulas for school districts to use in measuring student learning growth; requiring the state board to adopt rules relating to standards and measures for implementation of the evaluation systems; amending s. 1008.22, F.S.; requiring school districts to administer assessments for each course offered in the district; amending s. 1012.22, F.S.; revising provisions relating to instructional personnel and school administrator compensation and salary schedules; providing requirements for a performance salary schedule, a grandfathered salary schedule, adjustments, and supplements; revising criteria for the promotion of instructional personnel; creating s. 1012.335,

F.S.; providing employment criteria for instructional personnel hired on or after July 1, 2011; providing definitions; providing grounds for suspension or dismissal; requiring rules to define the term “just cause”; providing that certain individuals who are hired as instructional personnel are ineligible for contracts issued under s. 1012.33, F.S.; amending s. 1002.33, F.S.; requiring charter schools to comply with provisions relating to compensation and salary schedules, workforce reductions, contracts with instructional personnel hired on or after July 1, 2011, and certain requirements for performance evaluations; amending s. 1003.621, F.S.; requiring academically high-performing school districts to comply with additional requirements for personnel; amending s. 1006.09, F.S.; conforming provisions to changes made by the act; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; amending s. 1012.2315, F.S.; providing reporting requirements relating to instructional personnel and school administrator performance; amending s. 1012.27, F.S.; revising the criteria for transferring a teacher; conforming provisions to changes made by the act; amending s. 1012.28, F.S.; authorizing a principal to refuse to accept the placement or transfer of instructional personnel under certain circumstances; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain education personnel; revising just cause grounds for dismissal; deleting provisions to conform to changes made by the act; revising the criteria for renewing a professional service contract; requiring that a district school board’s decision to retain personnel be primarily based on the employee’s performance; repealing s. 1012.52, F.S., relating to legislative intent and findings to improve student achievement and teacher quality; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; authorizing an exemption from requirements for performance evaluation systems and compensation and salary schedules for certain school districts; providing that specified provisions of law do not apply to rulemaking required to administer the act; providing for the repeal of certain special acts or general laws of local application relating to contracts for instructional personnel or school administrators; providing for application of specified provisions of the act; providing for severability; providing effective dates.

By the Committee on Transportation; and Senator Latvala—

CS for SB 782—A bill to be entitled An act relating to road and bridge designations; designating the Sgt. Thomas J. Baitinger, Officer Jeffrey A. Yaslowitz, and Officer David S. Crawford Memorial Highway in Pinellas County; designating the Officer Jeffrey A. Kocob and Officer David L. Curtis Memorial Highway in Hillsborough County; providing an effective date.

By the Committee on Agriculture; and Senator Hays—

CS for SB 858—A bill to be entitled An act relating to agriculture; amending s. 163.3162, F.S.; prohibiting a county from enforcing certain limits on the activity of a bona fide farm operation on agricultural land under certain circumstances; prohibiting a county from charging agricultural lands for stormwater management assessments and fees under certain circumstances; allowing an assessment to be collected if credits against the assessment are provided for implementation of best management practices; providing exemptions from certain restrictions on a county’s powers over the activity on agricultural land; providing a definition; providing for application; creating s. 163.3163, F.S.; creating the “Agricultural Land Acknowledgement Act”; providing legislative findings and intent; providing definitions; requiring an applicant for certain development permits to sign and submit an acknowledgement of certain contiguous agricultural lands as a condition of the political subdivision issuing the permits; specifying information to be included in the acknowledgement; requiring that the acknowledgement be recorded in the official county records; authorizing the Department of Agriculture and Consumer Services to adopt rules; amending s. 205.064, F.S.; authorizing a person selling certain agricultural products who is not a natural person to qualify for an exemption from obtaining a local business tax receipt; amending s. 322.01, F.S.; revising the term “farm tractor” for purposes of driver’s licenses; amending s. 604.15, F.S.; revising the term “agricultural products” to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; amending s. 604.50, F.S.; exempting farm fences from the Florida Building Code; revising the term “nonresidential farm building”; exempting non-residential farm buildings and farm fences from county and municipal codes and fees; specifying that the exemptions do not apply to code

provisions implementing certain floodplain regulations; amending s. 624.4095, F.S.; requiring that gross written premiums for certain crop insurance not be included when calculating the insurer's gross writing ratio; requiring that liabilities for ceded reinsurance premiums be netted against the asset for amounts recoverable from reinsurers; requiring that insurers who write other insurance products disclose a breakout of the gross written premiums for crop insurance; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that may be disposed of by open burning; providing certain limitations on open burning; providing an effective date.

By the Committees on Budget Subcommittee on Finance and Tax; and Budget Subcommittee on Finance and Tax; and Senators Bogdanoff, Alexander, and Gaetz—

CS for SJR 958—A joint resolution proposing an amendment to Section 1 of Article VII and the creation of Section 19 of Article VII and Section 32 of Article XII of the State Constitution to replace the existing state revenue limitation with a new state revenue limitation based on inflation and population changes.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Education Pre-K - 12; and Senators Wise, Lynn, and Gaetz—

CS for SB 736—A bill to be entitled An act relating to education personnel; providing a short title; amending s. 1012.34, F.S.; revising provisions related to the evaluation of instructional personnel and school administrators; requiring that the Department of Education approve school district evaluation systems; requiring the Department of Education to collect evaluation information from school districts and to report such information to the Governor and Legislature; providing requirements for the evaluation systems; requiring the Commissioner of Education to select formulas for school districts to use in measuring growth in learning by students; requiring the State Board of Education to adopt formulas; conforming provisions to changes made by the act; amending s. 1008.22, F.S.; revising provisions requiring school districts to develop and implement end-of-course assessments; amending s. 1012.22, F.S.; revising the powers and duties of the district school board with respect to school district compensation and salary schedules; requiring that certain performance criteria be included in the adopted schedules; revising the differentiated pay provisions; creating s. 1012.335, F.S.; providing definitions; revising the contract requirements for instructional personnel hired on or after a certain date; requiring that the State Board of Education adopt rules defining the term “just cause”; providing guidelines for such term; providing that certain individuals who are hired as instructional personnel are ineligible for contracts issued under s. 1012.33, F.S.; amending s. 1002.33, F.S.; requiring charter schools to adopt a salary schedule for instructional personnel and school administrators which meets certain requirements; requiring charter schools to comply with requirements relating to personnel evaluation procedures and criteria and certain contracts; amending s. 1003.621, F.S.; providing additional requirements for personnel in academically high-performing school districts; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; amending s. 1012.2315, F.S.; providing additional reporting requirements concerning instructional personnel and school administrator assignments; amending s. 1012.27, F.S.; revising the criteria for transfer requests by teachers; conforming provisions to changes made by the act; amending s. 1012.28, F.S.; authorizing a principal to refuse to accept the placement or transfer of instructional personnel under certain circumstances; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain education personnel; requiring that a district school board's decision to retain personnel be primarily based on the employee's performance; repealing s. 1012.52, F.S., relating to legislative intent for teacher quality; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; authorizing school districts to seek an exemption from the State Board of Education from the requirement of certain laws; authorizing the State Board of Education to adopt rules; providing that a certain specified provision of law does not apply to any rulemaking required to administer the act; providing for the repeal of certain special acts or general laws of local application related to instructional personnel in public schools or school districts; providing an exception; pro-

viding for severability; providing for application of a specified provision of the act; providing effective dates.

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

By the Committee on Agriculture; and Senator Hays—

CS for SB 858—A bill to be entitled An act relating to agriculture; amending s. 163.3162, F.S.; prohibiting a county from enforcing certain limits on the activity of a bona fide farm operation on agricultural land under certain circumstances; prohibiting a county from charging agricultural lands for stormwater management assessments and fees under certain circumstances; allowing an assessment to be collected if credits against the assessment are provided for implementation of best management practices; providing exemptions from certain restrictions on a county's powers over the activity on agricultural land; providing a definition; providing for application; creating s. 163.3163, F.S.; creating the “Agricultural Land Acknowledgement Act”; providing legislative findings and intent; providing definitions; requiring an applicant for certain development permits to sign and submit an acknowledgement of certain contiguous agricultural lands as a condition of the political subdivision issuing the permits; specifying information to be included in the acknowledgement; requiring that the acknowledgement be recorded in the official county records; authorizing the Department of Agriculture and Consumer Services to adopt rules; amending s. 205.064, F.S.; authorizing a person selling certain agricultural products who is not a natural person to qualify for an exemption from obtaining a local business tax receipt; amending s. 322.01, F.S.; revising the term “farm tractor” for purposes of driver's licenses; amending s. 604.15, F.S.; revising the term “agricultural products” to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; amending s. 604.50, F.S.; exempting farm fences from the Florida Building Code; revising the term “nonresidential farm building”; exempting nonresidential farm buildings and farm fences from county and municipal codes and fees; specifying that the exemptions do not apply to code provisions implementing certain floodplain regulations; amending s. 624.4095, F.S.; requiring that gross written premiums for certain crop insurance not be included when calculating the insurer's gross writing ratio; requiring that liabilities for ceded reinsurance premiums be netted against the asset for amounts recoverable from reinsurers; requiring that insurers who write other insurance products disclose a breakout of the gross written premiums for crop insurance; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that may be disposed of by open burning; providing certain limitations on open burning; providing an effective date.

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

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Tuesday, March 8, 2011: SCR 1202, SB 1204, CS for SJR 2.

Respectfully submitted,
John Thrasher, Chair

The Committee on Criminal Justice recommends the following pass:
SB 344

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

The Committee on Health Regulation recommends the following pass:
SB 202

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Banking and Insurance recommends the following pass: SM 484

The Committee on Budget Subcommittee on Education Pre-K - 12 Appropriations recommends the following pass: CS for SB 736

The Committee on Budget Subcommittee on General Government Appropriations recommends the following pass: SB 298

The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations recommends the following pass: CS for SM 214; SM 216; SM 218; SM 220

The Committee on Community Affairs recommends the following pass: CS for SB 94; SM 216; SM 218; SM 220; SB 298; SB 376 with 2 amendments; SB 382; SJR 390; SB 478; SB 870

The Committee on Criminal Justice recommends the following pass: SB 238

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 174; SB 176

The Committee on Judiciary recommends the following pass: SJR 2; SB 172

The Committee on Transportation recommends the following pass: SB 550; SB 552; CS for SB 654

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

The Committee on Community Affairs recommends the following pass: SB 912

The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Community Affairs recommends the following pass: SB 106

The Committee on Criminal Justice recommends the following pass: SB 366

The Committee on Education Pre-K - 12 recommends the following pass: SB 150

The Committee on Judiciary recommends the following pass: SB 142 with 1 amendment

The Committee on Regulated Industries recommends the following pass: SB 418; SB 462

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

The Committee on Agriculture recommends the following pass: SB 722

The Committee on Banking and Insurance recommends the following pass: SB 634; SB 638

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 444 with 2 amendments

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

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 146

The Committee on Transportation recommends the following pass: SB 118; SB 238

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

The Committee on Community Affairs recommends the following pass: SB 90 with 2 amendments

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 132

The bills contained in the foregoing reports were referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Communications, Energy, and Public Utilities recommends the following pass: SB 762

The Committee on Health Regulation recommends the following pass: SB 168

The bills contained in the foregoing reports were referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Agriculture recommends the following pass: SB 1046

The Committee on Community Affairs recommends the following pass: SB 174; SB 176; SB 224; SB 232; SB 874

The Committee on Health Regulation recommends the following pass: SB 420

The Committee on Judiciary recommends the following pass: SM 358; SB 568; SB 570; SB 572

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

The Committee on Community Affairs recommends the following pass: SB 490

The Committee on Transportation recommends the following pass: SB 292

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

The Committee on Agriculture recommends the following pass: SB 344

The Committee on Community Affairs recommends the following pass: SB 172; SJR 210; SB 410; SB 998

The Committee on Education Pre-K - 12 recommends the following pass: SB 228

The Committee on Health Regulation recommends the following pass: SJR 2

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

The Committee on Rules recommends the following pass: SB 330

The bill was referred to the Committee on Military Affairs, Space, and Domestic Security under the original reference.

The Committee on Budget recommends the following pass: CS for SJR 958

The Committee on Rules Subcommittee on Ethics and Elections recommends the following pass: SB 242 with 1 amendment; SB 330; SB 532

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

The Committee on Budget recommends the following pass: CS for SB 142

The Committee on Rules recommends the following pass: SB 916; SB 924; SB 944; SB 946; CS for SJR 958; SCR 1202; SB 1204

The bills were placed on the Calendar.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 408

The Committee on Budget Subcommittee on Finance and Tax recommends a committee substitute for the following: SJR 958

The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations recommends a committee substitute for the following: CS for SB 248

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 142

The Committee on Community Affairs recommends committee substitutes for the following: SM 214; SB 248; SB 434; SB 444

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 736

The Committee on Health Regulation recommends committee substitutes for the following: CS for SB 244; SB 414

The Committee on Higher Education recommends a committee substitute for the following: SB 84

The Committee on Judiciary recommends committee substitutes for the following: SJR 140; SB 170

The Committee on Transportation recommends a committee substitute for the following: SB 782

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 178

The Committee on Community Affairs recommends a committee substitute for the following: SB 506

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

The Committee on Agriculture recommends a committee substitute for the following: SB 858

The Committee on Criminal Justice recommends a committee substitute for the following: SB 402

The Committee on Health Regulation recommends a committee substitute for the following: SB 94

The Committee on Judiciary recommends a committee substitute for the following: SB 426

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

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: SB 734

The Committee on Health Regulation recommends a committee substitute for the following: SB 246

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 276

The Committee on Health Regulation recommends a committee substitute for the following: SB 406

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 380

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 90

The Committee on Health Regulation recommends committee substitutes for the following: SB 312; SB 314

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

The Committee on Criminal Justice recommends committee substitutes for the following: SB 204; SB 432

The Committee on Transportation recommends a committee substitute for the following: SB 244

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 480

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 728

The Committee on Community Affairs recommends a committee substitute for the following: SB 88

The Committee on Criminal Justice recommends a committee substitute for the following: SB 400

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

The Committee on Rules Subcommittee on Ethics and Elections recommends a committee substitute for the following: SB 378

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

The Committee on Higher Education recommends a committee substitute for the following: SB 654

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

The Committee on Budget recommends committee substitutes for the following: SJR 2; CS for SB 736

The bills with committee substitute attached were placed on the Calendar.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

VETOED BILLS 2010 REGULAR SESSION

VETO OF CS FOR CS FOR SB 6

The Honorable Kurt S. Browning
Secretary of State

April 15, 2010

Dear Secretary Browning:

By the authority vested in me as the Governor of Florida, and under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 6, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to Education Personnel...

The decision to approve or veto a bill is one of the fundamental duties of the Governor. Since 2007, I have reviewed hundreds of proposed laws. More often than not, I sign bills approved by the Legislature because the process generally produces ideas which embody the ideals of representative government. Though sparingly, I have exercised the authority to veto legislation.

To proponents of a bill, a Governor's veto may be mischaracterized as ill informed or political. It is likely that my action today will be met with similar charges from supporters of SB 6. However, there is only one person who can accurately state the reason for a veto - the one who holds the pen.

Let me be clear; I veto SB 6 because this bill is contrary to my firmly held principle to act in the best interest of the People of Florida. I am confident in my decision today because I know it is the right thing to do for the People.

After reviewing the legislation, I have identified several issues of concern. First and foremost, this bill does not appropriately accommodate special education students and their dedicated teachers. These children can and do learn; however, there must be more consideration given to their individual needs than is afforded in this bill.

Further, the bill does encroach on local decision-making. At worst, it could result in an infringement upon the constitutional authority of school boards. While the bill allows school boards to create district policies, there are considerable directives given to local boards and a requirement for state sign-off before plans can be approved. Some of these directives are quite overreaching, such as not allowing multi-year teacher contracts, choosing arbitrary percentages for calculating a teacher's effectiveness, and permanently decertifying an excellent teacher in Florida who simply needed improvement two out of the previous five years on the job.

SB 6 places teachers in jeopardy of losing their jobs and teaching certificates without a clear understanding of how gains will be measured, and without taking into account circumstances beyond the control of teachers. Teachers have an incredible impact on the lives of their students, but they are not the only influence.

During the House debate and after the final passage of the bill, even the supporters of SB 6 acknowledged the imperfections of the bill. They were satisfied with the ability to come back next year for a glitch bill or

make corrections and clarifications in the implementing process. Such assurances are not enough for me to sign this legislation today.

Finally, I veto this bill because of the process by which it was passed. This legislation sped through committees without the meaningful input of parents, teachers, superintendents, and school boards. It was troubling to learn that the bill would not be amended after it passed in the Senate, particularly when more and more concerns were coming to light. As I articulated on the opening day of the 2010 Legislative Session, "It is not only the substance of those issues that is important; it is also the attitude with which you address them. These will determine whether you have done your job well."

The incredible outpouring of opposition by teachers, parents, students, superintendents, school boards, and legislators has greatly influenced my decision today. They brought to light many concerns that were not addressed in the amendatory process. As with any major legislation, stated goals sometimes do not match the words in the bill. That is why under normal circumstances bills can be meaningfully debated and changed so that flaws may be remedied.

In summary, I find the content of SB 6 and the manner of its adoption significantly flawed. Nonetheless, I believe in the stated goals of establishing differential and performance-based merit pay for classroom teachers, developing workable measures of student learning gains, and preparing students for their place in a global economy. These are worthy of future pursuit in a collaborative setting with participation of those who are directly impacted.

To those who may ask for a prescribed fix for SB 6, I say we must start over. This bill has deeply and negatively affected the morale of our teachers, parents, and students. They are not confident in our system because they do not believe that their voices were heard. They, like I, did not fathom that there would be no opportunity for meaningful deliberation and appropriate changes to this bill. Tens of thousands of Floridians have reached out to me asking for a veto of SB 6 and instead address the important goal of improving education in a more deliberative and open manner. Should the Legislature decide to go back to the drawing board, I believe it is critical that they heed the call of Floridians. To make such landmark changes, we must have the patience and wisdom to communicate effectively with the People.

As Governor, it is my responsibility to work ardently to position Florida for success on round two of "Race to the Top." Although Florida's first application was strong, we learned a very important lesson on the value of stakeholder participation. Like every good competitor, we will make strategic changes and raise our game. In the coming days I will announce the creation of a collaborative work group to thoroughly review and vet our application and suggest improvements that will help us win.

Florida has made tremendous gains in our education system. We cannot, we must not stop. As we move forward, let us ensure that we fulfill our highest calling, which is to honor the People for whom this government is established. The education of our children is far too important for us to do otherwise.

For this reason, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 6, and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

VETO OF CS FOR CS FOR SB 1004

Interim Secretary Dawn K. Roberts
Interim Secretary of State

June 1, 2010

Dear Interim Secretary Roberts:

By the authority vested in me as the Governor of Florida, and under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 1004, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to Local Government...

When I took office, I promised the people of Florida that government transactions and information would be open to public input and transparent in its execution. Competitive bidding by governmental entities protects the public's interest and assures the best use of taxpayers' dollars. Laws are in effect which require competitive bidding of county lease agreements. This law is sufficient to achieve balance and protection of the public's interest and enable county government officials to achieve the best bid.

Local governments should strive to adhere to competitive bidding standards. Because we are elected officials, we have a responsibility to conduct business in the open for all to compete. We should not modify laws in the name of ease in exchange for the public's trust.

For this reason, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 1004, and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

VETO OF CS FOR CS FOR SB 1964

Interim Secretary Dawn K. Roberts
Interim Secretary of State

June 1, 2010

Dear Interim Secretary Roberts:

By the authority vested in me as the Governor of Florida, and under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 1964, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to Design Professionals...

The bill limits the tort liability of design professionals for economic damages from a design defect. The design professionals affected by the bill include licensed engineers, surveyors, architects, interior designers, and landscape architects. This limit of liability grants unique privileges to design professionals by removing a consumer's right to bring a tort action against them for economic damages caused by their negligence. Other professionals, such as accountants, doctors, and lawyers, cannot similarly limit their professional duty of care.

An error in design may create significant economic damages to both business and home owners. I am concerned this bill fails to provide any alternate remedies and shifts the losses for design defects to consumers.

For the reasons stated above, I am hereby withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 1964 and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

VETO OF CS FOR CS FOR SB 2044

Interim Secretary Dawn K. Roberts
Interim Secretary of State

June 1, 2010

Dear Interim Secretary Roberts:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 2044, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to Insurance...

Senate Bill 2044 makes numerous changes to the law relating primarily to residential property insurance. I am most concerned about the expansion of the current expedited rate filing procedure for property

insurers that makes it easier to increase Floridians premiums. During these very difficult economic times, Florida's consumers should not have to be concerned with an additional premium increase to their policy.

Additionally, the bill makes troubling changes to the way mitigation discounts are applied. Specifically, responsible Floridians who have already made investments to harden their homes could be unfairly penalized.

Therefore, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 2044, and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

The bills, together with the Governor's objections thereto, were referred to the Committee on Rules.

EXECUTIVE BUSINESS

The following Executive Order was filed with the Secretary:

EXECUTIVE ORDER NUMBER 10-260 (Executive Order of Suspension)

WHEREAS, Jeffrey Dwayne Carlson is presently serving as County Commissioner for Highlands County; and

WHEREAS, on November 22, 2010, The State Attorney for the Nineteenth Judicial Circuit of the State of Florida, filed an information alleging that Jeffrey Dwayne Carlson committed Boating Under the Influence Manslaughter, in violation of sections 327.35(1) and 327.35(3)(c)3, Florida Statutes, and Vessel Homicide, in violation of section 782.072(1), Florida Statutes; and

WHEREAS, violations of sections 327.35(1), 327.35(3)(c)3, and 782.072(1), Florida Statutes constitute felonies of second degree; and

WHEREAS, article IV, section 7, Florida Constitution, provides that the Governor may suspend from office any county officer for the commission of a felony; and

WHEREAS, it is in the best interest of the residents of Highlands County and the citizens of the State of Florida that Jeffrey Dwayne Carlson be immediately suspended from the public office which he now holds, upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, CHARLIE CRIST, Governor of Florida, pursuant to article IV, section 7, Florida Constitution, find as follows:

A. Jeffrey Dwayne Carlson is, and at all times material was, County Commissioner for Highlands County, Florida.

B. The office of County Commissioner for Highlands County is within the purview of the suspension powers of the Governor, pursuant to article IV, section 7, Florida Constitution.

C. The attached information alleges that Jeffrey Dwayne Carlson committed acts in violation of the laws of Florida. This suspension is predicated upon the attached information, which alleges conduct constituting felonies and is incorporated as if fully set forth in this Executive Order.

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

Section 1. Jeffrey Dwayne Carlson is suspended from the public office which he now holds, to wit: County Commissioner for Highlands County, Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 29th day of November, 2010.

Charlie Crist
GOVERNOR

ATTEST:

Dawn K. Roberts

INTERIM SECRETARY OF STATE

EXECUTIVE APPOINTMENTS WITHDRAWN

The Honorable Mike Haridopolos
President, the Florida Senate

February 2, 2011

Dear President Haridopolos:

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

Alafia River Basin Board

Bissonnette, Stephen J.

Apalachee Regional Planning Council, Region Two

Hatcher, H. Franklin
Radford, Dawn D.

Barber's Board

Raines, Andrew J.
Troup, Carl E.
Vaughn, Thomas E.

Big Cypress Basin Board

Vaughn, John W.

Board of Acupuncture

Teisinger-Nicholson, Mary K.

Board of Architecture and Interior Design

Emo, Warren A.
Reid, Jr., Johnstone

Board of Clinical Social Work, Marriage & Family Therapy, & Mental Health Counseling

Gillespy, Susan J.
Otis, Sharon E.

Board of Dentistry

Edinger, Debra S.

Board of Directors, Enterprise Florida, Inc.

Peelen, Scott B.
Fiorentino, T. Martin

Board of Hearing Aid Specialists

Hollern, Thomas M.
Polhill, Leanne E.

Board of Landscape Architecture

Graham, Jr., Philip H.

Board of Medicine

Chizner, Michael A.
Thomas, George

Board of Nursing

Newman, Jody B.

Board of Nursing Home Administrators

Butler, Michael S.
Wishna, Harold

Board of Opticianry

Hess, Dan M.

Board of Orthotists and Prosthetists

Nilssen, Erik C.

Board of Pharmacy

Wilson, Robert H.

Board of Physical Therapy Practice

Baker, Karen S.
Lohr, Clint E.

Board of Pilot Commissioners

Boue, Luis E.
Clemente, Anthony J.
Fox, John P.
Sams, Matthew T.
Smith, Thayer C.

Board of Podiatric Medicine

Evans, Chester A.
Morris, Robert P.

Board of Professional Engineers

Earle, Jonathan F.

Board of Professional Geologists

Bush, Louie G.
Dale, Mervin W.

Board of Psychology

Aufderheide, Dean H.
Bloomfield, Stephen I.
Orta, Luis E.

Board of Respiratory Care

DeJesus, William

Board of Trustees, Florida A&M University

Alston, Torey L.

Board of Trustees, University of Central Florida

Mantilla, Joseph I.

Board of Veterinary Medicine

O'Neil, Robert E.

Citrus County Hospital Board

Kirk, Susan M.

Coastal Rivers Basin Board

Musselmann, Fritz H.

Commission for Independent Education

Crocitto, Jr., Peter F.

Construction Industry Licensing Board

Flaherty, James J.
Greenberg, Scott P.
Korelishn, Albert C.

District Board of Trustees, Brevard Community College

Harris, Dewey L.
Sansom, Dixie N.
Sibley, Dedra S.

District Board of Trustees, Broward College

Benz, John A.

District Board of Trustees, Daytona State College

Davis, Robert C.
Frederick-Recascino, Christina
Tanner, John W.

District Board of Trustees, Gulf Coast Community College

Patronis, Katie L.

East Central Florida Regional Planning Council, Region Six

Mercer, Atlee E.

Electrical Contractors Licensing Board

Botknecht, David H.
Chinchor, Timothy Z.
Giles, Bradley S.
Smith, Benjamin E.

Environmental Regulation Commission

Glasco-Foderingham, Rhoda
Roth, Cari L.

Florida Building Code Administrators and Inspectors Board

Carpenter, Dennis J.
Dudley, Fred R.
Kymalainen, Robert C.
Lamas, Orlando
McCormick, Robert S.

Florida Citrus Commission

Carter, E. Stanley
Clark III, Jesse A.
Horrisberger, James S.
Taylor, Michael O.

Florida Commission on Community Service

Anderson, Kherri
Berenberg, Danny B.
Bookman, Constance
Carswell, Debora M.
Glickman, Susan K.
Hobson, Joyce A.
Houglan, Beverly M.
King, Linda B.
Levinson, Jon R.
Londono, Yolanda F.
McLauchlan, Judithanne S.
Milligan, Robert F.
Pruitt, Aileen M.
Rolle, Rhonda L.
Stophel, Connie S.
Traviesa, Andreina
Vaughn, Bryan

Florida Commission on Human Relations

Cunningham, Joanna L.

Streeter, Darcell L.

Florida Energy and Climate Commission

Bassett, Steven C.
Baughman McLeod, Kathy

Florida Housing Finance Corporation

Stadlen, Joseph H.
McLean, Michael J.
Lenihan, William M.
Demetree, Mary L.

Florida Prepaid College Board

Berry, Ray T.

Florida Public Service Commission

Balbis, Eduardo E.
Brise, Ronald A.
Brown, Julie I.
Graham, Art L.

Florida Real Estate Appraisal Board

Herndon, Joni L.
Sante, Chris D.
Vigil, Jennifer M.

Florida State Boxing Commission

Curry, Leonard B.

Governing Board, Northwest Florida Water Management District

Roberts, George A.

Governor's Mansion Commission

Aurell, Jane C.
Graham, Adele K.

Gulf States Marine Fisheries Commission

Greep, Jr., Stephen M.

Interim Secretary of Health Care Administration

Dudek, Elizabeth

Interim Secretary of the Department of Elderly Affairs

Corley, Charles T.

Jacksonville Transportation Authority

Harper, Donna L.

Juvenile Welfare Board of Pinellas County

Sewell, James D.

North Central Florida Regional Planning Council, Region Three

Biddle, David E.
Dodge, David L.
Collett, Thomas D.
Martin, Eddie

Peace River Basin Board

Crisman, Patricia C.
Martin, Gordon M.

Pinellas-Anclote River Basin Board

Dove, Roland P.
Hoppe, Janet P.

Secretary of the Department of Business and Professional Regulation

Liem, Charles W.

South Florida Regional Planning Council, Region Eleven

Asseff, Patricia B.
Brook, Scott J.
Wallace, Paul R.

South Lake County Hospital District Board of Trustees

Binney, Curtis A.
Graff, Mark J.
Hebeler, Robert M.
Hubbard, Tony D.
Rountree, Paul B.

Southwest Florida Regional Planning Council, Region Nine

Carroll, Patricia M.
Colón, Felipe
Grant, Michael J.
Hall, Shannon L.
Karau, Melvin E.

Tampa Bay Regional Planning Council, Region Eight

Kinsler, Angeleah C.
Nunez Jr., Andres E.
Vance, Kim H.
Waller, Charles D.
Woodard, Laura D.
Young, Earl H.

Tampa-Hillsborough County Expressway Authority

Diaci, Stephen C.

Treasure Coast Regional Planning Council, Region Ten

Carney, Peter H.
Hall, William M.
Sachs, Peter S.

Withlacoochee Regional Planning Council, Region Five

Craig, Avis M.
Murray, Edward W.
Selph, Walter E.

Withlacoochee River Basin Board

Eno, Burton E.
Grubman, Alan A.

In addition to the appointments stated above, I am also withdrawing the following appointees whose terms have expired or who are no longer serving in office pending confirmation by the Florida Senate:

Apalachee Regional Planning Council, Region Two

Dykes, Dwight E.
Ranie, Benjamin F.

Board of Pilot Commissioners

Bohnsack, Frances M.
Jones, Jeffrey L.
Molitor, Donald N.

Board of Trustees, Florida A&M University

Rouson, Angela H.

Construction Industry Licensing Board

Cathey, William B.

Florida Commission on Human Relations

Keller, Michael G.

Governing Board of the South Florida Water Management District

Estenoz, Shannon A.

Acting Secretary of the Department of State

Kennedy, Jennifer

Interim Secretary of the Department of State

Roberts, Dawn K.

North Central Florida Regional Planning Council, Region Three

Krames, Robert W.

Interim Secretary of the Department of Environmental Protection

Drew, Mary A.

Secretary of the Department of Environmental Protection

Drew, Mary A.

Please return all documentation of the appointments.

Sincerely,
Rick Scott
Governor

Cc: Kurt Browning, Secretary of State

The Honorable Rick Scott
Governor, State of Florida
The Capitol
Tallahassee, Florida 32399-1100

February 7, 2011

Dear Governor Scott:

On behalf of Senate President Mike Haridopolos, attached is all evidence of the following gubernatorial appointments itemized in your letter of February 2, 2011, as being withdrawn:

Alafia River Basin Board

Bissonnette, Stephen J.

Apalachee Regional Planning Council, Region Two

Hatcher, H. Franklin
Radford, Dawn D.

Big Cypress Basin Board

Vaughn, John W.

Board of Acupuncture

Teisinger-Nicholson, Mary K.

Board of Architecture and Interior Design

Emo, Warren A.
Reid, Jr., Johnstone

Board of Clinical Social Work, Marriage & Family Therapy, & Mental Health Counseling

Gillespy, Susan J.
Otis, Sharon E.

Board of Dentistry

Edinger, Debra S.

Board of Hearing Aid Specialists

Hollern, Thomas M. Polhill, Leanne E.	Flaherty, James J. Greenberg, Scott P. Korelishn, Albert C.
Board of Landscape Architecture	District Board of Trustees, Brevard Community College
Graham, Jr., Philip H.	Harris, Dewey L. Sansom, Dixie N. Sibley, Dedra S.
Board of Medicine	District Board of Trustees, Broward College
Thomas, George	Benz, John A.
Board of Nursing	District Board of Trustees, Daytona State College
Newman, Jody B.	Davis, Robert C. Frederick-Recascino, Christina Tanner, John W.
Board of Nursing Home Administrators	East Central Florida Regional Planning Council, Region Six
Wishna, Harold	Mercer, Atlee E.
Board of Opticianry	Environmental Regulation Commission
Hess, Dan M.	Glasco-Foderingham, Rhoda Roth, Cari L.
Board of Orthotists and Prosthetists	Florida Building Code Administrators and Inspectors Board
Nilssen, Erik C.	Carpenter, Dennis J. Dudley, Fred R. Lamas, Orlando McCormick, Robert S.
Board of Pharmacy	Florida Citrus Commission
Wilson, Robert H.	Carter, E. Stanley Clark III, Jesse A. Horrisberger, James S. Taylor, Michael O.
Board of Physical Therapy Practice	Florida Commission on Community Service
Baker, Karen S. Lohr, Clint E.	Anderson, Kherri Berenberg, Danny B. Bookman, Constance Glickman, Susan K. Hobson, Joyce A. Hougland, Beverly M. King, Linda B. Levinson, Jon R. Londono, Yolanda F. McLauchlan, Judithanne S. Milligan, Robert F. Pruitt, Aileen M. Rolle, Rhonda L. Stophel, Connie S. Traviesa, Andreina
Board of Podiatric Medicine	Florida Commission on Human Relations
Evans, Chester A. Morris, Robert P.	Cunningham, Joanna L. Streeter, Darcell L.
Board of Professional Engineers	Florida Energy and Climate Commission
Earle, Jonathan F.	Bassett, Steven C. Baughman McLeod, Kathy
Board of Professional Geologists	Florida Prepaid College Board
Bush, Louie G. Dale, Mervin W.	Berry, Ray T.
Board of Psychology	Florida Public Service Commission
Aufderheide, Dean H. Bloomfield, Stephen I. Orta, Luis E.	Balbis, Eduardo E. Brise, Ronald A. Brown, Julie I.
Board of Respiratory Care	
DeJesus, William	
Board of Trustees, Florida A&M University	
Alston, Torey L.	
Board of Trustees, University of Central Florida	
Mantilla, Joseph I.	
Citrus County Hospital Board	
Kirk, Susan M.	
Coastal Rivers Basin Board	
Musselmann, Fritz H.	
Commission for Independent Education	
Crocitto, Jr., Peter F.	
Construction Industry Licensing Board	

Graham, Art L.	Tampa-Hillsborough County Expressway Authority
Florida Real Estate Appraisal Board	Diaco, Stephen C.
Herndon, Joni L.	Treasure Coast Regional Planning Council, Region Ten
Sante, Chris D.	Carney, Peter H.
Vigil, Jennifer M.	Hall, William M.
Florida State Boxing Commission	Withlacoochee Regional Planning Council, Region Five
Curry, Leonard B.	Craig, Avis M.
Governing Board, Northwest Florida Water Management District	Murray, Edward W.
Roberts, George A.	Selph, Walter E.
Governor's Mansion Commission	Withlacoochee River Basin Board
Aurell, Jane C.	Eno, Burton E.
Graham, Adele K.	Grubman, Alan A.
Gulf States Marine Fisheries Commission	Apalachee Regional Planning Council, Region Two
Greep, Jr., Stephen M.	Dykes, Dwight E.
Interim Secretary of Health Care Administration	Board of Pilot Commissioners
Dudek, Elizabeth	Bohnsack, Frances M.
Interim Secretary of the Department of Elderly Affairs	Jones, Jeffrey L.
Corley, Charles T.	Molitor, Donald N.
Jacksonville Transportation Authority	Board of Trustees, Florida A&M University
Harper, Donna L.	Rouson, Angela H.
Juvenile Welfare Board of Pinellas County	Construction Industry Licensing Board
Sewell, James D.	Cathey, William B.
North Central Florida Regional Planning Council, Region Three	Florida Commission on Human Relations
Biddle, David E.	Keller, Michael G.
Dodge, David L.	Governing Board of the South Florida Water Management District
Collett, Thomas D.	Estenoz, Shannon A.
Martin, Eddie	Acting Secretary of the Department of State
Peace River Basin Board	Kennedy, Jennifer
Crisman, Patricia C.	Interim Secretary of the Department of State
Martin, Gordon M.	Roberts, Dawn K.
Secretary of the Department of Business and Professional Regulation	North Central Florida Regional Planning Council, Region Three
Liem, Charles W.	Krames, Robert W.
South Florida Regional Planning Council, Region Eleven	Interim Secretary of the Department of Environmental Protection
Wallace, Paul R.	Drew, Mary A.
South Lake County Hospital District Board of Trustees	Secretary of the Department of Environmental Protection
Binney, Curtis A.	Drew, Mary A.
Graff, Mark J.	The Senate has not received the following appointments:
Hebeler, Robert M.	Barber's Board
Hubbard, Tony D.	Raines, Andrew J.
Rountree, Paul B.	Troup, Carl E.
Southwest Florida Regional Planning Council, Region Nine	Vaughn, Thomas E.
Grant, Michael J.	Boards of Directors, Enterprise Florida, Inc.
Tampa Bay Regional Planning Council, Region Eight	Peelen, Scott B.
Kinsler, Angeleah C.	Fiorentino, T. Martin
Nunez Jr., Andres E.	Board of Medicine
Vance, Kim H.	
Waller, Charles D.	
Woodard, Laura D.	
Young, Earl H.	

Chizner, Michael A.
Board of Nursing Home Administrators

Butler, Michael S.
Board of Pilot Commissioners

Boue, Luis E.
Clemente, Anthony J.
Fox, John P.
Sams, Matthew T.
Smith, Thayer C.

Board of Veterinary Medicine
O'Neil, Robert E.

District Board of Trustees, Gulf Coast Community College
Patronis, Katie L.

Electrical Contractors Licensing Board
Botknecht, David H.
Chinchor, Timothy Z.
Giles, Bradley S.
Smith, Benjamin E.

Florida Building Code Administrators and Inspectors Board
Kymalainen, Robert C.

Florida Commission on Community Service
Carswell, Debora M.
Vaughan, Bryan

Florida Housing Finance Corporation
Stadlen, Joseph H.
McLean, Michael J.
Lenihan, William M.
Demetree, Mary L.

Jacksonville Transportation Authority
Harper, Donna L.

Juvenile Welfare Board of Pinellas County
Sewell, James D.

Pinellas-Anclote River Basin Board
Dove, Roland P.
Hoppe, Janet P.

South Florida Regional Planning Council, Region Eleven
Asseff, Patricia B.
Brook, Scott J.

Southwest Florida Regional Planning Council, Region Nine
Carroll, Patricia M.
Colón, Felipe
Grant, Michael J.
Hall, Shannon L.
Karau, Melvin E.

Treasure Coast Regional Planning Council, Region Ten
Sachs, Peter S.

Apalachee Regional Planning Council, Region Two
Ranie, Benjamin F.

Acting Secretary of the Department of State
Kennedy, Jennifer

Sincerely,
R. Philip Twogood, Secretary

Cc: Senate President Mike Haridopolos
Secretary of State Kurt Browning
Senator Miguel Diaz de la Portilla

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Adjutant General of Florida National Guard Appointee: Titshaw, Emmett R., St. Augustine	Pleasure of Governor
Board of Medicine Appointee: Thomas, George, Bradenton	10/31/2014
Council on Efficient Government Appointee: Evans, Steven L., Tallahassee	8/22/2011
Education Practices Commission Appointees: Farmer, Diane A., Tampa McCray, Katrina E., Jacksonville	9/30/2013 9/30/2014

Referred to the Committee on Rules.

Secretary of Community Affairs Appointee: Buzzett, William A., Santa Rosa Beach	Pleasure of Governor
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Referred to the Committees on Community Affairs; and Rules.

Secretary of Children and Family Services Appointee: Wilkins, David, Tallahassee	Pleasure of Governor
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Referred to the Committees on Children, Families, and Elder Affairs; and Rules.

Secretary of Juvenile Justice Appointee: Walters, Wansley Hancock, Confidential pursuant to s. 119.071(4) F.S.	Pleasure of Governor
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Referred to the Committees on Criminal Justice; and Rules.

Florida Public Service Commission Appointees: Balbis, Eduardo E., West Palm Beach Brisé, Ronald A., North Miami Brown, Julie I., Tampa Graham, Art, Jacksonville Beach	1/1/2015 1/1/2014 1/1/2015 1/1/2014
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Referred to the Committees on Communications, Energy, and Public Utilities; and Rules.

Secretary of Environmental Protection Appointee: Vinyard, Herschel T., Jacksonville	Pleasure of Governor
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Governing Board of the Northwest Florida Water Management District Appointee: Roberts, George, Panama City Beach	3/1/2014
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Referred to the Committees on Environmental Preservation and Conservation; and Rules.

Secretary of Management Services Appointee: Miles, John P., Winter Park	Pleasure of Governor
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Office and Appointment

Secretary of State
 Appointee: Browning, Kurt S., Dade City Pleasure of Governor

Referred to the Committees on Governmental Oversight and Accountability; and Rules.

Board of Trustees, Florida Florida A & M University
 Appointee: Alston, Torey L., Fort Lauderdale 1/6/2015

Board of Trustees, University of West Florida
 Appointee: O'Sullivan, John Mortimer, Pensacola 1/6/2015

Referred to the Committees on Higher Education; and Rules.

Adjutant General of Florida National Guard
 Appointee: Titshaw, Emmett R., St. Augustine Pleasure of Governor

Referred to the Committees on Military Affairs, Space, and Domestic Security; and Rules.

Secretary of the Department of Lottery
 Appointee: O'Connell, Cynthia F., Tallahassee Pleasure of Governor

Referred to the Committees on Regulated Industries; and Rules.

SUPREME COURT OF FLORIDA

The following certificate was received:

No. SC11-182

IN RE: CERTIFICATION OF NEED FOR ADDITIONAL JUDGES.

[February 17, 2011]

PER CURIAM.

This opinion fulfills our constitutional obligation to determine the State's need for additional judges in Fiscal Year 2011/2012 and to certify our "findings and recommendations concerning such need" to the Legislature. Certification is "the sole mechanism established by our constitution for a systematic and uniform assessment of this need." In re Certification of Need for Additional Judges, 889 So. 2d 734, 735 (Fla. 2004).

TRIAL COURTS

The Florida Supreme Court continues to use a weighted caseload system as a primary basis for assessing judicial need for the trial courts. Using objective standards, this Court has examined case filing and disposition data, analyzed various judicial workload indicators, applied a sustained net need analysis, and considered judgeship requests submitted by the lower courts. Applying this methodology, this Court certifies the need for eighty additional trial court judgeships statewide, twenty-six in circuit court and fifty-four in county court.

As we make this certification, we also are aware that difficulties in our economic situation continue to have a severe impact on both the private and public sectors in Florida. With over one million Floridians unemployed and significant deficits in the state budget, we recognize that funding new judgeships will compete with other critical state priorities. Nonetheless, the reality is that Florida's circuit and county judges are overloaded with new filings, have substantial caseloads, and have fewer support staff to assist with the disposition of cases. Taken together, these factors continue to hamper the effective administration of justice in Florida.

For Term Ending

The trial court chief judges have provided us with ample justification to certify new judgeships to the Legislature. First, the chief judges have identified a number of workload trends that are affecting court operations throughout the state. Several chief judges have cited filing increases across multiple divisions, slower case processing times, increases in pending caseloads, and higher jury trial rates. Dropping clearance rates, a key barometer of the relationship between court filings and dispositions, were also cited by many chief judges.

Second, the ongoing challenges to state government associated with the current economic crisis have resulted in considerable reductions in trial court funding. Trial court expense budgets and support staff have been significantly reduced. Judges are absorbing the work previously performed by magistrates, law clerks, case managers, and other supplemental support staff lost in the budget reductions of the last several years. As noted in last year's certification opinion, we have lost a total of 249 trial court staff positions due to reductions to our budget. Most of these positions provided direct case management, legal research, and adjudicatory support to our judges. The loss of staff translates into slower case processing times, crowded dockets, and long waits to access judicial calendars. Another consequence of high caseloads and reduced staff support is less judicial time spent on hearings. Some of our judges believe that the quality of justice being delivered today is suffering because they do not have adequate time to devote to each case. We find that observation troubling. Over time, these factors can result in a weakening of the effective administration of justice throughout the state.

Third, several of the trial court chief judges also note the significant increases in pro se (i.e., self-represented litigants) filings for multiple divisions of court. This observation is not surprising given the state of our economy. Many citizens cannot afford to hire an attorney and choose to represent themselves in court. Pro se litigants are often unprepared for the rigors of presenting evidence, following rules of procedure, and representing themselves in court. Cases involving pro se litigants frequently require enhanced judicial involvement which entails lengthier or rescheduled hearings, which can result in litigant frustration and court delay.

Fourth, the mortgage foreclosure crisis continues to challenge every judicial circuit in Florida. The attendant workload associated with the total volume of foreclosure filings far outweighs current judicial capacity, notwithstanding the additional senior judge and case manager resources provided by the Legislature to assist with this crisis.

And fifth, the loss of the civil traffic infraction hearing officers in county court continues to impact county judges throughout the state. In many counties, county judges are hearing traffic cases previously processed by these hearing officers. This additional workload greatly expands county court dockets, creating case processing delays. As we have noted in previous certification opinions, having county court judges perform work that could be processed by civil traffic infraction hearing officers is not the best use of valuable judicial time.

Trial court judges have responded admirably by doing more with less and staying focused on managing their caseloads using available resources. Where possible, they have sought efficiencies by applying various management techniques such as differentiated case management, alternative dispute resolution, jury selection backup during trial weeks, and improved scheduling and calendaring. Their unwavering commitment to advancing the administration of justice during these difficult economic times is laudable, and we commend them.

The Court also takes notice that while the trial courts have identified their need for the additional supplemental resources necessary to ensure the efficient and effective flow of cases, their legislative budget request to the Legislature for Fiscal Year 2011/2012 was significantly scaled back due to the forecasted revenue deficits the State is facing. The Court would support a request for additional resources and, at the very least, the restoration of lost resources in the lower courts but respects the trial courts' willingness to continue to make do with less in acknowledgment of the tremendous demands on state government.

DISTRICT COURTS OF APPEAL

No district court of appeal requested additional judgeships for Fiscal Year 2011/2012. Consequently, the Court is not addressing the need for additional district court judges in this opinion.

CONCLUSION

We have conducted both a quantitative and qualitative assessment of judicial workload. Using the case weighted methodology required by the Legislature and the application of other factors identified in Florida Rule of Judicial Administration 2.240, we certify the need for eighty additional trial court judges in Florida. At the same time, we recognize that our State is caught in a period of protracted economic difficulties which are impacting all sectors of state government and that the Legislature will be confronted with extraordinarily challenging funding decisions in the upcoming session. We are hopeful, however, that the demonstrated need for additional judges in Florida can be addressed when the State’s fiscal condition improves.

In the difficult fiscal circumstances confronting the Legislature, we respectfully urge that the Legislature consider the priority of maintaining adequate funding for the courts which provide justice for the people of Florida.

It is so ordered.

CANADY, C.J., and PARIENTE, LEWIS, QUINCE, POLSTON, LA-BARGA, and PERRY, JJ., concur.

Original Proceeding – Certification of the Need for Additional Judges

APPENDIX

Circuit	TRIAL COURT NEED		County Court Certified Judges
	Circuit Court Certified Judges	County	
1	4	NA	0
2	0	NA	0
3	0	Columbia	1
4	1	Duval	6
5	4	Citrus	1
		Lake	1
		Marion	1
6	1	Pasco	0
		Pinellas	1
7	2	St. John's	1
		Volusia	2
8	0	Alachua	1
9	1	Orange	3
		Osceola	1
10	1	Polk	2
11	0	Miami-Dade	10
12	1	Manatee	1
		Sarasota	1
13	1	Hillsborough	3
14	2	Bay	1
15	2	Palm Beach	5
16	0	NA	0
17	0	Broward	6
18	1	Brevard	1
		Seminole	1
19	2	St. Lucie	1
20	3	Collier	1
		Lee	2
TOTAL	26	TOTAL	54

1. Article V, section 9 of the Florida Constitution provides in pertinent part:

Determination of number of judges.—The supreme court shall establish by rule uniform criteria for the determination of the need for additional judges except supreme court justices, the necessity for decreasing the number of judges and for increasing, decreasing or redefining appellate districts and judicial circuits. If the supreme court finds that a need exists for increasing or decreasing the number of judges or increasing, decreasing or redefining appellate districts and judicial circuits, it shall, prior to the next regular session of the legislature, certify to the legislature its findings and recommendations concerning such need.

2. Our certification methodology relies primarily on case weights and calculations of available judge time to determine the need for additional trial court judges. See Fla. R. Jud. Admin 2.240.

3. The needed judgeships in the circuit and county courts are set forth in the table in the attached appendix.

4. In re Certification of Need for Additional Judges, 29 So. 3d 1110 (Fla. 2010).

SENATE RULES

RULE ONE

OFFICERS, SENATORS, EMPLOYEES, AND ETHICS

PART ONE—SENATE OFFICERS

1.1—Election of the President, President Pro Tempore, President Designate, President Pro Tempore Designate, Minority Leader, and Minority Leader Pro Tempore; designation of Majority Leader

A President and a President Pro Tempore shall be elected for a term of two (2) years at the organization session preceding the regular session of each odd-numbered year. They shall take an oath to support the *Constitution of the United States* and the *Constitution of the State of Florida*, and for the true and faithful discharge of the duties of office. The Majority Party may, by caucus called by the President, elect a President Designate and a President Pro Tempore Designate, and their names shall be certified to the Secretary. The President may designate a Majority Leader whose name shall be certified to the Secretary. The Minority Party may, by caucus, elect a Minority Leader and a Minority Leader Pro Tempore, and their names shall be certified to the Secretary at the organization session. All elected officers are to hold office until their successors are chosen and qualified or until the expiration of their term, whichever shall occur first.

1.2—The President calls the Senate to order

The President shall call the Senate to order at the hour provided by these Rules or at the hour established by the Senate at the last session. A quorum being present, the President shall direct the Senate to proceed with the Daily Order of Business. The President may informally recess the Senate for periods of time not to exceed thirty (30) minutes.

1.3—The President’s control of Chamber, corridors, and rooms

The President shall preserve order and decorum and shall have general control of the Chamber, corridors, passages, and rooms of the Senate whether in the Capitol or elsewhere. If there is a disturbance, the President may order the area cleared.

1.4—The President’s authority and signature; questions of order; travel

(1) The President shall sign all acts, joint resolutions, resolutions, and memorials. No writ, warrant, subpoena, contract binding the Senate, authorization for payment, or other papers shall issue without the signature of the President. The President may delegate signing authority for the authorization of payments. The President shall approve vouchers.

(2) The President shall decide all questions of order, subject to an appeal by any Senator.

(3) As necessary, the President is authorized to incur travel and per diem expenses for the next session of the Legislature. The President shall have the power to assign duties and sign requisitions pertaining to legislative expenses incurred in transacting Senate business as authorized. The President shall have responsibility for Senate property and may delegate specific duties or authority pertaining thereto.

(4) The President may authorize counsel to initiate, defend, intervene in, or otherwise participate in any suit on behalf of the Senate, a Senate committee, a Senator (whether in the legal capacity of Senator or taxpayer), a former Senator, or a Senate officer or employee when such suit is determined by the President to be of significant interest to the Senate and when it is determined by the President that the interests of the Senate would not otherwise be adequately represented. Expenses incurred for legal services in such proceedings may be paid upon approval of the President.

1.5—The President's appointment to committees

(1) The President shall appoint members to all standing committees, standing subcommittees, and select committees. The President shall also appoint the Senate members of conference committees, joint committees, and joint select committees.

(2) Any member removed from a committee without his or her consent shall have the right to appeal such removal to the Rules Committee.

1.6—The President's vote

The President shall not be required to vote in legislative proceedings. In all yeas and nays votes, the President's name shall be called last.

1.7—The President's absence from the chair; duties of President Pro Tempore

(1) The President may name any Senator to perform the duties of the chair.

(2) If for any reason the President is absent and fails to name a Senator, the President Pro Tempore shall assume the duties of the chair.

(3) If the President resigns, he or she may, prior to resignation, designate a member of his or her party to assume the duties of the chair until a permanent successor is elected.

(4) In the event the chair is vacated permanently, nothing herein shall preclude the Senate from electing a presiding officer. If the chair is vacated permanently during a session of the Legislature, a new presiding officer must be elected within seven (7) days of the vacancy. If the chair is vacated permanently while the Legislature is not in session, the President's designee shall convene the Senate no later than thirty (30) days after the vacancy for the purpose of electing a new presiding officer. The election shall be the Senate's first order of business. In the event that a designation is not made pursuant to subsection (3) of this Rule, the President Pro Tempore shall assume the duties of the designee in convening the Senate to elect a new presiding officer.

1.8—Election of the Senate Secretary

(1) The Senate shall elect a Secretary to serve at its pleasure. A staff of assistants shall be employed to regularly transact such business as required by law, as required by Senate Rules, or as assigned by the President. The Secretary shall take an oath to support the *Constitution of the United States* and the *Constitution of the State of Florida*, and for the true and faithful discharge of the duties of office.

(2) The Secretary shall be under the supervision of the President, who may assign additional duties to the Secretary. In the event of a vacancy in the position of Secretary, the President may appoint someone to perform the duties of the office until the Senate, by its vote, fills the vacancy.

(3) The Secretary shall be the Senate enrolling and engrossing clerk and may designate an assistant enrolling and engrossing clerk.

1.9—Duties of the Secretary at organization session

In the absence of the President and the President Pro Tempore of the preceding session, the Secretary shall, at the organization session of the Legislature, call the Senate to order. Pending the election of a President or a President Pro Tempore, the Secretary shall preserve order and decorum, and decide all questions of order subject to appeal by any Senator. The duties prescribed by this section may be delegated by the Secretary to any Senator.

1.10—Duties of the Secretary generally; keeps Journal

The Secretary shall keep a correct daily Journal of Senate proceedings. The Journal shall be numbered serially from the first (1st) day of each session of the Legislature and shall be made available by the Secretary for the information of the Legislature and the public. The Secretary shall superintend the engrossing, enrolling, and transmitting of bills, resolutions, and memorials. The Secretary shall not permit any records or papers belonging to the Senate to be removed from the custody of the Secretary other than in the regular course of business and with proper

receipt. The Secretary shall keep a separate Journal of the proceedings of the executive sessions of the Senate.

1.11—The Secretary prepares daily calendar

- (1) The Secretary shall prepare a daily calendar that shall set forth:
 - (a) The order of business;
 - (b) The committee report on each bill, i.e., whether favorable, favorable with committee amendments, or favorable with committee substitute;
 - (c) The status of each bill, i.e., whether on second (2nd) or third (3rd) reading;
 - (d) Notices of committee meetings; and
 - (e) Notices of meetings required pursuant to Rule 1.44.

(2) The Secretary shall make available the daily calendar for the information of the Legislature and the public.

1.12—The Secretary reads papers; calls roll; records votes

The Secretary shall have read to the Senate all papers ordered to be read; note responses of Senators when the roll is called to determine the presence of a quorum; call the roll and record the votes when a question is taken by yeas and nays; and assist, under the direction of the President, in taking the count when any Senate vote is taken by a show of hands or otherwise.

1.13—The Secretary attests to warrants, subpoenas, and the passage of all measures

The Secretary shall attest to all writs, warrants, and subpoenas issued by order of the Senate and shall attest to the passage of all bills, resolutions, and memorials.

1.14—The Secretary prepares forms

The Secretary shall prepare all forms used by the Senate.

1.15—The Secretary examines legal form of bills for introduction

The Secretary shall examine bills on their tender for introduction, but prior to their receiving a number, he or she shall determine whether they meet the requirements of law and of these Rules. The Secretary shall direct the attention of the introducer to apparent defects, but the introducer shall be exclusively responsible for the constitutional and legal correctness of the bill.

1.16—The Secretary indexes bills

The Secretary shall maintain a numerical index of bills and a cumulative index by introducers.

1.17—The Secretary transmits bills to the House of Representatives

The Secretary shall transmit all bills, joint resolutions, concurrent resolutions, and appropriate memorials to the House of Representatives without delay. Each measure shall be accompanied by a message stating the title to the measure being transmitted and requesting the concurrence of the House.

1.18—The Secretary receives and delivers for reading messages from the House of Representatives; summaries of House amendments to Senate bills

(1) The Secretary shall receive all messages from the House of Representatives and shall be responsible for their security. The Secretary shall have them available for reading to the Senate during the appropriate order of business. All messages reflecting House amendments to Senate bills shall be promptly delivered to the appropriate committees for research and summary. Special notice of the summaries shall be made available to each Senator.

(2) The Secretary shall advise the President when a House amendment to a Senate bill substantially changes or materially alters the bill as passed by the Senate. The President may refer such bill and House amendments to an appropriate committee or committees for hearing and further report to the Senate. Upon such reference by the President, committee or committees of reference shall meet on a date and at a time

set by the President and shall make a report as defined in Rule 2.15. Committee reports and accompanying measures shall be placed on the calendar.

PART TWO—SENATORS

1.20—Attendance and voting

(1) Unless excused for just cause or necessarily prevented, every Senator shall be within the Senate Chamber during its sessions and in attendance at all assigned committee meetings.

(2) A Senator who is in the Chamber or in a committee meeting shall vote on each question. However, a Senator may abstain from voting if, in the Senator's judgment, a vote on a question would constitute a conflict of interest as defined in section 112.312(8), *Florida Statutes*. A Senator who abstains from voting shall file the disclosure required by Rule 1.39.

(3) All Senators shall arrive for each daily session prepared to discuss that day's scheduled Senate business.

1.21—Excused absence

The President may excuse a Senator from attending a session of the Senate or any meetings of Senate committees for any stated period. An excused absence from a session of the Senate shall be noted in the Journal.

1.22—Senate papers left with Secretary

A Senator necessarily absent from a session of the Senate or its committees and having in his or her possession papers relating to Senate business shall leave such papers with the Secretary before leaving the Capitol.

1.23—Senators deemed present unless excused

A Senator who answers the quorum roll call at the opening of a session or who enters after such roll call and announces his or her presence to the Senate shall thereafter be considered present unless excused by the President.

1.24—Contested seat

If a seat in the Senate is contested, notice stating the grounds of such contest shall be given by the contestant to the Senate prior to the day of the organization session of the Legislature; and the contest shall be determined by majority vote as soon as reasonably possible. The President shall appoint a Credentials Committee to be composed of not more than ten (10) members who shall consider the question and report their recommendations to the President, who shall inform the Senate.

1.25—Facilities for Senators

Each Senator shall be entitled to facilities and expenses that are necessary and expedient to the fulfillment of the duties of the office, the location and sufficiency of which shall be determined by the President.

1.26—Nonlegislative activities

No Senator shall accept appointments to nonlegislative committees, commissions, or task forces without prior approval of the President if travel and per diem expenses are to be taken from Senate funds.

1.27—Repealed

PART THREE—SENATE EMPLOYEES

1.28—Dismissal of employees; services of spouse

The President shall resolve disputes involving the competency or decorum of a Senate employee, and may terminate the services of an employee. At the President's discretion, the issue may be referred to the Rules Committee for its recommendation. The pay of an employee so terminated shall stop on the termination date. A Senator's spouse or immediate relatives may serve in any authorized position, however, they shall not receive compensation for services performed.

1.29—Employees forbidden to lobby

No employee of the Senate shall directly or indirectly interest or concern himself or herself with the passage or consideration of any matter whatsoever. Violation of this Rule by an employee shall be grounds for summary dismissal. This Rule shall not preclude the performance of duties that may be properly delegated to a Senator's legislative assistant.

1.30—Duties and hours

Employees shall perform the duties assigned to them by the President and required of them by Rule and policy of the Senate. When the Senate is in session, employees shall remain on duty as required. When the Senate is not in session, permanent staff of the Senate shall observe the hours of employment set by the President. Part-time employees and Senators' district staff shall observe hours that are prescribed by their department heads.

1.31—Absence without permission

If employees are absent without prior permission, except for just cause, their employment shall be terminated or their compensation forfeited for the period of absence as determined by the President.

1.32—Political activity

Senate employees shall be regulated concerning their political activity pursuant to section 110.233, *Florida Statutes*.

PART FOUR—LEGISLATIVE CONDUCT AND ETHICS

1.35—Legislative conduct

Every Senator shall conduct himself or herself to justify the confidence placed in him or her by the people and, by personal example and admonition to colleagues, shall maintain the integrity and responsibility of his or her office.

1.36—Improper influence

A Senator shall not accept anything that will improperly influence his or her official act, decision, or vote.

1.361—Solicitation or acceptance of contributions; registration and disclosure requirements

(1) During any regular legislative session, extended session, or special session, a Senator may not directly or indirectly solicit, cause to be solicited, or accept any contribution on behalf of either the Senator's own campaign, any organization described under section 527 or section 501(c)(4) of the Internal Revenue Code, any political committee, any committee of continuous existence, any political party, or the campaign of any candidate for the Senate; however, a Senator may contribute to his or her own campaign.

(2) Any fundraising activity otherwise prohibited during an extended or special session by subsection (1) shall not be considered a violation of this rule and may take place provided that it can be shown that the event was already scheduled prior to the issuance of the proclamation, resolution, or other communiqué extending the session or convening a special session.

(3) Any Senator who directly or indirectly solicits, causes to be solicited, or accepts any contribution on behalf of any organization described under section 527 or section 501(c)(4) of the Internal Revenue Code, any political committee, or any committee of continuous existence must immediately disclose such activity to, and register with, the Rules Committee. However, no registration is required as a result of a Senator's solicitation or acceptance of contributions on behalf of his or her own campaign, a campaign for any other office, or a political party. When required by law, the Senator shall promptly create a public website that contains a mission statement for such organization, the names of the Senators associated with that organization, and disclosure of contributions received by and expenditures made by the organization.

(4) Upon a determination that a Senator has violated this Rule, the President shall remove such Senator from all assigned committees subject to the right of appeal under Rule 1.5(2).

1.37—Conflicting employment

A Senator shall not allow his or her personal employment to impair his or her independence of judgment in the exercise of his or her official duties.

1.38—Undue influence

A Senator shall not use his or her influence as a Senator in any issue that involves substantial conflict between his or her personal interest and his or her duties in the public interest.

1.39—Disclosure and disqualification

A Senator is not disqualified from voting when, in the Senator's judgment, a conflict of interest is present. However, a Senator shall disclose any personal, private, or professional interest in a matter that would inure to that Senator's special private gain or the special gain of any principal to whom the Senator is obligated. Such disclosure concerning a vote during a session shall be filed with the Secretary for reporting in the Journal immediately following the record of the vote. Such disclosure may explain the logic of voting or of his or her disqualification. Disclosure concerning a vote that was not cast during a session should be filed pursuant to section 112.3143(2), *Florida Statutes*.

1.40—Senate employees and conflicts

Senate employees shall be accountable to the intent of these Rules regulating legislative conduct and ethics.

1.41—Advisory opinions

All questions relating to the interpretation and enforcement of these Rules regulating legislative conduct and ethics shall be referred to the Rules Committee or shall emanate therefrom. A Senator may submit a factual situation to the Rules Committee with a request for an advisory opinion establishing the standard of public duty. The committee shall enter its opinion responding to each inquiry. All opinions shall, after hearing, be numbered, dated, and published in the Journal. No opinion shall identify the requesting Senator without the Senator's consent.

1.42—Violations; investigations, penalties

(1) Any person may file a sworn complaint with the Rules Chair, or the President when the complaint is against the Rules Chair, alleging a violation by a Senator of the Rules regulating legislative conduct and ethics. The complaint shall be based on personal knowledge, shall state detailed facts, shall specify the actions of the named Senator which form the basis for the complaint, and shall identify the specific Rule alleged by the complainant to have been violated by the Senator.

- (a) Upon a determination by the Rules Chair, or the President when the complaint is against the Rules Chair, that the complaint fails to state facts supporting a finding of probable cause, the complaint shall be dismissed.
- (b) Upon a determination by the Rules Chair, or the President when the complaint is against the Rules Chair, that the complaint states facts supporting a finding of probable cause, the complaint shall be referred to a special master. The special master shall conduct an investigation, shall give reasonable notice to the Senator who is alleged to have violated the Rules and shall grant the Senator an opportunity to be heard unless the investigation fails to reveal facts supporting a finding of probable cause. A special master's report and recommendation is advisory only and shall be presented to the Rules Chair, or the President when the complaint is against the Rules Chair, as soon as practicable after the close of the investigation. If the special master's report and recommendation conclude that the facts do not support a finding of probable cause, the complaint shall be dismissed by the Rules Chair, or the President when the complaint is against the Rules Chair. If the complaint is not dismissed, the Rules Committee shall consider the special master's report and recommendation, shall grant the Senator an opportunity to be heard, and shall develop its own recommendation. If the complaint is against the Rules Chair, the chair is excused and the vice chair shall conduct the deliberation. If the Rules Committee votes to dismiss the complaint, the Rules Chair or vice chair shall dismiss the

complaint. Otherwise, the special master's report and recommendation and the recommendation of the Rules Committee shall be presented to the President. The President shall present the committee's recommendation, along with the special master's report and recommendation, to the Senate for final action.

(2) Separately from any prosecutions or penalties otherwise provided by law, a Senator determined to have violated the requirements of the Rules regulating legislative conduct and ethics may be censured, reprimanded, or expelled. Such determination and disciplinary action shall be taken by a two-thirds (2/3) vote of the Senate, on recommendation of the Rules Committee.

PART FIVE—PUBLIC MEETINGS AND RECORDS**1.43—Open meetings**

(1) All meetings at which legislative business is discussed between more than two (2) members of the Legislature shall be open to the public except:

- (a) At the sole discretion of the President, after consultation with appropriate law enforcement, public health, emergency management, or security authorities, those portions of meetings of a select committee, committee, or subcommittee concerning measures to address security, espionage, sabotage, attack, and other acts of terrorism.
- (b) Discussions on the floor while the Senate is in session and discussions among Senators in a committee room during committee meetings shall be deemed to be in compliance with this Rule.

(2) All meetings shall be subject to appropriate order and decorum at the discretion of the person conducting the meeting.

(3) For purposes of this Rule, "legislative business" is defined as issues pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate committee, or Senate subcommittee.

1.44—Notice required for certain meetings

(1) A written notice of the following meetings at which legislative business is to be discussed shall be filed with the Secretary. While the Legislature is not in regular or special session and during the first fifty (50) days of a regular session, the notice shall be filed not later than four (4) hours before the scheduled time of the meeting. After the fiftieth (50th) day of a regular session and during a special session, the notice shall be filed not later than two (2) hours before the scheduled time of the meeting:

- (a) Meetings of the President (or a Senator designated to represent the President) with the Governor or with the Speaker (or a representative designated to represent the Speaker);
- (b) Meetings of a majority of the Senators who constitute the membership of any Senate committee or subcommittee; and
- (c) Meetings called by the President or the President's designee of a majority of the chairs of the Senate's standing committees.

(2) Notices of meetings required by Rule 1.44(1) shall be filed by or at the direction of the person at whose call the meeting is convened; shall state the date, time, and place of the meeting; shall contain a brief description of the general subject matter scheduled to be discussed. In the case of a meeting required to be noticed pursuant to this Rule, if the meeting is to take place at or after 10:00 p.m., then the notice must be delivered to the Secretary by 5:00 p.m. Notices of such meetings shall appear in the daily calendar.

(3) In the event the times required for notice under Rule 1.44(1) are not sufficient to permit publication in a daily or interim calendar, the Secretary shall make available such notice in the public corridor leading to the Senate Chamber. The Secretary shall make a diligent effort to give actual notice to members of the press of all noncalendared meeting notices.

(4) Political caucuses shall be open to the public in accordance with Rule 1.43 and noticed in accordance with this Rule when issues then pending before, or upon which foreseeable action is reasonably expected

to be taken by, the Senate, a Senate committee, or a Senate subcommittee are discussed. Political caucuses held for the sole purpose of designating a President, a President Pro Tempore, a Minority Leader, or a Minority Leader Pro Tempore need not be open or noticed.

1.441—Constitutional requirements concerning open meetings

(1) All legislative committee and subcommittee meetings and joint conference committee meetings shall be open and noticed to the public.

(2) All prearranged gatherings between more than two (2) members of the Legislature, or between the Governor, the President, or the Speaker, the purpose of which is to agree upon formal legislative action that will be taken at a subsequent time, or at which formal legislative action is taken, regarding pending legislation or amendments shall be reasonably open to the public.

(3) In cases of conflict between this Rule and any other Senate Rule, the Rule providing greater notice or public access shall prevail.

1.443—Reapportionment information

All Senators shall have equal access to the Senate electronic redistricting system, census data, and all other information promulgated by, maintained by, or available to any Senate standing committee or subcommittee appointed for the analysis of legislative and congressional redistricting plans.

1.444—Legislative records; maintenance, control, destruction, disposal, and disposition

(1) Public records, not exempted from public disclosure, may be inspected by any person desiring to do so at reasonable times, under reasonable conditions, and under supervision of the person who has custody of the records, or that person's designee.

(2) The following standing committee, standing subcommittee, and select committee public records, not exempted from public disclosure, shall be retained by each staff director until biennially transferred to the Division of Library and Information Services of the Department of State via its Legislative Library Division: copies of bills, amendments, vote sheets, bill analyses, and fiscal notes; meeting files including agendas and appearance cards; files relating to assigned projects; final staff reports submitted to subcommittees or committees; final reports submitted by subcommittees or committees; correspondence sent or received; and audio recordings of committee meetings. At the time of transfer, the actual correspondence to be sent to the Department of State shall consist only of correspondence which relates to other committee public records required by this Rule to be transferred. Records not transferred may be otherwise disposed of or destroyed.

(3) Except for records specifically required by law or Senate Rule to be filed or retained, district office records and constituents' records may be retained by the district office until those records become obsolete, at which point they may be otherwise disposed of or destroyed.

(4) Public records, not exempted from public disclosure, created or received by the President, President Pro Tempore, or Secretary shall be retained by that officer as specifically required by law or Senate Rule until transferred to the Division of Library and Information Services of the Department of State via its Legislative Library Division. Records not transferred may be otherwise disposed of or destroyed.

(5) The Secretary shall, with the approval of the President, establish a reasonable fee for copies of public legislative records not exempted from public disclosure. Such fees shall be based upon the actual cost of duplication of the record and shall include the material and supplies used to duplicate the record but not the labor cost or overhead cost associated with such duplication. If the nature or volume of records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by employees of the Senate, a special service charge in addition to the actual cost of duplication may be imposed. Such special service charge shall be reasonable and based on the cost incurred for the extensive use of information technology resources or the labor cost of employees providing the service that is actually incurred by the Senate or attributable to the Senate for the clerical and supervisory assistance required. However, when obtained from the Office of the Secretary, a

standing committee, standing subcommittee, or select committee, there shall be no charge for a single copy of a bill other than a general appropriations bill, or for a single copy of any other public record required by law or Senate Rule to be created.

(6) Once the retention period for a public record, not exempted from public disclosure, has expired, the public record may be otherwise disposed of or destroyed. A public record need not be retained if it is published or retained by another legislative office. Only one (1) copy of a public record need be retained; additional copies of that record may be destroyed at any time. In the case of mass mailings, only one (1) sample copy of the mailing, or an abstract, need be retained.

(7) For the purpose of this Rule, a Senator's district office shall include the offices each Senator retains for the transaction of official legislative business in his or her respective district and the assigned offices located in the Senate Office Building or the Capitol in Tallahassee.

(8) The following public records are exempt from inspection and copying:

- (a) Records, or information contained therein, held by the legislative branch of government which, if held by an agency as defined in section 119.011, *Florida Statutes*, or any other unit of government, would be confidential or exempt from the provisions of section 119.07(1), *Florida Statutes*, or otherwise exempt from public disclosure, and records or information of the same type held by the Legislature.
- (b) A formal complaint about a member or officer of the Legislature or about a lobbyist and the records relating to the complaint, until the complaint is dismissed, a determination as to probable cause has been made, a determination that there are sufficient grounds for review has been made and no probable cause panel is to be appointed, or the respondent has requested in writing that the President of the Senate or the Speaker of the House of Representatives make public the complaint or other records relating to the complaint, whichever occurs first.
- (c) A legislatively produced draft, and a legislative request for a draft, of a bill, resolution, memorial, or legislative rule, and an amendment thereto, which is not provided to any person other than the member or members who requested the draft, an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.
- (d) A draft of a bill analysis or fiscal note until the bill analysis or fiscal note is provided to a person other than an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.
- (e) A draft, and a request for a draft, of a reapportionment plan or redistricting plan and an amendment thereto. Any supporting documents associated with such plan or amendment until a bill implementing the plan, or the amendment, is filed.
- (f) Records prepared for or used in executive sessions of the Senate until ten (10) years after the date on which the executive session was held.
- (g) Portions of records of former legislative investigating committees whose records are sealed or confidential as of June 30, 1993, which may reveal the identity of any witness, any person who was a subject of the inquiry, or any person referred to in testimony, documents, or evidence retained in the committees' records; however, this exemption does not apply to a member of the committee, its staff, or any public official who was not a subject of the inquiry.
- (h) Requests by members for an advisory opinion concerning the application of the rules of either house pertaining to ethics, unless the member requesting the opinion authorizes in writing the release of such information. All advisory opinions shall be open to inspection except that the identity of the member shall not be disclosed in the opinion unless the member requesting the opinion authorizes in writing the release of such information.
- (i) Portions of correspondence held by the legislative branch which, if disclosed, would reveal: information otherwise exempt from disclosure by law; an individual's medical treatment, history, or condition; the identity or location of an individual if there is a substantial likelihood that releasing such information would jeopardize the health or safety of

that individual; or information regarding physical abuse, child abuse, spouse abuse, or abuse of the elderly.

(9) Any Senate record created prior to July 1, 1993, which was so designated by the President on June 30, 1993, shall remain exempt from inspection and copying after July 1, 1993. Records held by joint committees, commissions or offices of the Legislature, that were jointly determined by the presiding officers of both houses to remain exempt from inspection and copying after July 1, 1993, remain exempt.

(10) For purposes of this Rule, "public record" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by the legislative branch.

(11) All records, research, information, remarks, and staff work products, made or received during or in preparation for a closed meeting of a select committee, committee, or subcommittee, shall be confidential and exempt from inspection and copying for a period of 30 days after the closed meeting, at which time they will automatically become legislative public records open to inspection and copying, unless the confidentiality and the prohibition against inspection and copying has, within the 30-day period, been extended by the President. Unless the above-listed confidential and exempt items have been earlier released by operation of this Rule, they shall automatically become available for public inspection and copying five (5) years after the date of the closed meeting, unless this confidentiality and exemption is further extended by the President for subsequent five-year (5) periods.

1.45—Violations of Rules on open meetings and notice

Violations of Rules 1.43 and 1.44 constitute violations of the Rules regulating legislative conduct and ethics and shall be subject to the procedures and penalties prescribed in Rule 1.42.

RULE TWO

**COMMITTEES, OFFICERS, MEMBERS,
VOTING, MOTIONS, DECORUM, AND DEBATE**

PART ONE—COMMITTEES—ORGANIZATION, DUTIES, AND RESPONSIBILITIES

2.1—Standing committees; standing subcommittees; select subcommittees

(1) The following standing committees with standing subcommittees are created:

- (a) Agriculture
- (b) Banking and Insurance
- (c) Budget
 - 1. Subcommittee on Criminal and Civil Justice Appropriations
 - 2. Subcommittee on Education Pre-K - 12 Appropriations
 - 3. Subcommittee on Finance and Tax
 - 4. Subcommittee on General Government Appropriations
 - 5. Subcommittee on Health and Human Services Appropriations
 - 6. Subcommittee on Higher Education Appropriations
 - 7. Subcommittee on Transportation, Tourism, and Economic Development Appropriations
- (d) Children, Families, and Elder Affairs
- (e) Commerce and Tourism
- (f) Communications, Energy, and Public Utilities
- (g) Community Affairs
- (h) Criminal Justice
- (i) Education Pre-K - 12
- (j) Environmental Preservation and Conservation
- (k) Governmental Oversight and Accountability
- (l) Health Regulation
- (m) Higher Education
- (n) Judiciary
- (o) Military Affairs, Space, and Domestic Security
- (p) Reapportionment
- (q) Regulated Industries
- (r) Rules
 - 1. Subcommittee on Ethics and Elections

(s) Transportation

(2) Permanent standing committees and standing subcommittees, when created and designated by Senate Rule, shall exist and function both during and between sessions. The President shall appoint the membership of the standing committees and standing subcommittees, provided that each standing committee shall consist of not fewer than five (5) members.

(3) Each standing committee or the chair thereof, with prior approval of the President, may appoint a select subcommittee to study or investigate a specific issue falling within the jurisdiction of the standing committee or to consider a bill referred to it. The President and the Secretary shall be promptly notified of the appointment of a select subcommittee, its assignment, and the time allowed for the assignment, and shall be notified on completion of the assignment. Select subcommittees shall be regulated by the Senate Rules regulating standing subcommittees, except that a select subcommittee shall exist only for the time necessary to complete its assignment and report to its standing committee, and not to exceed thirty (30) days unless extended by the President. The advisory report by a select subcommittee, whether favorable or unfavorable, shall be reviewed by the standing committee and accepted, amended, or rejected by majority vote of those committee members present.

2.2—Powers and responsibilities of committees

(1) Permanent standing committees and standing subcommittees are authorized:

- (a) To maintain a continuous review of the work of the state agencies concerned with their subject areas and the performance of the functions of government within each subject area;
- (b) To invite public officials, employees, and private individuals to appear before the committees or subcommittees to submit information;
- (c) To request reports from departments performing functions reasonably related to the committees' jurisdictions; and
- (d) To complete the interim work assigned by the President.

(2) In order to carry out its duties, each standing committee or standing subcommittee has the reasonable right and authority to inspect and investigate the books, records, papers, documents, data, operation, and physical plant of any public agency in this state.

(3) In order to carry out the committee's duties, the chair of each standing committee, standing subcommittee, and select committee may request the President to issue subpoenas, subpoenas duces tecum, and other necessary process to compel the attendance of witnesses and the production of any books, letters, or other documentary evidence required by such committee. The President may issue said process at the request of the committee chair. Any member of a standing committee, standing subcommittee, or select committee may administer all oaths and affirmations, in the manner prescribed by law, to witnesses who appear before such committees to testify in any matter requiring evidence.

2.3—Committee reports

(1) Before a regular session of the Legislature convenes, each standing committee shall prepare a report of its findings, recommendations, and proposed legislation on its authorized interim projects, and file same with the President and the Secretary.

(2) Before a regular session of the Legislature convenes, each standing subcommittee shall prepare a report of its findings, recommendations, and proposed legislation on its authorized interim projects, and submit same to the chair of the standing committee for consideration by such committee.

(3) Within thirty (30) days following sine die adjournment of a session, committees shall provide information on bills passed by both houses during that session.

2.4—Committee staffing

A committee shall be staffed with personnel, subject to guidelines and criteria authorized by the President. The staff shall also be subject to the pay and classification code of the Senate. The President may authorize

joint utilization of personnel with the House of Representatives and may authorize the Senate to share in the cost.

2.5—Committee utilization of federal funds

No committee shall make application for or utilize federal funds, personnel, services, or facilities unless approval is obtained from the Rules Committee.

2.6—Notice of committee meetings

(1) Notice of meetings of standing committees, standing subcommittees, and select committees shall be published in the daily calendar. No committee shall consider any bill during the first fifty (50) days of any regular session until proper notice is published in the calendar for the two (2) legislative days preceding and the day of such committee meeting, except committees may meet on the first and second days of a regular session provided a meeting notice was published in a Senate calendar and made available in the public corridor leading to the Senate Chamber for at least two (2) days preceding and the day of such meeting.

(2) After the first fifty (50) days of any regular session, meetings of standing committees, standing subcommittees, and select committees scheduled in accordance with Rule 2.9 may be held following an announcement by the chair of the committee or subcommittee or, in the chair's absence, the vice chair while the Senate is in session. Notice shall be made available in the public corridor leading to the Senate Chamber at least four (4) hours in advance of the meeting.

(3) The chair of a standing committee, standing subcommittee, or select committee or, in the chair's absence, the vice chair shall provide the Secretary's office with written information concerning meetings that shall include the date, time, and place of the meeting together with the name of the introducer, subject, and number of each bill to be considered.

(4) While the Legislature is not in session, a standing committee, standing subcommittee, or select committee shall file a meeting notice with the Secretary at least seven (7) days prior to the meeting. The notice shall state the date, time, amendment deadline, and place of the meeting together with the name of the introducer, subject, and number of each bill to be considered. The Secretary shall make the notice available to the membership and the public.

2.7—Bills recommitted

(1) A bill reported by a standing committee without proper notice shall be recommitted to the committee reporting the same on the point of order being made within two (2) days after such report is printed in the Journal, or the President may recommit such bill at any time. Once recommitted, the bill is available for consideration by the committee as if it had never been reported.

(2) A bill reported by a standing subcommittee to its standing committee without proper notice shall be recommitted to the subcommittee reporting same on the point of order made during the standing committee meeting at which the bill was reported by the subcommittee. Once recommitted, the bill is available for consideration by the subcommittee as if it had never been reported.

2.8—Notice of meeting; publication

For publication in the daily calendar, notice of standing committee, standing subcommittee, or select committee meetings shall be delivered to the Secretary's office in writing by 4:30 p.m. on the day preceding its intended publication. If such day is a Friday, delivery shall be by 2:30 p.m. Meeting notices shall appear in the daily calendar.

2.9—Committee meetings; committee meetings after fiftieth (50th) day

(1) Each standing committee, standing subcommittee, and select committee shall consider the public business assigned to it as expeditiously as possible and proper.

(2) The President shall provide a schedule of days, hours, and places for the meeting of committees for the regular session and during the interim, and deliver a copy of same to each Senator. However, no com-

mittee shall meet before 7:00 a.m. nor meet or continue to meet after 6:00 p.m. This scheduling shall not limit the powers of the chair of a standing committee or subcommittee as provided in these Rules.

(3) Unless approved by the President, no committee shall meet after the fiftieth (50th) day of any regular session except the Rules Committee.

2.10—When, where committees meet

Each committee or subcommittee, standing or select, shall meet in the place and within the time assigned for its use by the President and notice of such assignment shall be made available by the Secretary in the public corridor leading into the Senate Chamber. No committee except the Rules Committee shall meet while the Senate is in session without the consent of the majority of the Senate present.

2.11—Attendance by introducer of bill

The introducer of a bill shall attend the meeting of the committee before which such bill is noticed as provided in these Rules. Such introducer may discharge this duty by sending another legislator, his or her legislative assistant, or any other designee having written permission to speak for the bill. Senate committee professional staff shall be limited to presenting committee bills at meetings of their assigned committees and to presenting before other committees those committee bills that are the subject of approved Senate interim projects.

2.12—Order of business

(1) Bills shall be considered in the order appearing in the notice required by these Rules, except that the chair may, in the chair's sole discretion, consider a bill out of its order to accommodate the presence of a Senator or Representative who is the introducer thereof.

(2) A bill shall be considered out of its order on the committee agenda on unanimous consent of those committee members present obtained in the following manner: prior to consideration of the motion, the member moving for unanimous consent of those committee members present shall orally give the committee not less than fifteen (15) minutes' notice of the member's intention to move and shall specify the number of the bill. On the entertainment of the motion, the moving member shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those committee members present shall be given or refused without further debate.

2.13—Open meetings

Except as otherwise provided in the Senate Rules, all committee meetings shall be open to the public, subject always to the powers and authority of the chair to maintain order and decorum. If any matter is reported on the basis of a poll of the committee, such matter shall be referred to such committee on a point of order made prior to final passage thereof.

2.15—Standing committee in deliberation; reports

(1) It shall be the duty of standing committees to report all matters referred to them either:

- (a) Favorably,
- (b) Favorably with committee amendment(s),
- (c) Favorably with committee substitute as defined in these Rules, or
- (d) Unfavorably.

The vote of the members of a standing committee or subcommittee on final passage of any measure shall be recorded. Upon the request of any two (2) members of a committee or subcommittee, the vote on any other matter or motion properly before the committee shall be recorded. After such report has been received by the Secretary, no matter so reported shall be recommitted to a committee except by a two-thirds (2/3) vote of those Senators present in session or except as provided in Rule 2.7 or Rule 4.7(2).

(2) Such reports shall also reflect:

- (a) The date, time, and place of the meeting at which the action was taken, and
- (b) The vote of each member of the committee on the motion to report each bill.

The Secretary shall enter in the Journal the action of the committee, but shall not include that portion of the report relating to the date, time, and place of the meeting or the vote of each member on the motion to report a measure. Reports of committees shall be preserved pursuant to law.

(3) In reporting a Senate measure, a standing committee may draft a new measure embracing the same general subject matter to be returned to the Senate with the recommendation that the substitute be considered in lieu of the original measure. The substitute measure must be accompanied by the original measure referred to the committee and returned to the Secretary in the same manner as a favorable report. No other standing committee of reference shall consider the original measure but shall direct its attention to the substitute measure. A committee receiving a committee substitute from a prior committee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill as originally introduced. When reported, the substitute shall be read a first (1st) time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu of without motion. The substitute shall carry the identifying number of the original and shall be returned to the Secretary in the same number of copies required for first (1st) introduction of a similar measure. The names of the introducer and each co-introducer of the original measure shall be shown by the committee administrative assistant on the committee substitute unless an introducer or co-introducer requests that it be omitted. A Senate committee may not recommend a Senate committee substitute for a House bill.

(4) All standing committee reports shall be approved by the chair or, in the chair's absence, the vice chair. Such reports shall be filed with the Secretary's office as soon as practicable, but not later than 4:30 p.m. on the next legislative day, except a committee drafting and recommending a committee substitute shall file such committee report no later than 4:30 p.m. on the second (2nd) legislative day. These reports must be accompanied by the original bill. Each report by a committee must set forth the identifying number of the bill. If amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Committee amendments shall be printed in full on forms prescribed by the Secretary and shall accompany the report. All bills reported unfavorably shall be laid on the table.

2.16—Standing subcommittee in deliberation; reports

(1) It shall be the duty of standing subcommittees to report all measures referred to them directly to the standing committee, which shall promptly certify a copy to the Secretary. The standing subcommittee shall report all matters either:

- (a) Favorably,
- (b) Favorably with committee amendment(s),
- (c) Favorably with committee substitute as defined in these Rules, or
- (d) Unfavorably.

(2) Such reports shall also reflect:

- (a) The date, time, and place of the meeting at which the action was taken, and
- (b) The vote of each member of the subcommittee on the motion to report each bill.

(3) In reporting a bill to the standing committee, a standing subcommittee may draft a new measure, embracing the same general subject matter, to be returned to the standing committee with the recommendation that the substitute be considered in lieu of the original measure. The substitute measure must be accompanied by the original measure referred to the standing subcommittee and returned to the standing committee in the same manner as a favorable report. The standing committee of reference shall not consider the original measure but shall direct its attention to the substitute measure. The standing committee receiving a committee substitute from a subcommittee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill as originally introduced. When reported, the substitute shall be read a first (1st) time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu of without motion. The substitute shall carry the identifying number of the original and shall be returned to the standing committee in the same number of copies required for first (1st) introduction of a similar measure. The names of the introducer and each co-introducer of the original measure shall be shown by the committee administrative assistant on the committee substitute unless an in-

roducer or co-introducer requests that it be omitted. A Senate subcommittee may not recommend a Senate committee substitute for a House bill.

(4) All standing subcommittee reports shall be approved by the chair or, in the chair's absence, the vice chair. Each report by a standing subcommittee must set forth the identifying number of the measure. If amendments are proposed by the standing subcommittee, the words "with amendments" shall follow the identifying number. Standing subcommittee amendments shall be printed in full on forms prescribed by the Secretary and shall accompany the report.

(5) All bills reported unfavorably shall be laid on the table when the standing committee considers the standing subcommittee's report. On motion by any member of the committee, adopted by a two-thirds (2/3) vote of those standing committee members present, the same may be taken from the table. When a bill is thus removed from the table by a standing committee, it shall receive a hearing de novo and witnesses shall be permitted to testify.

(6) When a bill with a favorable report by a standing subcommittee is considered by the standing committee, no additional testimony shall be permitted except by a majority vote of those standing committee members present before final action is taken; however, debate by members of the standing committee shall be allowed.

(7) A bill with a favorable subcommittee report may be withdrawn, in accordance with Rule 4.10, from the standing committee without any further action on the bill by the standing committee.

2.17—Quorum of committee

A standing committee, standing subcommittee, or select committee is assembled only when a quorum constituting a majority of the members of that committee is present in person. No committee business of any type shall be conducted in the absence of a quorum. Any matter reported in violation of this Rule shall be recommitted by the President when it is called to the President's attention by a Senator.

2.19—Conference committee in deliberation; reports

(1) All meetings of Senate conferees with House conferees at which the business of the conference committee is discussed shall be open to the public subject to proper order and decorum. A meeting of the Senate and House conferees is a meeting of the two (2) groups, therefore, the rules governing each respective house apply. Meetings between a majority of the members of a conference committee may be held following a notice being filed with the Secretary by or at the direction of the person calling the meeting, at least one (1) hour in advance of the meeting. The notice shall indicate the names of the conferees and scheduled participants, the date, the time, and the place of the meeting. Conference committees may meet at any time with proper notice.

(2) A conference committee, other than a conference committee on a general or special appropriations bill and its related legislation, shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

(3) A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment deleting everything after the enacting clause of any such bill referred to the committee. Such amendments shall accompany the conference committee report. In any event, the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either house. Conference committee reports must be approved and signed by a majority of the managers on the part of each house. All final actions taken in a conference committee shall be by motion.

(4) Each conference committee report shall contain a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(5) When the President appoints a conference committee, a notice of the following meetings to discuss matters relating to the conference, stating the names of the conferees and scheduled participants, and the

date, time, and place for the meeting, shall be filed with the Secretary by or at the direction of the person at whose call the meeting is convened, not less than one (1) hour preceding the time for the meeting:

- (a) Meetings between the President (or a Senator designated to represent the President), the Governor, and the Speaker (or a Representative designated to represent the Speaker);
- (b) Meetings between a majority of the members of any subcommittee of the conference committee;
- (c) Meetings between the President or any Senator(s) designated to represent the President and a conferee from the House of Representatives, or any meeting between a conferee from the Senate with the Speaker or any Representative(s) designated to represent the Speaker; and
- (d) Meetings of a majority of the Senate conferees; and when the bill that is the subject of the conference committee deals primarily with the general appropriations act or revenue matters, any meeting of three (3) or more conferees on the part of the Senate.

(6) Notice of meetings, as scheduled, between the chair of the Senate's conferees with the chair of the House's conferees, or between respective Senate and House committee chairs with each other, shall be posted in the public corridor leading to the Senate Chamber. In the case of the appropriations conference, said notice shall also be posted outside the door of the offices of the appropriations committees.

(7) All meetings for which notice is required pursuant to this Rule shall be held in the Capitol Complex, but shall not be held in the Chamber of either house while it is in session.

(8) When conferees on the part of the Senate report an inability to agree, any action of the Senate taken prior to such reference to a conference committee shall not preclude further action on the measure as the Senate may determine.

(9) After Senate conferees have been appointed for seven (7) calendar days and have failed to make a report, it is a motion of the highest privilege to move to discharge said conferees and to appoint new conferees, or to instruct said conferees. This motion shall have precedence over all other questions except motions to adjourn or recess to a later day, and questions of privilege. Further, during the last six (6) calendar days allowed under the *State Constitution* for any regular session, it shall be a privileged motion to move to discharge, appoint, or instruct Senate conferees after the Senate conferees have been appointed thirty-six (36) hours without having made a report.

PART TWO—COMMITTEES—OFFICERS

2.20—Appointment of chair and vice chair

A chair and a vice chair of each standing committee shall be appointed by the President and shall continue in office at the pleasure of the President. The President shall also appoint a chair for each standing subcommittee and select committee authorized by these Rules and may designate a vice chair, both of whom shall continue in office at the pleasure of the President.

2.21—Chair's calling of committee to order

The chair or, in the chair's absence, the vice chair, shall call the committee to order at the hour provided by these Rules. A quorum being present, the committee shall proceed with the order of business. Any member of the committee may question the existence of a quorum. No committee business of any type shall be conducted in the absence of a quorum.

2.22—Chair's control

The chair shall preserve order and decorum and shall have general control of the committee room. If there is a disturbance or disorderly conduct in the committee room, the chair may require participants in the disturbance to clear the room.

2.23—Chair's authority; appeals

(1) The chair shall approve all notices, vouchers, subpoenas, or reports required or permitted by these Rules.

(2) The chair shall decide all questions of order, subject to an appeal by any Senator, and the appeal shall be certified by the chair to the Senate for a decision by the President during the daily session of the Senate next following such certification. The ruling shall be entered in the Journal, shall constitute binding precedent on all committees of the Senate, and shall be subject to appeal as any other question. The chair may, or on the vote of a majority of the committee members present shall, certify a question of parliamentary procedure to the President as contemplated by the Rule without a formal appeal. Such a certified question shall be disposed of by the President as if it had been on appeal. The perfection of an appeal or the certification of a question pursuant to this Rule shall not constitute an automatic stay to further legislative action on the measure under consideration.

2.24—Chair, vice chair; vote

The chair and vice chair shall vote on all matters before such committee. The name of the chair shall be called last.

2.25—Temporary alternate to chair

The chair may name any member of the committee to perform the duties of the chair if such substitution shall not extend beyond such meeting. If for any reason the chair is absent and fails to name a member, the vice chair shall assume the duties of the chair during the chair's absence.

2.26—Vice chair's duties

On the death, incapacitation, or resignation of the chair, the vice chair shall perform the duties of the office until the President shall appoint a successor. In the absence of the chair, the vice chair shall act as chair.

PART THREE—COMMITTEES—MEMBERS

2.27—Members' attendance, voting, proxy

(1) Unless excused or necessarily prevented, every member of a committee shall be in attendance during each of its meetings.

(2) The chair may excuse any member for just cause from attendance at meetings of his or her committee for any stated period, and this excused absence shall be noted on the committee's records.

(3) Failure to attend two (2) consecutive regular meetings, unless excused from attendance in the Senate on those days as provided in these Rules or by the chair of the committee, shall constitute automatic withdrawal from the committee.

(4) No member of any committee shall be allowed to vote by proxy. A majority of all the committee members present shall agree by their votes on the disposition of any matter considered by the committee.

(5) The President may designate either the President Pro Tempore or the Majority Leader to vote in any committee. The President shall notify the Secretary and the chair of the affected committee of the designation. The designee may not count for the purpose of a quorum unless specifically stated in the notification.

PART FOUR—COMMITTEES—VOTING

2.28—Taking the vote

(1) The chair shall declare all votes and shall cause same to be entered on the records of the committee, but if any member questions a voice vote, then by a show of hands by two (2) members the chair shall count the yeas and nays. When the committee is equally divided, the question shall be lost.

- (2) A member may request to:
 - (a) Vote, or
 - (b) Change his or her vote

before the results of a roll call are announced. After the results have been announced, a member with unanimous consent of those committee members present may vote or change his or her vote. If the vote alters the final action of the committee, no vote or change of vote shall be valid unless the matter has been reconsidered by the committee. On request of

a member prior to consideration of other business, the chair shall order a verification of a vote.

2.29—Pair voting prohibited

No pair voting shall be permitted by the committee.

2.30—Casting vote for another

No Senator shall cast a vote for another Senator, nor shall any person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, any Senator who shall vote or attempt to vote for another Senator may be punished as the Senate may deem proper. Also, any person not a Senator who shall vote in the place of a Senator shall be excluded from the committee for the remainder of the session.

2.31—Explanation of vote

No member shall be permitted to defer or explain his or her vote during a roll call, but may submit his or her explanation in writing and file it with the chair. This explanation shall be kept as part of the committee record and a copy filed with the Secretary.

PART FIVE—COMMITTEES—MOTIONS AND PRECEDENCE

2.32—Motions; how made, withdrawn

Every motion may be made orally. On request of the chair, a member shall submit his or her motion in writing. After a motion has been stated or read by the chair, it shall be deemed to be in possession of the committee without a second, and shall be disposed of by vote of the committee members present. The mover may withdraw a motion at any time before the same has been amended, or before a vote shall have commenced. The mover of a motion to reconsider may withdraw that motion only with the unanimous consent of those committee members present.

2.33—Motions; precedence

(1) When a question is under debate, the chair shall receive no motion except:

- (a) To rise
- (b) To take a recess
- (c) To reconsider
- (d) To limit debate
- (e) To temporarily postpone
- (f) To commit to a select subcommittee
- (g) To amend

which shall have precedence in the descending order given.

(2) The chair shall present all questions in the order in which they are moved unless the subsequent motion is previous in nature.

(3) When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) substitute shall be considered and the substitute shall be in the same order of precedence.

2.34—Division of question

A member may move for a division of a question when the sense will admit of it. A motion to delete and insert shall be deemed indivisible; a motion to delete, being lost, shall neither preclude amendment nor a motion to delete and insert.

2.35—Reconsideration generally

(1) When a question has been decided by a committee, any member voting with the prevailing side may move for reconsideration of the question. Also when a question has been decided by voice vote, any member, during the meeting at which the vote was taken, may so move. If the committee shall refuse to reconsider or, upon reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except upon unanimous consent of those committee members present.

(2) Consideration of a motion to reconsider a measure or the confirmation of an executive appointment shall be a special and continuing order of business for the succeeding committee meeting, and, unless

considered during such meeting, shall be considered abandoned. Such motion may be made prior to or pending a motion to rise. During the last fourteen (14) days of a regular session, a motion to reconsider shall be made and considered during the meeting at which the original vote was taken.

2.36—Reconsideration; vote required

The affirmative votes of a majority of the committee members present shall be required to adopt a motion to reconsider.

2.37—Reconsideration; debate allowed

Debate shall be allowed on a motion to reconsider only when the question is debatable. When debate on a motion to reconsider is in order, no Senator shall speak thereon more than once nor longer than five (5) minutes.

2.38—Reconsideration; collateral matters

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the committee has passed to other business.

PART SIX—COMMITTEES—AMENDMENTS

2.39—Amendments, proposed committee substitutes, and proposed committee bills; form, notice, manner of consideration

(1) No amendment or proposed committee substitute to any measure, or no proposed committee bill on any committee agenda shall be considered by that committee unless the amendment, proposed committee substitute, or proposed committee bill was prepared in proper form and filed with the committee administrative assistant at least twenty-four (24) hours prior to the noticed meeting time. For the purpose of this rule, office hours are Monday through Friday, 8:00 a.m. - 5:00 p.m. Copies of such amendment, proposed committee substitute, or proposed committee bill shall be made reasonably available by the committee administrative assistant before the meeting to the members of the committee and to the public.

- (a) Subsequent to distribution of all timely filed amendments, amendments to amendments or substitute amendments may be filed to any measure to which an amendment was timely filed. Such amendments must be filed with the committee administrative assistant at least two (2) hours prior to the noticed meeting time.
- (b) Subsequent to distribution of all timely filed proposed committee substitutes and proposed committee bills, amendments, amendments to amendments, or substitute amendments to any proposed committee substitute or proposed committee bill must be filed with the committee administrative assistant at least two (2) hours prior to the noticed meeting time.
- (c) Amendments to late-filed amendments, proposed committee substitutes, or proposed committee bills shall be considered timely filed if filed at least two (2) hours prior to the noticed meeting time.
- (d) After the first fifty (50) days of any regular session, an amendment, proposed committee bill, or proposed committee substitute to any measure prepared prior to a committee meeting at which it is offered shall be filed with the committee administrative assistant at least two (2) hours prior to the noticed meeting time.
- (e) The consideration of any amendment, proposed committee bill, or proposed committee substitute not timely filed in accordance with this rule, including any filed during a committee meeting in which it is to be offered, requires a two-thirds (2/3) vote of those committee members present if any member requests that such a vote be taken. These time requirements do not apply to a committee's recommendation during a meeting to make a committee substitute which is merely a combination of the noticed bill and amendment.

- (2) Amendments shall be filed on forms prescribed by the Secretary.
 - (a) An amendment shall be considered only after its sponsor, who is a member of the committee, gains recognition from the chair to move its adoption.

- (b) An amendment shall be deemed pending only after its sponsor has been recognized by the chair and has moved its adoption. Amendments that have been filed but have not been formally moved for adoption shall not be deemed to be pending.
- (c) No proposition on a subject different from that under consideration shall be admitted in the form of an amendment.

2.40—Sequence of amendments to amendments

(1) An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:

- (a) Amendments to the amendment are acted on before the substitute is taken up.
- (b) Amendments to the substitute are next voted on.
- (c) The substitute then is voted on.

(2) The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

(3) The following amendments are out of order:

- (a) A substitute amendment for an amendment to an amendment.
- (b) A substitute amendment for an amendment to a substitute.

2.41—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause of a bill, or the resolving clause of a resolution, and insert new language of the same general subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

2.42—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The chair, in recognizing members for the purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the entire bill shall be open for amendment.

2.43—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill.

2.44—Amendments by another committee

Amendments recommended by all committees of reference shall accompany a bill when filed with the Secretary. No committee shall physically remove an amendment by another committee but may recommend an amendment to an amendment, or a substitute for an amendment, by another committee. Any accompanying amendment shall be included in a subsequent committee substitute unless altered or negated by committee action. Amendments adopted by a committee to be incorporated in a committee substitute need not be filed with the Secretary as part of the reports required in Rules 2.15 and 2.16.

PART SEVEN—COMMITTEES—DECORUM AND DEBATE

2.45—Decorum and debate

When a member desires to speak or present a matter to the committee, the member shall address himself or herself to “Mr. or Madam Chair” and, on being recognized, may address the committee and shall confine any remarks to the question under debate, avoiding personality. A member shall not address or refer to another member by his or her first name. A member shall use the appellation of “Senator” or such appellation and the surname of the member referred to or addressed.

2.46—Chair’s power to recognize

When two (2) or more members request to speak at once, the chair shall recognize the member who is to speak first.

2.47—Interruptions; when allowed

(1) No member shall be interrupted by another without the consent of the member who has the floor, except by:

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the chair concerning a point of order (if the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The chair shall strictly enforce this Rule.

2.48—Speaking rights

(1) When a member is speaking and another member interrupts to request recognition, the chair may permit the person rising to state why he or she desires the floor. If the question the member desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. The member is then entitled to resume the floor.

(2) The member making a debatable motion or the introducer of a bill, whether or not a member of the committee, shall have five (5) minutes in order to close debate.

2.49—Time for debate

No Senator shall speak longer than ten (10) minutes without yielding the floor, except by consent of a majority of those committee members present.

2.50—Limitation on debate

When a matter is under debate by the committee, a member may move to limit debate, and the motion shall be decided without debate. The introducer of the pending matter shall have five (5) minutes to discuss the motion, and the introducer may divide such time with, or waive it in favor of, some other member. If the question is decided in the affirmative by a two-thirds (2/3) vote of those committee members present, the debate shall be limited accordingly. The time allotted by such limitation shall be apportioned by the chair. Once limited, debate may be extended beyond the original debate time limit by a majority vote of the committee members present.

2.51—Priority of business

All questions relating to the priority of business shall be acted on and shall be decided without debate.

2.52—Repealed

2.53—Appeals

The proper method of taking exception to a ruling of the chair is by appeal. An appeal from a decision of the chair must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; if the determination of the appeal is dependent on this point, it may be decided by the chair. This second (2nd) decision is also subject to appeal.

2.54—Appeals debatable

An appeal from a decision of the chair on a point of order is debatable even though the question from which it arose was not debatable.

RULE THREE

BILLS, RESOLUTIONS, AND MEMORIALS

3.1—Form of bills

(1) All bills shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*, and the enacting clause, “Be It Enacted by the Legislature of the State of Florida.” The title of each bill

shall be prefaced by the words, "A bill to be entitled An act." Standard rules of capitalization shall apply.

(2) The original must be approved by the introducer and backed in a folder-jacket. On these jackets shall be inscribed the name and district number of the introducer and any co-introducers or the introducing committee and its chair, and enough of the title for identification.

(3) Bills that propose to amend existing provisions of the *Florida Statutes* (as described in Article III, Section 6 of the *State Constitution*) or the *Laws of Florida* shall contain the full text of the section, subsection, or paragraph to be amended. Joint resolutions that propose to amend the *State Constitution* shall contain the full text of the section to be amended.

(4) In general bills and joint resolutions that propose to create or amend existing provisions of the *Florida Statutes*, *Laws of Florida*, or the *State Constitution*, new words shall be inserted underlined, and words to be deleted shall be lined through with hyphens, except that the text of the General Appropriations Act shall not be underlined.

(5) When the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it shall not be necessary to use the coded indicators of words added or deleted but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the text of the provision being amended: "Substantial rewording of section. See s. [number], F.S., for present text." When such notation is used, the notation as well as the substantially reworded text shall be underlined.

(6) The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and shall not be considered to constitute a part of the bill under consideration.

(7) Section catchlines of existing text shall not be typed with underlining.

3.2—Bills for introduction

A bill may not be introduced until properly filed with the Secretary.

3.3—Form of local bills

As required by Article III, Section 10 of the *State Constitution*, all local bills must either embody provision for ratifying referenda (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement. Forms of affidavit may be obtained from the Secretary. All local bills that require publication shall, when introduced, have proof of publication securely attached to the original copy of the bill and the words "Proof of Publication Attached" clearly typed or stamped on the Senate side of the bill jacket or cover, or the same shall be rejected by the Secretary.

3.4—Form of joint resolutions

All joint resolutions shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:." Each joint resolution shall be prefaced by the words: "A joint resolution."

3.5—Form of memorials

All memorials shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:."

3.6—Form of resolutions; Senate and concurrent

(1) All Senate resolutions and all concurrent resolutions shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. Senate resolutions shall contain the resolving clause: "Be It Resolved by the Senate of the State of Florida:." Concurrent resolutions shall contain the resolving clause: "Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:."

(2) Only the Secretary shall prepare copies of Senate resolutions that are to be furnished to any person after the resolution's adoption.

3.7—Bill filing deadline during regular session; bill filing between regular sessions

(1) To facilitate processing and committee referencing, all bills (except for the general appropriations bill, implementing bills, appropriations conforming bills, local bills, Senate resolutions, concurrent resolutions, committee bills, and trust fund bills or public-record exemptions that are linked to timely filed general bills) shall be filed for introduction with the Secretary no later than 12:00 noon of the first (1st) day of the regular session.

(2) A motion to waive this Rule shall be referred to the Rules Committee for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill notwithstanding this Rule and a recommendation shall be reported back to the Senate. The Secretary shall number each bill to provide identity and control until a permanent number can be affixed.

(3) Between regular sessions of the Legislature, bills may be filed by delivery to the Secretary.

3.8—Filed bills; consideration between regular sessions

(1) A filed bill complying with these Rules shall, in anticipation of the next regular session, be serially numbered in accordance with the permanent system required by these Rules.

(2) The Secretary shall provide each such numbered bill to the President for reference to a committee or committees pursuant to these Rules. The Secretary shall promptly forward each referenced bill to the first (1st) or only committee of reference. The Secretary shall make available to each Senator all filed bills, including the referencing data for each bill, and a calendar of all committee hearings, including the bills noticed for hearing by each.

(3) Each bill considered by a committee and reported to the Secretary during the interim shall be introduced and read on the first (1st) day of the regular session, pursuant to the *State Constitution*, *Laws of Florida*, and these Rules. The Journal shall reflect the committee reference and the report of the committee. All requirements for the referencing of bills to and the consideration of bills by Senate committees shall be deemed to have been met and discharged if the jurisdictional requirements of this Rule have been complied with as to each of such bills.

(4) If a committee fails to consider and report a filed bill prior to the convening of a regular session, the committee or committees failing to so report shall conduct hearings and file reports during the regular session.

(5) Notwithstanding these Rules, a Senator may, during the day of introduction of filed bills, but no later than under the Order of Business of "Motions Relating to Committee Reference" on the second (2nd) legislative day on which the Senate meets, move for reference to a different committee or for removal from a committee. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

(6) Prior to the introduction of a bill on the first (1st) day of the regular session, a Senator may give written notification to the Secretary to withdraw his or her bill from further consideration of the Senate.

3.9—Copies of bills

When filed, bills (including committee bills and committee substitute bills) shall be published by the Secretary for the information of the Senate and the public. The absence of a published copy shall not delay the progress of a measure at any stage of the legislative process. Sufficient copies of the general appropriations bill proposed to be introduced by the Budget Committee shall be made available to the members and, upon request, to the public, at the Office of the Secretary and at the committee's office, no less than two (2) hours prior to the time the Budget Committee meets to consider the proposed committee bill.

3.10—Identification of bills

Bills and other measures requiring legislative action shall be introduced in the order they are received at the desk of the Secretary. They

shall be serially numbered with even numbers as introduced, without differentiation in number as to type. The Secretary shall mark the original copy of each measure to ensure its identification, and each page thereof, as the item introduced in order to prevent unauthorized or improper substitutions. This identification may be made by any device to accomplish the purpose of this Rule. Such device shall be in the custody of the Secretary, and its use by any person not authorized by this Rule is prohibited.

3.11—Companion measures

When a Senate bill is reached on the calendar of the Senate for consideration, either on second (2nd) or third (3rd) reading, and there is also pending on the calendar of the Senate a companion measure already passed by the House, it shall be in order to move that the House companion measure be substituted and considered in lieu of the Senate measure. Such motion may be adopted by a majority vote of those Senators present, provided the House measure is on the same reading; otherwise, the motion shall be to waive the Rules by a two-thirds (2/3) vote of those Senators present and read such House measure. A companion measure shall be substantially the same and identical as to specific intent and purpose as the measure for which it is being substituted. At the moment the Senate passes the House companion measure, the original Senate measure shall be regarded as automatically tabled. Recommitment of a Senate bill shall automatically carry with it any House companion measure then on the calendar.

3.12—Introducers of bills; introducers no longer Senators

(1) Bills shall be approved for introduction by a Senator whose name is affixed to the original, or by any committee with the name of the committee and the name of the chair of the committee affixed to the original. A bill may be co-introduced by any Senator whose name is affixed to the original.

(2) A Senator who is not seeking or is ineligible for reelection and, therefore, will not be a Senator at the next regular session of the Legislature may not file a bill for that session. Once a Senator is no longer in office, any bill filed by that Senator for a current or future session of the Legislature shall be deemed withdrawn from further consideration of the Senate unless the bill has a co-introducer who, within seven (7) days, is willing to become the introducer of the bill.

3.13—Fiscal notes

(1) Upon being favorably reported by a committee, all general bills or joint resolutions affecting revenues, expenditures, or fiscal liabilities of state or local governments shall be accompanied by a fiscal note. Fiscal notes shall reflect the estimated increase or decrease in revenues or expenditures. The estimated economic impact, which calculates the present and future fiscal implications of the bill or joint resolution, must be considered. The fiscal note shall not express opinion relative to the merits of the measure, but may identify technical or mechanical defects.

(2) Fiscal notes on those bills affecting any state retirement system shall be prepared after consultation with an actuary who is a member of the Society of Actuaries, and the cooperation of appropriate state agencies for necessary data shall be solicited.

(3) Fiscal notes shall be regarded as memoranda of factual information and shall be made available to Senators.

(4) If a bill or joint resolution is reported favorably by a committee without a fiscal note or economic impact statement, as defined in this Rule, a Senator may at any time raise a point of order, and the President shall order return of the bill or joint resolution to the committee. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion for the purposes of point of order.

RULE FOUR

ORDER OF BUSINESS AND CALENDAR

4.1—Sessions of the Senate

The Senate shall meet pursuant to a schedule provided by the President. This schedule shall set forth hours to convene and adjourn and may contain a schedule for the Special Order Calendars submitted by

the Calendar Group. During the first fifty (50) days of a regular session, the Senate shall not convene before 7:00 a.m. nor meet or continue to meet after 8:00 p.m. Otherwise, the Senate shall not convene before 7:00 a.m. nor meet or continue to meet after 6:00 p.m.

4.2—Quorum

A majority of the Senate shall constitute a quorum, but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as it may prescribe. A Senator at any time may question the existence of a quorum.

4.3—Daily Order of Business

(1) The Daily Order of Business shall be as follows:

- (a) Roll Call
- (b) Prayer
- (c) Pledge of Allegiance to the Flag of the United States of America
- (d) Reports of Committees
- (e) Motions Relating to Committee Reference
- (f) Messages from the Governor and Other Executive Communications
- (g) Messages from the House of Representatives
- (h) Matters on Reconsideration
- (i) Consideration of Bills on Third (3rd) Reading
- (j) Special Order Calendars
- (k) Consideration of Bills on Second (2nd) Reading
- (l) Correction and approval of Journal

(2) The Secretary shall prepare and distribute, on each legislative day, a calendar corresponding to the Daily Order of Business; and within each order of business, matters shall be considered in the order in which they appear on such daily calendar. Local bills may be omitted from the formal calendar and may be distributed to Senators by the Secretary separately.

(3) Certain messages from the House of Representatives may be withheld from the Daily Order of Business pursuant to Rule 1.18 or on order of the President. Notwithstanding Rule 4.3(1), the Senate may take up messages from the House at the direction of the President.

(4) First (1st) reading of a bill shall be accomplished by publication of the title thereof in the Journal pursuant to Article III, Section 7 of the *State Constitution*.

(5) Except by unanimous consent of those Senators present in session, no bill shall be considered by the Senate if the bill or a companion measure has not been first reported favorably by at least one (1) Senate committee.

4.4—Committee of the Whole

By a majority vote of those Senators present, the Senate may resolve itself into a Committee of the Whole and, when thus constituted, may consider any question whether formally introduced in the Senate or not. The Senate may, however, restrict the subject matter to be considered by the Committee of the Whole, or its jurisdiction, by resolving itself into a Committee of the Whole for a specific and limited purpose. The President shall preside and maintain order and decorum. The Senate Rules relating to standing committees shall govern when applicable. The Committee of the Whole may consider and report, by majority vote of those committee members present, on any bill or question not formally introduced in the Senate and any bill on which all standing committees of reference have rendered a favorable report. A bill on which committee action has been taken by the committee or committees of reference or on which an unfavorable committee report has been filed may be considered only by a two-thirds (2/3) vote of those committee members present. Such vote shall also be required to favorably report any such bill to the Senate. A bill thus originating in a Committee of the Whole shall, when introduced as contemplated by the *State Constitution*, receive no further reference to committee. A favorable report by a Committee of the Whole on a bill having theretofore received an unfavorable report by a standing committee of reference shall not have the effect of withdrawing such bill from the table. Consideration by the Senate of such a bill shall be preceded by the adoption of the appropriate motion during a session of the Senate. Bills considered by a Committee of the Whole shall be read once,

debated, amended, and acted on as a standing committee function. The body of a bill formally introduced shall not be interlined or defaced, but all amendments denoting the location shall be entered on a separate paper by the Secretary of the Committee of the Whole. The same shall be agreed to by the Committee of the Whole, and the report filed as otherwise provided in these Rules for committee reports. After report, the bill or other matter may be again debated and shall be subject to be again amended by the Senate. The quorum for a Committee of the Whole shall be the same as for the Senate, and when the Committee of the Whole shall rise, the roll shall be called to ascertain the presence of a quorum of the Senate.

4.5—Conference committee report

(1) The report of a conference committee appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days, and on the completion of the second (2nd) reading the vote shall be on the adoption or rejection thereof and final passage of the measure as recommended. During the last five (5) days of a regular session and during any extension thereof, the report shall be read only once. Copies of conference committee reports shall be available to the membership twelve (12) hours prior to the time such report is scheduled to be taken up on the Senate floor.

(2) The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(3) Except when the Senate is voting on a proposition, reports of conference committees shall always be in order.

4.6—Reference generally

(1) All bills, including those that are strictly local in nature, shall be referred by the President to appropriate committees and standing subcommittees. Any general appropriations bill, appropriations implementing bills, and appropriations conforming bills introduced by the Budget Committee may be placed on the calendar without reference.

(2) Bills received by the President during a regular session and within three (3) weeks next preceding the convening of a regular session shall be referred within seven (7) days. Upon failure of the President to reference such bills within this limitation, they shall be referred to committees as may be recommended by the introducer. In the event of extended absence of the President or the President's disability or incapacity, the President Pro Tempore shall assume the duty of referring bills.

(3) When the Legislature is not in session, the President may change or correct a bill reference. Notice shall be given to the Secretary and the bill introducer.

(4) If the President has not previously designated a standing subcommittee of reference, the chair of the standing committee shall promptly determine whether such measure shall initially be considered by the standing committee, a standing subcommittee, or a select subcommittee appointed by the chair. The chair, in referring a bill to a subcommittee, shall specify the number of days available for consideration and may, at any time, remove the bill from the referenced subcommittee. If subreference is to a standing subcommittee, the chair of the standing committee shall promptly report this reference and the time allowed for consideration, or the removal of the bill from the referenced subcommittee, to the Secretary on forms prescribed by the Secretary.

(5) The review of a bill that appears to be local in nature shall be performed by the Rules Committee to determine whether such measure is local in nature for reference purposes and whether it responds to the legal requirements of a local bill.

(6) A bill is local in nature for referencing purposes if it does not substantially alter a law of general application throughout the state and it either affects no more than one (1) county or relates to a special district that is located wholly within no more than two (2) counties.

(7) When the Rules Committee, through staff review, has determined that the bill is not local in nature for referencing purposes, the committee shall report such determination to the President, who shall refer

such bill to an appropriate standing committee for hearing. Such report shall be made within fifteen (15) legislative days from date of receipt by the Rules Committee. When the Rules Committee, through staff review, has determined that a bill is local in nature for referencing purposes and that it responds to the legal requirements of a local bill, the bill shall be available for the calendar on local bills notwithstanding Rule 4.3(5).

4.7—Reference to more than one committee; effect

(1) In case of multiple reference of a bill, it shall be considered by each committee separately in the order in which the multiple reference is made. However, if any committee to which the bill is referred makes an unfavorable report on said bill, that report shall be filed with the Senate and no further consideration given by other committees except by a two-thirds (2/3) vote of those Senators present.

(2) If a committee reports a bill favorably with committee substitute or with any amendment which substantially amends the bill, the President may change or correct the reference of the reported bill. This Rule does not apply to a bill reported by a subcommittee unless the bill has been withdrawn from the standing committee. Notice shall be given to the Secretary and the introducer of the bill.

4.8—Review and reference of bills affecting appropriations, revenue, retirement, or county or municipal spending

All bills authorizing or substantially affecting appropriations or tax revenue shall be reviewed by the appropriate revenue or appropriations committee. All bills substantially affecting a state-funded or state-administered retirement system shall be reviewed by the Governmental Oversight and Accountability Committee. All bills which are affected by the provisions of Article VII, Section 18 of the *State Constitution* shall be reviewed by the Community Affairs Committee. A bill that is amended to substantially affect appropriations or tax revenue, a state retirement program, or expenditures or revenues as set forth in Article VII, Section 18 of the *State Constitution* may, before being placed before the Senate for final passage, be referred by the President along with all amendments to the appropriate revenue or appropriations committee.

4.81—Claim bills

(1) Claim bills are of two (2) types: excess judgment claims filed pursuant to section 768.28(5), *Florida Statutes*, and equitable claims filed without an underlying excess judgment.

(2) All claim bills shall be filed with the Secretary on or before August 1 in order to be considered by the Senate during the next regular session, except that Senators elected to the Senate during a general election or a special general election may have sixty-two (62) days from the date of that election to file a claim bill. Senators currently serving who are re-elected during a general election are not subject to the immediately preceding provision relating to sixty-two (62) days. A motion to introduce a claim bill notwithstanding the claim bill filing deadline shall be referred to the Rules Committee for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. A House claim bill which does not have a Senate companion claim bill timely filed under this Rule shall not be considered by the Senate. Any motion to consider a House claim bill which does not have a timely filed Senate companion bill shall be referred to the Rules Committee for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. The determination by the Rules Committee shall be reported back to the Senate. Upon a determination by the committee that an emergency does exist, the motion may be considered by the Senate and must be adopted by a two-thirds (2/3) vote of those Senators present.

(3) If the President determines that a de novo hearing is necessary to determine liability, proximate cause, and damages, a special master shall conduct such hearing pursuant to reasonable notice. Discovery procedures shall be governed by the *Florida Rules of Civil Procedure* and the *Florida Evidence Code*, as applicable. The special master shall administer an oath to all witnesses, accept relevant documentary and tangible evidence properly offered, record the proceedings, and prepare a final report containing findings of fact, conclusions of law, and recommendations. The report shall be signed by the special master who

shall be available, in person, to explain his or her report to the committees and to the Senate.

(4) All claim bills shall be referred by the President to one (1) or more committees for review. On receipt of the special master's report and recommendations, if any, the Secretary shall, upon the President's reference, deliver each claim bill with the report attached to the committee or committees of reference.

(5) Stipulations entered into by the parties are not binding on the special master, the Senate, or its committees.

(6) The hearing and consideration of a claim bill shall be held in abeyance until all available administrative and judicial remedies have been exhausted; except that the hearing and consideration of a claim that is still within the judicial or administrative systems may proceed where the parties have executed a written settlement agreement. This subsection does not apply to a bill which relates to a claim of wrongful incarceration.

4.9—Reference of resolutions

All resolutions shall be referred by the President to a standing committee, except resolutions on Senate organization, resolutions of condolence and commemoration that are of a statewide nonpolitical significance, or concurrent resolutions recalling a bill from the Governor's office, setting Joint Rules of the Legislature, extending a session of the Legislature, or setting an effective date for a bill passed over the Governor's veto. These may be considered on motion and adopted at time of introduction without reference, except that resolutions of condolence or commemoration that are of a statewide nonpolitical significance may be shown as introduced, read, and adopted by publication in full in the Journal. A joint resolution setting an effective date for a bill passed over the Governor's veto may be considered on motion and introduced without reference.

4.10—Reference to different committee or removal

When the President has referred a bill, the Rules Chair may move for reference to a different committee or for removal from any committee after the introducer of the bill has filed a request with the Rules Chair signed by the chair of the affected committee, the Rules Chair, and the President. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

4.11—Papers of miscellaneous nature

Papers of a miscellaneous nature addressed to the Senate may, at the discretion of the President, be read, noted in the Journal, or filed with an appropriate committee. When there is a demand to read a paper other than one on which the Senate is called to give a final vote and the same is objected to by any Senator, it shall be determined by a majority vote of those Senators present.

4.12—Reading of bills and joint resolutions

Each bill or joint resolution shall receive three (3) separate readings on three (3) separate days previous to a vote on final passage unless decided otherwise by a two-thirds (2/3) vote of those Senators present as provided in Article III, Section 7 of the *State Constitution*.

4.13—Reading of concurrent resolutions and memorials

(1) Each concurrent resolution or memorial shall receive two (2) separate readings by title on two (2) separate days previous to a voice vote on adoption, unless decided otherwise by a two-thirds (2/3) vote of those Senators present.

(2) Concurrent resolutions used to recall a bill from the Governor's office, adopt Joint Rules of the Legislature, extend a session of the Legislature, or set an effective date for a bill passed over the Governor's veto are exempt from the provisions of this Rule and may be introduced, read the first and second time, and adopted on the same day.

4.14—Reading of Senate resolutions

On introduction each Senate resolution shall be read two (2) times by title only before the question is put on adoption by voice vote, except that

resolutions of condolence or commemoration that are of a statewide nonpolitical significance may be shown as introduced, read, and adopted by publication in full in the Journal.

4.15—Referral or postponement on third (3rd) reading

On the third (3rd) reading of a bill or joint resolution, it shall not be referred or committed (except as provided under Rule 4.8) or amended (except a corrective or title amendment) except by a two-thirds (2/3) vote of those Senators present, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those Senators present.

4.16—Consideration out of regular order

A bill shall be considered out of regular order on the calendar on unanimous consent of those Senators present obtained in the following manner: prior to the consideration of the motion, the Senator moving for unanimous consent of those Senators present shall orally give the membership not fewer than fifteen (15) minutes' notice of his or her intention to move and shall specify the number of the bill and its position on the calendar. On entertainment of the motion, the moving Senator shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those Senators present shall be given or refused without further debate.

4.17—Special Order Calendar; Consent Calendar

(1) Commencing fifteen (15) days prior to a regular session of the Legislature permitted under the *State Constitution* and continuing through any extension permitted under the *State Constitution*, a Calendar Group, consisting of the Rules Chair, Rules Vice Chair, Majority Leader, Minority Leader, two (2) members of the Rules Committee designated by the President, and one (1) member of the Rules Committee designated by the Minority Leader, shall submit a Special Order Calendar determining the list of bills for consideration by the Senate. The President shall determine the order of such bills on the Special Order Calendar.

(2) Except for a Special Order Calendar submitted for the first (1st) or second (2nd) day of a regular session, each Special Order Calendar shall be for the second (2nd) succeeding legislative day on which the Senate meets, and this calendar may include bills that had been scheduled for Special Order on the previous legislative day. No other bills shall be considered until this Special Order Calendar has been completed by the Senate, except that any bill appearing on this calendar may be stricken by a two-thirds (2/3) vote of those Senators present or any bill appearing on the calendar of bills on second (2nd) reading may be added to the end of the Special Order Calendar by the same vote. All bills set as Special Order for consideration at the same hour shall take precedence in the order in which they were given preference.

(3) A two-thirds (2/3) vote of those Senators present shall be required to establish a Special Order except as provided in this Rule. Notice of date, time, and place for the establishment of the Special Order Calendars shall be published in a Senate calendar; provided, during the last ten (10) days of each regular session, notice of date, time, and place may be given by announcement from the floor.

(4) The Rules Chair, with the approval of the President, may submit a Consent Calendar, to be held in conjunction with the Special Order Calendars. When such a day is designated, all bills appearing on the Consent Calendar shall be considered in their order of appearance. Amendments shall be limited to accompanying committee amendments, noncontroversial and technical amendments, and amendments required to conform a House companion bill to the Senate bill. However, if an objection by any Senator shall cause such bill to be temporarily postponed, it retains its order on the regular calendar. All Consent Calendar bills must have appeared on the printed Senate calendar.

4.18—Local Bill Calendar

Local bills shall be disposed of according to the calendar of bills of a local nature and shall be considered only at such time as determined by the Rules Chair and approved by the President. Any member of the delegation for the local area affected by a bill on the Local Bill Calendar may request that the bill be removed from such calendar.

4.19—Order after second (2nd) reading

The order of disposition of a Senate bill that has been read the second (2nd) time and amended shall be its reference to the engrossing clerk to be engrossed after all questions relative to it while on second (2nd) reading have been disposed of, and the same shall be immediately engrossed and placed on the calendar of bills on third (3rd) reading to be considered on a succeeding legislative day. No bill shall be committed to the engrossing clerk or placed on the calendar of bills on third (3rd) reading unless all motions relative to it and placed, by the President, before the Senate have been disposed of. Amendments filed with the Secretary, the adoption of which have not been formally moved, shall not be construed to be pending so as to deter such advancement. A bill shall be available for its third (3rd) reading when it has been read a second (2nd) time on a previous day and no motion left pending. Bills calendared for second (2nd) or third (3rd) reading shall not be considered on such reading until reached on the calendar and appropriately read to the Senate as directed by the President.

4.20—Enrolling

The Secretary shall be responsible for the enrolling of all bills. After enrollment, all bills shall be signed by the President and the Secretary and the enrolling report shall be published in the Journal.

4.21—Veto messages

As required by Article III, Section 8 of the *State Constitution*, if the originating house votes to re-enact a vetoed measure, whether in a regular or special session, and the other house does not consider or fails to re-enact the vetoed measure, no further consideration by either house at any subsequent session may be taken. If a vetoed measure is presented at a special session and the originating house does not consider it, the measure will be available for consideration at any intervening special session and until the end of the next regular session. All veto messages shall be referred to the Rules Committee.

RULE FIVE**VOTING****5.1—Taking the yeas and nays**

The President shall declare all votes, but, if five (5) Senators immediately question a voice vote by a show of hands, the President shall take the vote by yeas and nays or electronic roll call. When taking yeas and nays on any question, the electronic roll call system may be used and shall have the force and effect of a roll call taken as provided in these Rules. Also, this system may be used to determine the presence of a quorum. When the Senate is ready to vote on a question requiring roll call and the vote is by electronic roll call, the President shall state: "The Secretary will unlock the board and Senators prepare to vote." When sufficient time has elapsed for each Senator to vote, the President shall say: "Have all voted?" And, after a short pause, shall state: "The Secretary shall now lock the board and record the vote." When the vote is completely recorded, the President shall announce the result to the Senate; and the Secretary shall enter in the Journal the result. When the Senate is equally divided, the question shall be lost.

5.2—Change of vote

(1) After the result of the vote has been announced by the President, a Senator with unanimous consent of those Senators present may change his or her vote or vote on the matter except that no such change of vote or vote shall be valid where such vote would alter the final passage of the matter until the matter shall first have been recalled to the Senate for further consideration. Records of such requests shall be available at the Secretary's desk through the session. If no objections are raised before the close of the business that day, requests will be accepted.

(2) The original roll call shall not be altered, but late votes and change of votes shall be recorded under the original roll call in the Journal. On request of a Senator before considering other business, the President shall order a verification of a vote.

(3) A Senator who was not present for a daily session of the Senate or who was present but did not provide a vote record to the Secretary before

the close of business that day, may provide to the Secretary an indication of vote preference. This indication shall be included in a dedicated section of the next Journal published after the Secretary receives the indication. An indication of vote preference will not be accepted if the indication would have, if recorded, altered the vote.

5.3—Casting vote for another

No Senator shall cast a vote for another Senator unless the Senator is present in the Chamber area and requests the casting of said vote, nor shall a person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, a Senator who shall without such authorization vote or attempt to vote for another Senator may be punished as the Senate may deem proper. Also, a person not a Senator who shall vote in the place of a Senator shall be excluded from the Chamber for the remainder of the session.

5.4—Pairing

(1) Pairing, a type of absentee voting by which a Senator who is excused from attendance agrees with a Senator who would have voted opposite the excused Senator, shall be permitted.

(2) The Senator in attendance shall not vote in the electronic roll call.

(3) The pair vote form prescribed by the Secretary shall be used and shall:

- (a) State the matter to which the pair applies,
- (b) Indicate how both Senators would have voted,
- (c) Be filed with the Secretary and announced prior to the vote, and
- (d) Be recorded in the Journal.

5.5—Explanation of vote

No Senator shall be permitted to explain his or her vote during a roll call but may submit his or her explanation in writing and file it with the Secretary. This explanation shall be entered in the Journal.

5.6—Election by ballot

In all cases of ballot, a majority of the votes cast shall be necessary to an election. If, however, no one is elected on the first three (3) ballots, the names after the top two (2) in number of votes received on the third (3rd) tally shall be dropped, and the Senate shall ballot on the two (2) names remaining.

RULE SIX**MOTIONS AND PRECEDENCE****6.1—Motions; how made, withdrawn**

Every motion may be made orally. On request of the President, a Senator shall submit his or her motion in writing. After a motion has been stated or read by the President, it shall be deemed to be in possession of the Senate and, without a second, shall be disposed of by vote of the Senate. The mover may withdraw a motion, except a motion to reconsider, as hereinafter provided, at any time before the same has been amended or before the vote shall have commenced.

6.2—Motions; precedence

(1) When a question is under debate, the President shall receive no motion except:

- (a) To adjourn
 1. Instantly
 2. At a time certain
- (b) To recess to a later day
- (c) Questions of privilege
- (d) To take a recess
- (e) To proceed to the consideration of executive business
- (f) To reconsider
- (g) To limit debate
- (h) To temporarily postpone
- (i) To postpone to a day certain
- (j) To commit to the Committee of the Whole
- (k) To commit to a standing committee

- (l) To commit to a select committee
- (m) To amend
- (n) To postpone indefinitely

which shall have precedence in the descending order given. A motion to discharge Senate conferees and to appoint or instruct said conferees as set forth in Rule 2.19 is a motion of the highest privilege and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege.

(2) The President shall present all questions in the order in which they are moved unless the subsequent motion is previous in nature.

(3) When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) substitute shall be considered and the substitute shall be in the same order of precedence.

6.3—Division of question

A Senator may move for a division of a question when the sense will admit of it. A motion to delete and insert shall be deemed indivisible; a motion to delete, being lost, shall neither preclude amendment nor a motion to delete and insert.

6.4—Reconsideration generally

(1) When a main question (the vote on passage of a measure, including a vote on a veto message, confirmation of executive appointments, removal or suspension from office) has been decided by the Senate, a Senator voting with the prevailing side may move for reconsideration of the question on the same or the next legislative day on which the Senate meets.

- (a) If the question has been decided by voice vote, any Senator may so move.
- (b) When a majority of those Senators present vote in the affirmative on the question but the proposition be lost because it is one in which the concurrence of more than a majority of those Senators present is necessary for adoption or passage, any Senator may move for reconsideration.

(2) Such motion may be made prior to or pending a motion to recess to a later day or adjourn.

- (a) Consideration of a motion to reconsider shall be a special and continuing order of business for the Senate when it next meets on a legislative day succeeding that on which the motion was made and, unless considered on said day, shall be considered abandoned. If the Senate shall refuse to reconsider or, on reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except on unanimous consent of those Senators present.
- (b) During the last five (5) days of a regular session, a motion to reconsider shall be made and considered on the same day.

6.5—Reconsideration; vote required

The affirmative votes of a majority of those Senators present shall be required to adopt a motion to reconsider.

6.6—Reconsideration; debate

Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. When the question is debatable, no Senator shall speak thereon more than once nor longer than five (5) minutes.

6.7—Reconsideration; collateral matters and procedural motions

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the Senate has passed to other business. Reconsideration of a procedural motion shall be considered on the same day on which it is made.

6.8—Reconsideration; Secretary to hold for period

The Secretary shall hold all bills for the period after passage during which reconsideration may be moved. The adoption of any motion to waive the Rules by a two-thirds (2/3) vote of those Senators present and

immediately certify any bill to the House shall be construed as releasing the measure from the Secretary's possession for the period of reconsideration and shall, thereafter, preclude reconsideration. During the last five (5) calendar days allowed under the *State Constitution* for a regular session and during any extensions thereof, or during any special session, the bills shall be immediately transmitted to the House. Messages relating to Senate action on House amendments or to conference committee reports shall be transmitted forthwith.

6.9—Motion to indefinitely postpone

The adoption of a motion to indefinitely postpone a measure shall dispose of it for the duration of the legislative session and all extensions thereof. A motion to postpone consideration to a time beyond the last day allowed under the *State Constitution* for the current legislative session shall be construed as a motion to indefinitely postpone. Motions to indefinitely postpone shall not be applicable to collateral matters.

6.10—Committee substitute; withdrawn

Once a bill has been reported as a committee substitute, it may be withdrawn from further consideration only by motion of the introducer and unanimous consent of the Senate.

RULE SEVEN

AMENDMENTS

7.1—General form; notice; manner of consideration

(1) No amendment to a bill on any Senate calendar shall be considered by the Senate unless the amendment was prepared in proper form and filed with the Secretary no later than 5:00 p.m. the day prior to the day that session was called to order. Copies of such amendments shall be made reasonably available by the Secretary before the session, upon request, to the Senators and to the public. The consideration of all amendments not timely filed in accordance with this rule, requires a two-thirds (2/3) vote of those Senators present.

(2) Amendments shall be filed with the Secretary on forms prescribed by the Secretary but shall be considered only after sponsors gain recognition from the President to move their adoption, except that the chair of the committee (or, in the chair's absence, the vice chair or any member thereof) reporting the measure under consideration shall have preference for the presentation of committee amendments. An amendment shall be deemed pending only after its sponsor has been recognized by the President and has moved its adoption. Amendments that have been filed with the Secretary but have not been formally moved for adoption shall not be deemed to be pending.

(3) No proposition on a subject different from that under consideration shall be admitted in the form of an amendment. The following bills are out of order and shall not be admitted or considered in the form of an amendment to a bill on the calendar and under consideration by the Senate:

- (a) Bills which have received an unfavorable committee report.
- (b) Bills which have been withdrawn from further consideration by the introducer.
- (c) Bills the substance of which have not been reported favorably by all committees of reference.
- (d) Bills which have not been published at least one (1) legislative day under Bills on Second Reading in the Senate calendar.

Amendments covered by this Rule shall be substantially the same and identical as to specific intent and purpose as the measure residing in the committee or committees of reference.

7.2—Adoption

(1) On second (2nd) reading, amendments may be adopted by a majority vote of those Senators present.

(2) On third (3rd) reading, amendments and amendments to amendments, including substitute amendments and amendments to the substitute, shall be adopted by a two-thirds (2/3) vote of those Senators present. Amendments to the title or corrective amendments may be

decided, without debate, by a majority vote of those Senators present on third (3rd) reading.

7.3—Sequence of amendments to amendments

(1) An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:

- (a) Amendments to the amendment are acted on before the substitute is taken up. Only one (1) amendment to the amendment is in order.
- (b) Amendments to the substitute are next voted on.
- (c) The substitute then is voted on.

(2) The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

(3) The following amendments are out of order:

- (a) A substitute amendment for an amendment to an amendment.
- (b) A substitute amendment for an amendment to a substitute.

7.4—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause of a bill, or the resolving clause of a resolution, and insert new language of the same general subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

7.5—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The President, in recognizing Senators for the purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the entire bill shall be open for amendment.

7.6—Printing in Journal

All amendments taken up by the Senate unless withdrawn shall be printed in the Journal, except that an amendment to the general appropriations bill constituting an entirely new bill shall not be printed until the filing of the conference committee report. All item amendments to the general appropriations bill shall be printed.

7.7—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill. If a House bill is amended, the same shall be noted by the Secretary on the jacket before it is transmitted to the House.

7.8—House amendments to Senate bills

(1) After the reading of a House amendment to a Senate bill, the Senate may:

- (a) Amend the House amendment,
- (b) Concur in the House amendment,
- (c) Refuse to concur in the House amendment and ask the House to recede, or
- (d) Request a conference committee.

(2) The adoption of any of the foregoing motions shall be by majority vote of those Senators present.

7.9—House refusal to concur in Senate amendment

(1) If the House shall refuse to concur in a Senate amendment to a House bill, the Senate may:

- (a) Recede,
- (b) Insist that the House concur and request a conference committee, or
- (c) Insist that the House concur.

(2) The adoption of any of the foregoing motions shall be by majority vote of those Senators present.

RULE EIGHT

DECORUM AND DEBATE

8.1—Decorum and debate

When a Senator desires to speak or present a matter to the Senate, the Senator shall rise at his or her seat and address himself or herself to “Mr. or Madam President” and, on being recognized, may address the Senate from his or her desk or from the well of the Senate and shall confine any remarks to the question under debate, avoiding personality. A Senator shall not address or refer to another Senator by his or her first name. A Senator shall use the appellation of “Senator” or such appellation and the district number of the Senator being addressed, or a Senator may also use such appellation and the surname of the Senator referred to or addressed.

8.2—Presiding officer’s power of recognition

When two (2) or more Senators rise at once, the presiding officer shall recognize the Senator who is to speak first.

8.3—Interruptions; when allowed

(1) No Senator shall be interrupted by another without the consent of the Senator who has the floor, except by:

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the presiding officer concerning a point of order (if the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The presiding officer shall strictly enforce this Rule.

8.4—Senator speaking, rights

(1) When a Senator is speaking and another Senator interrupts to request recognition, the presiding officer may permit the person rising to state why he or she desires the floor. If the question the Senator desires to raise is entitled to precedence, the Senator originally speaking shall relinquish the floor until the question having precedence is disposed of. The Senator then is entitled to resume the floor.

(2) The Senator making a debatable motion or the introducer of a bill shall have five (5) minutes in order to close debate.

8.5—Limit on speaking

No Senator shall speak longer than thirty (30) minutes without yielding the floor, except by consent of a majority of those Senators present.

8.6—Limitation on debate

When a matter is under debate by the Senate, a Senator may move to limit debate, and such motion shall be decided without debate, except the introducer of the matter shall have five (5) minutes to discuss said motion. If, by a two-thirds (2/3) vote of those Senators present, the question is decided in the affirmative, debate shall be limited accordingly.

8.7—Points of order, parliamentary inquiry, definitions

A point of order is the parliamentary device that is used to require a deliberative body to observe its own rules and to follow established parliamentary practice. A parliamentary inquiry is the device for obtaining a predetermination of a rule or a clarification thereof and may be presented in hypothetical form.

8.8—Questioning decision not to abstain

A point of order questioning the decision of a Senator not to abstain from voting on account of a conflict of interest may be raised after the vote has been recorded and before the result is announced.

8.9—Appeals

Taking exception to a ruling of a presiding officer shall be by appeal. An appeal from a decision of the presiding officer must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; and, if the determination of the appeal is dependent on this point, it may be decided by the presiding officer. This second (2nd) decision is also subject to appeal.

8.10—Appeals debatable

An appeal from a decision of the presiding officer on a point of order is debatable even though the question from which it arose was not debatable.

8.11—Questions of privilege

- (1) Questions of privilege shall be:
 - (a) Those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; and
 - (b) The rights, reputation, and conduct of Senators individually, in their representative capacity only.
- (2) These shall have precedence over all other questions except motions to recess to a later day or adjourn. A question of privilege affecting either house collectively takes precedence over a question of privilege affecting an individual Senator.

RULE NINE

LOBBYING

9.1—Those required to register

All persons (except those specifically exempted) who seek to encourage the passage, defeat, or modification of legislation in the Senate or before its committees shall, before engaging in such activity, register as prescribed by law and the Joint Rules of the Florida Legislature.

9.2—Obligations of lobbyist

- (1) A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he or she openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.
- (2) A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his or her relationship with legislators.
- (3) A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

9.3—Lobbyists' requirements

A lobbyist shall adhere to the statutory requirements for lobbyists provided by law and the Joint Rules.

9.35—Contributions during sessions

During a regular legislative session, and during an extended or special session as further provided for in Rule 1.361(2), a lobbyist may not directly or indirectly contribute to a Senator's own campaign, or to any organization that is registered, or should have been registered, with the Rules Committee pursuant to Rule 1.361(3).

9.4—Advisory opinions

(1) A lobbyist, when in doubt about the applicability and interpretation of Rule Nine (9) in a particular context, may submit in writing a statement of the facts involved to the Rules Committee and may appear in person before said committee.

(2) The Rules Committee may render advisory opinions to any lobbyist who seeks advice as to whether or not the facts in a particular case will constitute a violation of these Rules. All opinions shall delete names and be numbered, dated, and published in the Journal.

9.5—Compilation of opinions

The Secretary shall keep a compilation of all advisory opinions of the Rules Committee.

9.6—Violations; investigations, penalties

(1) Any person may file a sworn complaint with the Rules Chair alleging a violation of the Rules regulating the conduct and ethics of lobbyists. The complaint shall be based on personal knowledge, shall state detailed facts, shall specify the actions of the named lobbyist which form the basis for the complaint, and shall identify the specific Rule(s) alleged by the complainant to have been violated by the lobbyist. Upon a determination by the Rules Chair that the complaint states facts supporting a finding of probable cause, the complaint shall be referred to a special master. Upon a determination by the chair that the complaint fails to state facts supporting a finding of probable cause, the complaint shall be dismissed. The special master shall conduct an investigation, shall give reasonable notice to the lobbyist who is alleged to have violated the Rules and shall grant the lobbyist an opportunity to be heard unless the investigation fails to reveal facts supporting a finding of probable cause. A special master's report and recommendation is advisory only and shall be presented to the chair as soon as practicable after the close of the investigation. If the special master's report and recommendation conclude that the facts do not support a finding of probable cause, the complaint shall be dismissed by the Rules Chair. If the complaint is not dismissed, the Rules Committee shall consider the special master's report and recommendation, shall grant the lobbyist an opportunity to be heard, and shall develop its own recommendation. If the Rules Committee votes to dismiss the complaint, the Rules Chair shall dismiss the complaint. Otherwise, the special master's report and recommendation and the recommendation of the Rules Committee shall be presented to the President. The President shall present the committee's recommendation, along with the special master's report and recommendation, to the Senate for final action.

(2) Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the requirements of this Rule shall be censured, reprimanded, placed on probation, or prohibited from lobbying for the duration of the session and from appearing before any Senate committee. Such determination shall be made by a majority vote of the Senate, on recommendation of the Rules Committee.

9.7—Committees to be diligent

Committees shall be diligent to ascertain whether those who appear before them, in other than an obviously individual capacity, have conformed with the requirements of Rule Nine (9), the Joint Rules, and the *Laws of Florida*, and shall report violations. No committee member shall knowingly permit an unregistered lobbyist to be heard.

9.8—Lobbyist expenditures and compensation

Chapter 2005-359, *Laws of Florida*, amends existing provisions of the law relating to legislative lobbying at the state level in Florida and adds new and substantial obligations, prohibitions, and requirements.

This Rule provides assistance to persons seeking to comply with the letter and spirit of the new law as it applies in the legislative context by refining the law and providing Interim Lobbying Guidelines and answers to 25 Frequently Asked Questions. It also is intended to provide guidance to the legislative committees that will participate in enforcing the new law.

Part One of the Guidelines refines and applies the new prohibition, with ten clearly stated exceptions, so that Senators and Senate em-

ployees can no longer directly or indirectly take any “expenditure” from a lobbyist or principal in either the public or private sector.

Part Two of the Guidelines refines and applies the underlying core requirement that “lobbying firms” must publicly disclose the compensation they receive for lobbying activities, and does so in a way that is narrowly tailored, furthers the state’s compelling governmental interest in regulating legislative lobbying at the state level, and employs the least intrusive means available to do so.

This Rule sets out general principles. Outcomes depend heavily on underlying fact patterns that can vary greatly from case to case. Full disclosure of the operative facts must be provided and considered before a proper and correct answer can be derived.

A Senator may request an informal advisory opinion from the Senate General Counsel regarding the application of the new law and this Rule to a specific situation, on which the legislator may reasonably rely.

The houses of the Legislature are responsible for the administration and enforcement of the legislative lobbying portions of the new law. The legislative lobbying expenditure prohibitions are not part of the Florida Code of Ethics for Public Officers and Employees. Neither the Florida Commission on Ethics nor the Florida courts have jurisdiction to interpret these internal matters of the Legislature.

Part One—Expenditures

(1) General Guidelines

a) The Expenditure Prohibition

The new law contains a prohibition against lobbyists and principals making direct or *indirect* lobbying expenditures for legislators and legislative employees. It provides:

[N]o lobbyist or principal shall make, directly or indirectly, and no member or employee of the Legislature shall knowingly accept, directly or indirectly, any *expenditure*.... (emphasis added).

The new expenditure prohibition applies only to expenditures made by lobbyists and principals. It applies whether or not the lobbyist, principal, legislator, or legislative employee is in Florida. Florida’s gift law, section 112.3148, *Florida Statutes*, continues to apply to gifts to legislators and legislative employees from others.

Example: A legislator may accept a subscription to a newspaper or periodical that is neither published by, nor paid for, nor provided by a lobbyist or a principal.

Example: A legislator may not accept a free health screening or other personal service provided on behalf of an association that is a principal.

Example: A legislator may, as either a member or an invited guest, participate in meetings of, and partake of the food and beverage provided by a civic organization if the organization is not a principal.

The practical effect of this law is to prohibit expenditures for attempting to obtain the goodwill of a member or employee of the Legislature, and it is not designed to prohibit expenditures made in attempting to influence legislative action or non-action through oral or written communication.

b) Definitions

“*Expenditure*” is defined, essentially, as anything of value made by a lobbyist or principal *for the purpose of lobbying*.

“*Lobbying*,” in turn, means: (1) influencing or attempting to influence legislative action through oral or written communication (“active lobbying”); or, (2) attempting to obtain the *goodwill* of a member or employee of the Legislature (“goodwill”).

“*Goodwill expenditure*” is a gift, an entertainment, any food or beverage, lodging, travel, or any other item or service of personal benefit to a legislator or legislative employee.

Goodwill expenditures include contributions or donations from a lobbyist or a principal to a charitable organization that is, directly or in-

directly, established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof.

A “*lobbyist*” is a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity.

“*Personal benefit*” means a profit or gain pertaining to, directed toward, or affecting a person.

A “*principal*” means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; *the individual members of the association are not principals merely because of their membership in the association*.

c) Honorarium-related Expenses

It is no longer permissible to accept from a lobbyist or principal, directly or indirectly, payment or reimbursement of expenses for travel, food, lodging, or beverage, related to speaking engagements or other honorarium-type events.

d) Indirect Expenditures

An indirect expenditure is an expenditure that is not made directly to a legislator or legislative employee, but is made to another with the purpose that the expenditure be used for the personal benefit of a legislator or legislative employee.

The new expenditure prohibition *expressly* prohibits any lobbyist or principal from directing prohibited lobbying expenditures through a surrogate or through any person who by his or her actions or activities is obligated to register as a lobbyist but has failed to do so. Third party intermediaries, such as employees, members of associations and others, cannot be used to make prohibited expenditures.

Where an item or service (anything of value) is provided to a person *other* than a legislator or legislative employee by a lobbyist or principal and the item or service or the benefit attributable to the item or service ultimately is received by the legislator or employee, and where the item or service is provided with the intent to benefit the legislator or employee, such item or service constitutes a prohibited indirect expenditure to the legislator or employee.

Factors to be considered in determining whether a prohibited indirect expenditure has been made are set out on the following page in the joint functionality test:

TEST FOR DETERMINING LEGALITY OF AN INDIRECT EXPENDITURE

(1) The existence or nonexistence of communications by the lobbyist or principal indicating the lobbyist’s or principal’s intent to make or convey the item or service, or a personal benefit attributable to the item or service, to a legislator or employee rather than to the intervening third person;

(2) The existence or nonexistence of communications by the intervening third person indicating the intent to make or convey the lobbyist’s or principal’s item or service, or a personal benefit attributable to the item or service, to a legislator or employee rather than to the third person;

(3) The existence or nonexistence of any relationship between the lobbyist or principal and the third person, independent of the relationship between the lobbyist or principal and a legislator or employee, that would motivate the transfer to the third person;

(4) The existence or nonexistence of any relationship between the third person and a legislator or employee that would motivate the transfer;

(5) Whether the same or similar items or services have been or are being provided to other persons having the same relationship to the lobbyist or principal as the third person;

(6) Whether, under the circumstances, the third person had full and independent decision-making authority to determine whether a legislator or employee, or another, would receive the items or services, or a personal benefit attributable to the items or services;

(7) Whether the third person was acting with the knowledge or consent of, or under the direction of, the lobbyist or principal;

(8) Whether there were payments or the intention for any payments or bookkeeping transactions between the third person and the lobbyist or principal, reimbursing the third person for the items or services;

(9) The degree of ownership or control the lobbyist or principal had over the third person; and

(10) Whether a lobbyist or principal knew, or should have known, that an item or service provided to a third-party would be used to provide a personal benefit to a legislator or employee, such as for the funding of a legislative reception or an event to be attended by legislators or employees.

The following examples illustrate some of the applications of the foregoing indirect expenditure criteria:

Example 1: A law firm which lobbies the Legislature invites all of its attorneys to attend a weekend retreat. The attorneys are encouraged to bring their spouses or significant others at the firm's expense. Legislator C is married to an attorney in the firm and has been asked by her spouse to attend the retreat. The lodging provided to Legislator C for the retreat, food and drink, firm t-shirts, and the like would be considered a gift to her from her spouse and thus not a prohibited indirect expenditure, because the firm's invitation was extended to Legislator C's spouse by virtue of his employment with the firm.

Example 2: Legislator D hosts a fox hunt attended by legislators and lobbyists. Lobbyists give money to a third person, who is not a legislator or a legislative employee, to pay for the food and beverages which will be served at the fox hunt. The third party orders and prepares the food and beverages. The money provided to the third person by the lobbyists would be a prohibited indirect expenditure to Legislator D because it was given with the intent of benefiting him and his guests at the fox hunt.

Example 3: Legislator N and spouse have arranged to take a vacation trip together. A legislative lobbyist meets with Legislator N's spouse and offers to pay for the spouse's travel expenses. The lobbyist and Legislator N's spouse know each other only through the lobbyist's involvement with the legislator. This would constitute a prohibited indirect expenditure to Legislator N under the new law.

e) Equal or Greater Compensation

An expenditure is not prohibited when equal or greater value is given contemporaneously by the recipient to the donor.

Therefore, it is not an expenditure if:

1. The fair market value of the event, meeting, or other activity, including any food, beverage, transportation, lodging, or any other thing of value, can readily be determined, and

2. The legislator or legislative employee pays his or her pro rata share of the total fair market value to the person or organization hosting the event contemporaneously with the time of attending or participating in the event.

Thus, if a lobbyist or principal provides \$35 worth of goods or services to a legislator or legislative employee but the legislator or legislative employee *contemporaneously* provides *equal or greater consideration*, the lobbyist or principal has not provided *anything of value*, thus, there is no "expenditure."

f) Valuation

The law is silent as to the *valuation* of goods and services. *Fair market value* is the proper and applicable standard of valuation.

The retail price of an item or service is presumed to be its fair market value so long as it is reasonable in relation to the value of the item or service and the amount is not subsidized by a lobbyist or principal.

In valuing an expenditure, you may exclude the amount of additional expenses that are regularly required as a condition precedent to the donor's eligibility to make the expenditure if the amount expended for the condition precedent is primarily intended to be for a purpose other than lobbying, and is either primarily for the benefit of the donor or is paid to a charitable organization. Initiation fees and membership fees are examples of additional expenses that are regularly required as conditions precedent for eligibility to make an expenditure. Transportation expenses incurred to bring a member to an out-of-town event are not.

Entrance fees, admission fees, or tickets are normally valued on the face value or on a daily or per event basis. The portion of a ticket attributable to a charitable contribution is not included in the value. Conversely, if the ticket is subsidized by contributions of lobbyists or principals, the pro rata subsidized amount must be attributed to the face value.

A person providing transportation in a private automobile shall be considered to be making an expenditure at the then-current statutory reimbursement rate, which is currently 29 cents per mile. The value of transportation provided in other private conveyances must be calculated on its fair market value.

g) Exceptions

1. Relatives

A relative is an individual who is related to the member or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, or step great grandchild; any person who is engaged to be married to the member or employee or who otherwise holds himself or herself out as or is generally known as the person whom the member or employee intends to marry or with whom the member or employee intends to form a household; or any other natural person having the same legal residence as the member or employee.

This definition of "relative" is taken from former Joint Rule 1.4(4)(b), and has operated historically as an exception to the presumption that things of value given to a legislator or employee by a lobbyist or principal are intended for the purpose of engendering goodwill.

Example: A legislator is permitted to accept a Christmas gift from an aunt, even if she is a lobbyist. The gift is not deemed an expenditure made for the purpose of lobbying because of the family relationship between the donor and the donee.

2. Employment-related Compensation and Benefits

Salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the recipient's employment, business, or service as an officer or director of a corporation or organization are not prohibited expenditures so long as they are given in an amount commensurate with other similarly situated employees, officers, or directors.

These sorts of expenditures are currently also excepted from the definition of a gift in section 112.312(12)(b), *Florida Statutes*, and are a necessary exception in order for many legislators to continue their employment or continue their service on boards and continue to serve in Florida's citizen Legislature.

Example: A legislator who is on the board of directors of an organization that has a lobbyist is nevertheless permitted to partake of food and beverage provided to the board members by the organization at its board meetings.

3. Political Organizations and Entities

An expenditure does not include contributions or expenditures reported pursuant to chapter 106, *Florida Statutes*, or its federal law counterpart; campaign-related personal services provided without com-

pensation by individuals volunteering their time; any other contribution or expenditure made by a chapter 106 entity such as a candidate campaign, political committee, organization making electioneering communications, political party, or committee of continuous existence; or an entity qualified under section 501(c)(4) or section 527 of the Internal Revenue Code.

Members are cautioned that these organizations or entities may not be used as a vehicle for skirting the new lobbying expenditure law. To the extent that funds come from lobbyists or principals, one should exercise great care that the expenditures are legal and appropriate for that particular organization or entity.

4. Communications Expenses

The expenditure prohibitions in the new law do not reach expenditures made by a lobbyist or principal for items such as “media advertising,” “publications,” “communications,” and “research.”

Expenditures for researching, gathering, collating, organizing, providing, or disseminating information for the *exclusive* purpose of “active lobbying” (influencing or attempting to influence legislative action through oral or written communication) are necessary for Floridians to be able to “instruct their representatives.”

5. Office and Personal Expenses of Lobbyists and Principals

“Office expenses” and personal expenses of the lobbyist or principal for “travel,” “lodging,” and “food and beverages” as those items were defined in former Joint Rule 1.4(4)(c) are exempt from the prohibition on lobbying expenditures. This category does not include any expenses for legislators, legislative employees, or persons whose expenses would be attributed to them.

6. Government to Government Expenditures

Real property or a facility owned or operated by a state or local public agency or entity that is a lobbying principal and transportation to, from, and at the location provided by that agency or entity may, with the prior approval of the respective state legislative presiding officer or his or her designee, be used without payment, by a member, committee, or staff of the Legislature for a public legislative purpose. Such purposes include publicly noticed legislative committee meetings and site visits to operations conducted by the public agency or entity. Allowable free uses also specifically include legislative district offices and sub-offices and the normally attendant utilities, parking, janitorial services, building maintenance, and telecommunications equipment and services common to a government building in which the office is located. Allowable free use does not extend to sports or entertainment venues; does not include food, beverages, or entertainment; and does not include free parking privileges at any location other than a district office or sub-office.

7. Free and Open Public Events

Expenditures directly associated with events that are held within the Capitol complex, out-of-doors or under temporary shelter, open to the general public, widely and publicly noticed, free to all, not ticketed, and for which equal and totally unobstructed access to the general public is provided, are not prohibited expenditures made by lobbyists or principals, or when accepted by legislators or legislative employees.

Example: Atlas County, Florida, is holding Atlas Day in the plaza between the Capitol and the Historic Capitol. Lunch is served to all comers. The event was widely publicized and access to the event and the food and beverage is totally unobstructed. Legislators may partake as well.

8. Regional and National Legislative Organizations

The prohibition does not apply to expenditures made directly or indirectly by a state, regional, or national organization that promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff to members of that organization or to officials or staff of the Legislature. This exception does not include extracurricular activities, entertainments, or items or services provided at conferences that are paid for or provided by a lobbyist or principal.

9. Monetary Value Impossible to Ascertain

The value of some items is *truly impossible* to quantify at the time of the expenditure. Expenditures for which a monetary value is not ascertainable at the time of the expenditure are not prohibited. Examples are: appearing on a news show or having a feature article about a legislator in a trade magazine or other medium, applause received by a legislator at an event, obtaining priority seating in a crowded restaurant or priority for obtaining services where there is an established queue, or the pro-rata portion of a host’s monthly or annual membership in an exclusive supper club.

10. Plaques and Certificates

The prohibition does not apply to personalized wall plaques, personalized photographs, or personalized certificates that have no substantial inherent value other than recognizing the donee’s public, civic, charitable, or professional service.

h) Effect of Other Laws and Rules

To the extent that an expenditure is excluded or exempt from the new lobbying prohibition in section 11.045, *Florida Statutes*, it is still subject to the restrictions and requirements in other statutes: most notably, the gift law (section 112.3148, *Florida Statutes*) and the campaign finance law (chapter 106, *Florida Statutes*).

(2) Frequently Asked Questions

LEGISLATIVE EVENTS/RECEPTIONS

1. *Question: Can a county legislative delegation or delegation office sponsor an annual event in Tallahassee on public grounds or in quarters belonging to either the Senate or the House of Representatives (i.e., “Flavors of Hillsborough”)?*

ANSWER: A county legislative delegation may host an annual event in Tallahassee provided that no free food, beverages, or other personal benefits to a legislator or legislative employee are paid for or provided by a lobbyist or principal, either directly or indirectly.

Legislators and legislative staff may pay an amount established and published by the delegation as the per-person cost of the event, or they may “pop in” and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the delegation may make the event a free, open public event as described in Paragraph 1.g)7. above.

2. *Question: Can a legislator or legislative employee go up to the 22nd floor of the Capitol and partake of free food and drink provided by an organization hosting a luncheon or event at the Capitol?*

ANSWER: It depends. Yes, provided the organization hosting the event is not a principal and none of the food and beverages are paid for or provided by a lobbyist or principal. Otherwise, the legislator or legislative employee could attend the event but could not partake of the free food or beverages or they can pay the fair market value of what they consume.

3. *Question: Can “legislative days” that provide food, beverages, entertainment, and other personal benefits to legislators or legislative employees during the session and are hosted by counties, cities, universities, and others that employ a lobbyist continue?*

ANSWER: “Legislative days” and other legislative events funded by lobbyist or principal dollars may continue provided no free food, drink, entertainment, or other personal benefit is provided to a legislator or legislative employee, either directly or indirectly. Any such benefit would be a prohibited goodwill expenditure.

Legislators and legislative staff may pay an amount established and published by the sponsor as the per-person cost of the event, or they may “pop in” and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the sponsor may make the event a free, open public event as described in Paragraph 1.g)7. above.

4. *Question: Can a not-for-profit organization host receptions and events for legislators that provide food, beverages, entertainment, and other personal benefits to legislators or legislative employees through*

contributions solicited from lobbyists or principals who sponsor the reception or event?

ANSWER: The charity may host a reception or event for legislators and legislative employees *provided* that no free food, beverages, entertainment, or other personal benefit is provided to a legislator or legislative employee from the funds of lobbyists or principals.

Legislators and legislative employees may pay an amount established and published by the sponsor as the per-person cost of the event, or they may “pop in” and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the sponsor may make the event a free, open public event as described in Paragraph 1.g)7. above.

5. *Question: Can a lobbyist or principal host an event with food, beverages, entertainment, or other personal benefit for legislators or legislative employees and collect from each legislator or legislative employee, a flat, per-person entrance fee based on the total cost to plan, produce, stage, and clean up after the event, divided by the number of persons reasonably expected to attend?*

ANSWER: Yes.

6. *Question: Each year, a few associations host legislative receptions/BBQs and invite their members as well as legislators. They usually pass out campaign funds at these events to those who support their industry. Would it now be legal to host this event if it were called a “fundraiser”? Could legislators then accept free food and beverages at the event?*

ANSWER: Senate Rule 1.361 precludes a senator, and House Rule 15.3 precludes a representative, from accepting a campaign contribution during a regular or special session, in addition to prohibiting them from accepting contributions on behalf of a section 527 or section 501(c)(4) organization, a political committee, a committee of continuous existence, a political party, or the campaign of any other senatorial candidate or candidate for representative, respectively. Thus, any fundraiser held during a regular or special session would violate the rules of each house.

Fundraisers not held during a regular or special session are outside the purview of the expenditure prohibitions in the new law. A goodwill lobbying expenditure does not include contributions or expenditures reported pursuant to chapter 106, *Florida Statutes*. However, if the facts and circumstances demonstrate that calling the event a “fundraiser” is merely an artifice for lobbyists or principals to provide free gifts, food, beverages, and other items or services of personal benefit to a legislator, not associated with influencing the results of an election, then the fundraiser would violate the expenditure prohibition of the new law. Note, also, that fundraisers remain subject to the contribution restrictions and requirements of Florida’s campaign finance law (chapter 106, *Florida Statutes*).

HONORARIA EXPENSES

7. *Question: Can a lobbyist or principal continue to pay or reimburse a legislator’s or legislative employee’s expenses for such items as food and beverages, travel, and lodging associated with an honorarium event?*

ANSWER: No.

GIFTS TO LEGISLATORS

8. *Question: Can a school child give a legislator a painting that he or she has made?*

ANSWER: Yes. The prohibition against lobbying expenditures only applies to lobbyists and principals, and those acting on their behalf.

9. *Question: Can a school student whose parent is a lobbyist or principal give a scarf that was purchased by the child’s parent to a legislator as a gift?*

ANSWER: It depends. The lobbying expenditure prohibition applies to all gifts from lobbyists or principals to legislators, directly or *indirectly*. A lobbyist or principal cannot use a third-party intermediary to circumvent the lobbying expenditure prohibition. Thus, if the facts and circumstances demonstrate that the scarf is an indirect gift from the lobbyist or principal to the legislator, it would be prohibited.

10. *Question: Can a legislator accept rent-free office space and associated building services from a city, county, or community college in his or her district that employs or retains a lobbyist?*

ANSWER: Yes. See Paragraph 1.g)6. above for explanation and limitations.

11. *Question: Can a legislator or legislative staff accept transportation services from another governmental entity?*

ANSWER: Yes. See Paragraph 1.g)6. above for explanation and limitations.

12. *Question: Are there any value limitations on the exceptions in the new law for “floral arrangements or other celebratory items given to legislators and displayed in chambers on the opening day of a regular session”?*

ANSWER: Yes. All opening day flowers and floral arrangements are subject to the limitations and requirements of the gift law (section 112.3148, *Florida Statutes*). No other celebratory items will be allowed in either chamber on opening day of the regular session.

FOOD AND BEVERAGES/GIFTS

13. *Question: Can a legislator or legislative employee and his or her spouse have dinner with a lobbyist friend the legislator or legislative employee has known for 30 years at the lobbyist’s home, whether or not active lobbying occurs?*

ANSWER: Yes, *provided* the legislator or legislative employee contemporaneously provides the lobbyist with the pro rata share of the total fair market value of the cost of the food and beverages provided to the legislator or legislative employee and his or her spouse, either in cash or barter (i.e., bottle of wine, flowers). Otherwise, the expenditure for food and beverages would constitute a prohibited goodwill expenditure, irrespective of the extent of the legislator’s and lobbyist’s friendship.

14. *Question: Can a lobbyist or principal and legislator or legislative employee have dinner at a public restaurant?*

ANSWER: Yes, *provided* the dinner is “Dutch treat.”

15. *Question: Can a lobbyist or principal and a legislator or legislative employee have dinner “Dutch treat” at the Governor’s Club?*

ANSWER: Yes, *provided* the legislator or legislative employee pays the total cost of all food and beverage that he or she was served or consumed, or that was served to or consumed by a person whose expenditures are attributed to the legislator or legislative employee.

16. *Question: Can a lobbyist’s business partner, employee, spouse, or child, who is not a registered lobbyist, accompany the lobbyist and legislator or legislative employee to dinner and pay for all the food and beverages if the partner, employee, spouse, or child does not actively lobby?*

ANSWER: No. The lobbying expenditure prohibition applies to all food and beverages provided by lobbyists or principals to legislators or legislative employees, directly or *indirectly*. A lobbyist or principal cannot utilize a third-party intermediary to channel gifts to legislators to circumvent the lobbying expenditure prohibition.

17. *Question: If someone offers a legislator or legislative employee a drink at a bar, or any other gift or personal benefit, does the legislator or legislative employee have a duty to inquire if the donor is a lobbyist or principal?*

ANSWER: Yes. A legislator or legislative employee is liable for *knowingly* accepting an expenditure from a lobbyist or principal, or someone acting on behalf of a lobbyist or principal. “Knowingly” has many statutory definitions, including that a person: (1) has *actual knowledge* of the information; (2) acts in *deliberate ignorance* of the truth or falsity of the information; or, (3) acts in *reckless disregard* of the truth or falsity of the information. Therefore, prudence dictates that the legislator or legislative employee, at a minimum, make *reasonable inquiry* as to the source of the proposed expenditure to determine whether it is

prohibited. *Reasonableness* will turn on the facts and circumstances of each individual situation.

For example, a legislator receiving an invitation to an event to be held the next week, from an organization he or she is not familiar with would likely require that the legislator, *at a minimum*, consult the online directory of legislative principals and lobbyists, and perhaps make further inquiry if facts or circumstances come to light indicating that the organization might be making the expenditure on behalf of a lobbyist or principal. Similarly, a legislator offered a drink from someone he or she doesn't know in a Tallahassee bar or restaurant generally known to be frequented by lobbyists would probably be required, *at a minimum*, to ask whether the person is a lobbyist or principal or affiliated with a lobbyist or principal. On the other hand, a Miami legislator on personal holiday with his or her spouse at Busch Gardens in Tampa, who strikes up a friendship with a couple they don't know visiting from Colorado and who subsequently offers to pay for the legislator's and spouse's dinner probably has less of a duty to inquire whether either member of the couple is a Florida lobbyist or principal.

CHARITIES

18. *Question: Can a legislator or legislative employee raise funds from lobbyists or principals for charitable causes?*

ANSWER: Yes, *provided* the charity for which funds are sought is not directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof. Otherwise, such a contribution or donation would constitute a prohibited goodwill expenditure.

19. *Question: Can a legislator or legislative employee establish or operate a charitable foundation that relies on lobbyist or principal support?*

ANSWER: No. A legislator or legislative employee may establish or operate a charitable organization but none of the money contributed or donated to the charity may be from lobbyists or principals. Such a contribution or donation would constitute a prohibited goodwill expenditure.

20. *Question: Can a legislator or legislative employee sit on the board of a charitable organization that is not established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof? Can he or she accept free food and beverages provided by the charity and be reimbursed by the charity for expenses associated with the work of the charity (i.e., travel, lodging)?*

ANSWER: Yes. A legislator or legislative employee may sit on the board of a charitable organization that receives donations and contributions from lobbyists, and may partake of free food, beverages, and other personal benefits provided by the charity to board members in connection with their service, including reimbursement of personal expenses incurred by board members in furtherance of the charity's work. A goodwill expenditure does not include salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with a legislator's or legislative employee's employment, business, or service as an officer or director of a corporation or organization. *However*, any such salary, benefit, services, fees, commissions, gifts, or expenses cannot be from funds earmarked by lobbyists or principals to the charity for such purpose and must be received only for the legislator's or legislative employee's service as a member of the board.

21. *Question: Can a legislative caucus that is established as a non-profit group raise funds from lobbyists for its charitable causes?*

ANSWER: It depends. If the legislative caucus or the nonprofit group is directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, then the answer is no.

If the legislative caucus or the nonprofit group is not directly or indirectly established by, organized by, or operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, then the answer is yes.

22. *Question: Can a legislative caucus that is established as a non-profit group host its own charity golf tournament funded by lobbyist or principal "sponsors" at a private club, where the cost of sponsorship buys an opportunity to play golf with a member of the caucus, and to make a presentation to the caucus before and after the event?*

ANSWER: Yes, provided the legislative caucus or the nonprofit group is not directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, and the legislators and legislative employees pay their own golf fees and the per-person cost for food and beverage.

OTHER

23. *Question: What happens when a legislator is married to, related to, or living with a lobbyist? Can the lobbyist pay for meals, lodging, etc.?*

ANSWER: Yes, *provided* the lobbyist does not use the expenditure to actively lobby the legislator. Expenditures by "relatives" of a legislator for food, lodging, travel, and the like are specifically exempt from the definition of a goodwill expenditure.

24. *Question: Can a legislator be employed by a lobbyist or principal? Can a legislator go to the employer's retreat and partake of food and beverages?*

ANSWER: Yes. A goodwill expenditure does not include salary, benefits, services, fees, commissions, gifts, or expenses *associated primarily with a legislator's or legislative employee's employment*, business, or service as an officer or director of a corporation or organization.

25. *Question: Where a lobbyist or principal leaves a gift, such as a box of chocolates, in a legislator's office, what should the legislator do with the item?*

ANSWER: When a legislator or legislative employee receives an item that they believe violates the prohibition against accepting an expenditure from a lobbyist or principal, the item must either be sent back to the donor or delivered to the Sergeant at Arms for disposal.

Part Two—Compensation

(1) General Guidelines

Chapter 2005-359, *Laws of Florida*, for the first time, requires the reporting of *compensation* received by *lobbying firms* for each calendar quarter, both in the aggregate and for each individual principal. Much of the reporting is done in dollar categories; however, if compensation from a single principal is \$50,000 or more in a calendar quarter, the lobbying firm must report the specific dollar amount of the compensation, rounded to the nearest \$1,000.

A "lobbying firm" is any business entity with a lobbyist, or an individual contract lobbyist, who gets paid to lobby for a principal. It is the lobbying firm that must report, *not the individual lobbyists in the firm* (except in the case of an individual contract lobbyist, where the lobbyist also comprises the entire lobbying firm).

Reports are due no later than 45 days after the end of each calendar quarter. Compensation reports must be filed electronically using the online filing system of the Office of Legislative Services.

The new law requires the senior partner, officer, or owner of the lobbying firm to certify to the veracity and completeness of each compensation report. This requirement is designed to discourage the mischaracterization and thus omission of reportable compensation through designations such as "media fees," "consulting services," "professional services," "governmental services," and other such artifices.

For example, if a law firm were paid a lump sum for rendering multiple types of services to a client, only one of which is lobbying, then the person certifying the report is responsible for properly and reasonably allocating the portion of the total fee received for lobbying activities and for activities other than lobbying. Only the compensation received for *lobbying* activities is to be reported on the compensation form.

The Legislature will use random audits supplemented by the lobbyist disciplinary process to hold the person certifying the compensation re-

port and the lobbying firm accountable for making a true, complete, properly-allocated report as required by law. In addition, the certification brings every compensation report filer within the scope of potential criminal penalties in section 837.06, *Florida Statutes*, for culpable violations.

(2) Frequently Asked Questions

1. *Question: Is an in-house, salaried lobbyist for an association, a governmental entity, or a corporation that does not derive income from principals for lobbying required to report compensation?*

ANSWER: No. An association, a governmental entity, a corporation or other business entity that does not derive income from principals for lobbying, and its employee lobbyists, are not a “lobbying firm” as defined in section 11.045(1)(g), *Florida Statutes*. Only “lobbying firms” must report compensation as provided in section 11.045(3)(a), *Florida Statutes*.

2. *Question: Does the prohibition against providing compensation to an individual or business entity that is not a lobbying firm mean that in-house lobbyists must either become a lobbying firm or cease lobbying?*

ANSWER: No. The provision in question merely clarifies that reportable “compensation” under the law must be provided to a “lobbying firm,” and not contracted or subcontracted through some “straw man” to circumvent compensation reporting requirements. The provision in question clarifies and emphasizes the statutory definition of “compensation” in section 11.045(1)(b), *Florida Statutes*, as “anything of value provided or owed to a lobbying firm.”

RULE TEN

CHAMBER OF THE SENATE

10.1—Persons entitled to admission

No person shall be admitted to the main floor of the Senate Chamber while the Senate is in session except present members of the Senate, all officers and employees of the Senate in the performance of their duties, and persons charged with messages or papers to the Senate. Also entitled to admission are the Governor or one (1) representative designated by the Governor, the Lieutenant Governor, Cabinet officers, former Governors, present and former United States Senators, present and former members of the House of Representatives of the United States and of this State, Justices of the Supreme Court, former State Senators of Florida, and persons by invitation of the President. A special section of the gallery shall be reserved for members of the families of Senators.

10.2—Exception

Except at the discretion of the President, no person entitled to admission shall be admitted if registered pursuant to Rule Nine (9). No person admitted under this rule shall engage in any lobbying activity for or against any measure under consideration in the Senate.

10.3—Admission of press by President

Members of the press and of radio and television stations, in performance of their duties, shall be assigned to a press section specifically set aside for them, and shall not be allowed on the Senate floor while the Senate is in session, except with the approval of the President.

10.4—Attire

All persons on the main floor of the Senate Chamber and in the gallery (with the exception of visitors in that portion of the gallery set aside for the general public) shall wear appropriate business attire at all times while the Senate is in session.

10.5—Gallery

No food or beverages shall be allowed in the gallery at any time.

RULE ELEVEN

CONSTRUCTION AND WAIVER OF RULES

11.1—Interpretation of Rules

It shall be the duty of the President, or the presiding officer for the time being, to interpret all Rules. Motions for the previous question and to lay on the table shall not be entertained.

11.2—Waiver and suspension of Rules

These Rules shall not be waived or suspended except by a two-thirds (2/3) vote of those Senators present. The motion, when made, shall be decided without debate. A motion to waive a Rule requiring unanimous consent of the Senate shall be construed to be an amendment to these Rules and shall be referred to the Rules Committee except by unanimous consent of those Senators present.

11.3—Changes in Rules

All proposed actions regarding the Rules and Order of Business in the Senate shall be first referred to the Rules Committee, which shall report as soon as practicable. Consideration of such a report shall always be in order. The Rules Committee may originate reports and resolutions dealing with the Senate Rules and the Order of Business, and such power shall be exclusive, provided, however, that any report made pursuant to this Rule may be amended by a two-thirds (2/3) vote of those Senators present.

11.4—Majority action

Unless otherwise indicated by the Senate Rules or the *State Constitution*, all action by the Senate shall be by majority vote of those Senators present.

11.5—Uniform construction

When in the Senate Rules reference is made to “two-thirds (2/3) of those present,” “two-thirds (2/3) vote,” “two-thirds (2/3) of the Senate,” “two-thirds (2/3) of those voting,” etc., these shall all be construed to mean two-thirds (2/3) of those Senators present, except that two-thirds (2/3) of the membership of the Senate shall be required to consider additional proposed legislation in any extended session in accordance with Article III, Section 3 of the *State Constitution*.

11.6—General

When used in the Senate Rules, the following words shall, unless the text otherwise indicates, have the following respective meaning: the singular always includes the plural. Except where specifically provided or where the context indicates otherwise, the use of the word “bill,” “measure,” or “matter” means a bill, joint resolution, concurrent resolution, resolution, or memorial; however, “matter” also means an amendment, an appointment, or a suspension.

RULE TWELVE

EXECUTIVE SESSIONS, APPOINTMENTS, SUSPENSIONS, AND REMOVALS

PART ONE—EXECUTIVE SESSIONS

12.1—Executive session; authority

The business of the Senate shall be transacted openly and not in executive session except under conditions pursuant to Article III, Section 4(b) of the *State Constitution*.

12.2—Executive session; purpose

Pursuant to Article III, Section 4(b) of the *State Constitution*, the Senate may resolve itself into executive session for the sole purpose of considering appointment, removal, or suspension. No one shall be in attendance except Senators, the Secretary, and staff as approved by the President, who shall be sworn not to disclose any executive business without consent of the Senate.

12.3—Executive session; vote required

When the Senate agrees, by a majority of those Senators present, that specified appointments, removals, or suspensions shall be considered in executive session, such shall be calendared for formal consideration by the Senate.

12.4—Executive session; work product confidentiality

All information and remarks including committee work product concerning the character and qualification, together with the vote on each appointment, removal, or suspension considered in executive session shall be kept confidential except information on which the bans of confidentiality were lifted by the Senate while in executive session.

12.5—Executive session; separate Journal

A separate Journal shall be kept of executive proceedings of the Senate, and no information regarding same shall be made public except by order of the Senate or by order of a court of competent jurisdiction.

12.6—Violation of Rule

Violation of the above Rules as to the confidentiality of the proceedings of executive sessions shall be considered by the Senate as sufficient grounds for unseating the offending Senator.

PART TWO—APPOINTMENTS, SUSPENSIONS, AND REMOVALS**12.7—Procedure**

(1) Except as otherwise herein provided, on receipt by the Senate of appointments or suspensions on which action by the Senate is required, the President shall refer each to the Ethics and Elections Subcommittee, other appropriate committee or committees, or a special master appointed by the President. Any such committee, subcommittee, or special master shall make inquiry or investigation and hold hearings, as appropriate, and advise the President and the Senate with a recommendation and the necessity for deliberating the subject in executive session. Reports and findings of the committee, subcommittee, or the special master appointed pursuant hereto are advisory only and shall be made to the President. The report of the committee, subcommittee, or the special master may be privileged and confidential. The President may order the report presented to the Senate in either open or executive session, or the President may refer it to the Rules Committee for its consideration and report. When the report is presented to the Senate in open session or received by the Rules Committee, the report shall lose its privileged and confidential character.

(2) Upon receipt of a request by the Governor or other appointing official or authority for the return of the documentation of an appointment, which appointment has not been acted upon by the Senate, the Secretary, upon consultation with the President, shall return the appointment documentation and the return shall be noted in the Journal. The appointee whose appointment was returned continues in office until the end of the next ensuing session of the Legislature or until the Senate confirms a successor, whichever occurs first.

- (a) If the appointment returned was made by the Governor, official or authority's predecessor, the appointee shall not be subject to the provisions of section 114.05(1)(e) or (f), *Florida Statutes*, during the period of withdrawal.
- (b) If the appointment returned was made by the Governor, official or authority requesting the return, for purposes of section 114.05(1)(e) and (f), *Florida Statutes*, the returned appointment shall be treated as if the Senate failed to consider the appointment.

(3) An executive suspension of a public official who is under indictment or who has pending against him or her criminal charges filed by the appropriate prosecuting officer in a court of record, or an executive suspension of a public official that is challenged in a court shall be referred to the Ethics and Elections Subcommittee, other appropriate committee or special master; however, all inquiry or investigation or hearings thereon shall be held in abeyance and the matter shall not be considered by the Senate, committee, subcommittee, or special master until the pending charges have been dismissed, or until final determination of the criminal charges at the trial court level, or until the final

determination of a court challenge, if any, and the exhaustion of all appellate remedies for any of the above. In a suspension case in which the criminal charge is not for the alleged commission of a felony, the committee, subcommittee, or special master and the Senate may proceed if the written consent of counsel for the Governor and of the suspended official is obtained.

(4) The Governor and the suspended official shall be given reasonable notice in writing of any hearing or pre-hearing conference before the committee or special master.

(5) The suspended official may file with the Secretary, no later than ten (10) days prior to the first (1st) pre-hearing conference, or no later than the date set by the committee, subcommittee, or special master if no pre-hearing conference is held, all written defenses or matters in avoidance of the charges contained in the suspension order.

(6) When it is advisable, the committee, subcommittee, or special master may request that the Governor file a bill of particulars containing a statement of further facts and circumstances supporting the suspension order. Within twenty (20) days after the receipt of such bill of particulars by the suspended officer, that officer shall file with the committee, subcommittee, or special master a response to the Governor's bill of particulars. Such response shall specifically admit or deny the facts or circumstances set forth in the Governor's bill of particulars, and may further make such representation of fact and circumstances or assert such further defenses as are responsive to the bill of particulars or as may bear on the matter of the suspension.

(7) The committee, subcommittee, or special master may provide for a pre-hearing conference with counsel for the Governor and the suspended official to narrow the issues involved in the suspension. At such conference, both the Governor and the suspended official shall set forth the names and addresses of all the witnesses they intend to call, the nature of their testimony, photocopies of all documentary evidence, and a description of all physical evidence that will be relied on by the parties at the hearing. Each shall state briefly what each expects to prove by such testimony and evidence.

(8) Subject to the limitations of Rule 12.7(3), the committee, subcommittee, or special master shall institute action by transmitting a notice of hearing for a pre-hearing conference or a hearing on the merits within three (3) months after the effective date of the suspension order. If a suspension order is referred to the committee, subcommittee, or special master but is held in abeyance in accordance with Rule 12.7(3), the committee, subcommittee, or special master shall institute action within three (3) months after the termination of pending proceedings as described in Rule 12.7(3). The Senate may act on the recommendations of the committee, subcommittee, or special master at any time it is in session but shall do so no later than the end of the next regular session of the Legislature.

(9) For the purposes of Article IV, Section 7(b) of the *State Constitution*, the Senate may find that the suspended official has committed a felony notwithstanding that a court may have withheld adjudication of guilt upon which the suspension order is based in whole or in part.

(10) If the Governor files an amended suspension order, the attention of the Senate, committee, subcommittee, or special master shall be directed at the amended suspension order.

(11) Within sixty (60) days after the Senate has completed final action on the recommendation of the committee, subcommittee, or special master, any party to the suspension matter may request the return, at that party's expense, of any exhibit, document, or other evidence introduced by that party. After the expiration of sixty (60) days from the date the Senate has completed final action, the committee, subcommittee, or special master may dispose of such exhibits or other evidence.

12.8—Special master; appointment

The President may appoint and contract for the services of a special master to perform such duties and make such reports in relation to suspensions and removals as he or she shall prescribe.

12.9—Special master; floor privilege

With consent of the President, the special master may have the privilege of the Senate floor to present and explain the report and answer questions as to the law and facts involved.

12.10—Issuance of subpoenas and process

The committee, subcommittee, and special master shall each have the authority to request the issuance of subpoenas, subpoenas duces tecum, and other necessary process under Rule 2.2. The committee chair, subcommittee chair, and special master may each administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear to testify on matters pending before the committee, subcommittee, or special master.

12.11—Rule takes precedence

In any situation where there is a direct conflict between the provisions of Rule Twelve (12) and part V of chapter 112, *Florida Statutes*, Rule Twelve (12), derived from Article III, Section 4(a) of the *State Constitution*, shall take precedence.

RULE THIRTEEN**SPECIAL SESSION****13.1—Applicability of Senate Rules**

All Senate Rules shall apply and govern during special sessions except to the extent specifically modified or contradicted herein.

13.2—Sessions of the Senate

The Senate shall meet each legislative day at 9:00 a.m. or pursuant to a schedule provided by the President.

13.3—Committee meetings; schedule, notice

(1) Committee meetings shall be scheduled by the President. Meetings of committees scheduled in accordance with this Rule may be held after notice is made available in the public corridor leading into the Senate Chamber for two (2) hours in advance of the meeting. A committee may meet less than two (2) hours after the convening of a special session if a notice is filed with the Secretary by 5:00 p.m. of the day prior to the meeting.

(2) The notice shall include the date, time, and place of the meeting together with the name of the introducer, subject, number of each bill to be considered, and the amendment deadline for the meeting. All other provisions for publication of notice of committee meetings are suspended.

13.4—Delivery for introduction

All bills for introduction may be delivered to the Secretary at any time.

13.5—Committee reports

Every bill referred to a standing committee or committees shall be reported to the Secretary before 4:30 p.m. of the third (3rd) calendar day from the day of reference (the day of reference not being counted as the first (1st) day) unless otherwise ordered by the Senate by majority vote of those Senators present. Any bill on which no committee report is filed may be withdrawn from such committee and calendared on point of order. Every bill referred to a standing subcommittee shall be reported to the standing committee at a time specified by the chair of the standing committee which shall not be beyond the time allowed herein.

13.6—Conference committee reports

(1) The report of a conference committee appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days and, on the completion of the second (2nd) reading, the vote shall be on the adoption or rejection thereof and final passage of the measure as

recommended. During the last two (2) days of a special session the report shall be read only once. A conference committee report shall be made available to the membership two (2) hours prior to the beginning of debate of the report by the Senate.

(2) The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(3) Conference committees, other than a conference committee on a general or special appropriations bill and its related legislation, shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

(4) A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment deleting everything after the enacting clause of any such bill referred to the committee. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either house.

(5) When conferees on the part of the Senate report an inability to agree, any action of the Senate taken prior to such reference to a conference committee shall not preclude further action on said measure as the Senate may determine.

(6) After Senate conferees have been appointed for thirty-six (36) hours and have failed to make a report, it is a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said Senate conferees.

13.7—Reconsideration

A motion to reconsider shall be made and considered on the same day.

13.8—Special Order Calendar

(1) A Calendar Group, consisting of the Rules Chair, Rules Vice Chair, Majority Leader, Minority Leader, two (2) members of the Rules Committee designated by the President, and one (1) member of the Rules Committee designated by the Minority Leader, shall submit a Special Order Calendar determining the list of bills for consideration by the Senate. The President shall determine the order of such bills on the Special Order Calendar.

(2) Such Special Order Calendar shall be for the next legislative day. The amendment deadline for bills on the Special Order Calendar shall be 5:00 p.m. or two (2) hours after the Special Order Calendar is announced, whichever occurs later.

RULE FOURTEEN**SEAL AND INSIGNIA****14.1—Seal and insignia**

(1) There shall be an official seal of the Senate. The seal shall be the size of a circle of two and one-half inches diameter having in the center thereof a fan of the five flags which have flown over Florida, above a disc containing the words: "In God We Trust" arched above a gavel, quill, and scroll. At the top of the field of flags shall be the word: "Seal." At the bottom shall be the date: "1838." The perimeter of the seal shall contain the words: "Senate" and "State of Florida."

(2) There shall be an official coat of arms for the Senate. The coat of arms shall contain a fan of the five flags that have flown over Florida, above the Great Seal of Florida. At the base of the coat of arms shall be the words: "The Florida Senate."

Regulated Industries

Senator Jones, Chair; Senator Sachs, Vice Chair; Senators Altman, Braynon, Dean, Diaz de la Portilla, Hill, Norman, Rich, Siplin, Thrasher and Wise

Rules

Senator Thrasher, Chair; Senator Alexander, Vice Chair; Senators Bullard, Flores, Gaetz, Gardiner, Jones, Margolis, Negron, Richter, Siplin, Smith and Wise

Rules Subcommittee on Ethics and Elections

Senator Diaz de la Portilla, Chair; Senator Detert, Vice Chair; Senators Alexander, Braynon, Dockery, Evers, Gaetz, Joyner, Oelrich, Rich, Richter, Simmons, Smith, Sobel and Thrasher

Transportation

Senator Latvala, Chair; Senator Evers, Vice Chair; Senators Benacquisto, Bullard, Garcia, Joyner and Storms

Joint Legislative Committees:**Joint Select Committee on Collective Bargaining**

Senator Ring, Co-Chair; Senators Bogdanoff, Garcia, Montford and Wise

Joint Legislative Budget Commission

Senator Alexander, Vice Chair; Senators Gaetz, Negron, Rich, Richter, Siplin and Wise

ENROLLING REPORTS

SCR 6000 has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on March 8, 2011.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of November 16, 2010, Organization Session; and November 16, 2010, Special Session A were corrected and approved.

RECESS

Pursuant to the motion by Senator Thrasher previously adopted, upon dissolution of the joint session at 6:38 p.m., the Senate recessed for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Wednesday, March 9 or upon call of the President.

SENATE PAGES

March 7-11, 2011

Rejerio Burton, Ocala; Brittany Detert, Venice; Megan Gallagher, Freeport; Alexandria Hall, Monticello; Gregory Hyppolite, Miami; Grace Kurecki, Venice; Christine Martinez, Tampa; Donald McCloud, Monticello; Alex Merrill, Osprey; Lindsay Taggart, Lutz; Austin Toro, Tallahassee



Journal of the Senate

Number 2—Regular Session

Wednesday, March 9, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 9:00 a.m. A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Excused: Senator Bullard

PRAYER

The following prayer was offered by Dr. Albert Simpson, Jr., Senior Pastor, Philemon Baptist Church, Jacksonville:

“Our Father which art in heaven, hallowed be thy name, thy kingdom come, thy will be done, as in heaven, so in earth. Give us day by day our daily bread and forgive us our sins, for we also forgive everyone that is indebted to us. And lead us not into temptation, but deliver us from evil.”

Father, thank you for the opportunity to petition you in behalf of our legislative bodies, forty Senators and one hundred and twenty House of Representatives and their families, and also our executive branches, judicial branches, and the various agencies that are charged with the statutory responsibilities to administer the laws of our state. Bless their families.

O Father, hear us as we lift our local governmental officers and their families up, our churches as our conscience to synergize our efforts as civil and spiritual servants. O Father, bless our men and women in our military branches and their families, and the citizens of this great state. Hear us, O Father, and guide this body through this legislative session, and as we remember the words from the prophet Micah, I quote, “He hath shewed thee, O man, what is good and what doth the Lord require of thee, but to do justly and to love mercy and to walk humbly with thy God.” O Father, we thank you in thy name.

PLEDGE

Senate Pages Donald McCloud, Jr. of Monticello; Christine Martinez of Tampa; Alex Merrill of Osprey; Megan Gallagher of Freeport; Grace Kurecki and Brittany Detert, granddaughter of Senator Detert of Venice, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Flores—

By Senators Flores and Diaz de la Portilla—

SR 660—A resolution congratulating the Florida International University Golden Panthers football team on achieving its first Sun Belt Conference championship title and first-ever bowl game win at the Little Caesars Pizza Bowl.

WHEREAS, since 1965, Florida International University has been Miami-Dade County’s public university, currently serving more than 41,000 students, and

WHEREAS, more than 100,000 FIU graduates live and work in South Florida, and

WHEREAS, the FIU football program was established in 1999 and had its inaugural season in 2002 in Division I-AA, and

WHEREAS, the FIU Golden Panthers moved to Division I-A in 2005, joining the Sun Belt Conference, and

WHEREAS, on November 27, 2010, during its eighth season, the FIU football team for the first time won the Sun Belt Conference championship title with a 31-24 victory over the Arkansas State Red Wolves at FIU Stadium, and

WHEREAS, on December 26, 2010, in its first-ever bowl appearance, the FIU football team played in front of a national audience in the Little Caesars Pizza Bowl at Ford Field in Detroit, Michigan, and

WHEREAS, FIU won the Little Caesars Pizza Bowl with a 34-32 victory against the University of Toledo, and

WHEREAS, FIU wide receiver Eugene “T.Y.” Hilton was named the Little Caesars Pizza Bowl Most Valuable Player, after he posted three catches for 32 yards and a touchdown and an 89-yard kickoff return for a touchdown and was instrumental on a 4th-and-17 conversion that eventually set up the game-winning field goal, and

WHEREAS, kicker Jack Griffin connected on a 34-yard field goal as time expired to clinch the victory for the FIU Golden Panthers, and

WHEREAS, FIU football team members Marquis Rolle, Willis Wright, Junior Mertile, Larvez Mars, Eugene “T.Y.” Hilton, Wayne Times, Jeremiah Harden, Solomon Smith, Anthony Gaitor, Khambrel McGee, Kedrick Rhodes, Glenn Coleman, Ashlyn Parker, Jake Medlock, Wesley Carroll, Toronto Smith, Wayne Younger, Colt Anderson, Franklin Brown, Dudley LaPorte, Kreg Brown, Randy Williams, Chuck Grace, Markeith Russell, Terrance Taylor, Emmanuel Souarin, Jonathan Cyprien, Darian Mallary, Jose Cheeseborough, Darriet Perry, Dezariah Johnson, Jonathan Faucher, Jarvis Wilson, Justin Halley, Cain Elliot, Zach Schaubaut, Robert Boswell, Winston Fraser, Trenard Turner, Brandon Bennett, Jarrell McGee, Derrick Jones, Jr., Jack Griffin, Sam Miller, Josh Brisk, Kenneth Dillard, Torrence Seymour, Caleb Vincent, Antwoine Bell, Jeremy Jermin, Aaron Davis, Michael Davies, Sam

Gervais, Kasey Smith, Junior Delpo, Dylan Lynch, David Delsoin, Anton Graham, Nick Thorstenson, Giancarlo Revilla, Rupert Bryan, Jr., Gregory Hickman, Michael Cal, Dereck Wimberly, Jr., Kenneth White, Donald Senat, Christopher Edwards, Curtis Bryant, Chris Nasiff, Mitch MacClugage, David Istanich, Kevin Van Kirk, Austin Tottle, Caylin Hauptmann, Cedrick Davis, Stephen Bailey, Chris Cawthon, Andre Pound, Brad Serini, Cedric Mack, James Wiggins, Ty Frierson, Jairus Williams, Greg Ellingson, Ariel Martinez, Michael Curry, Mitch Wozniak, Joey Harris, Mike Jean-Louis, Jacob Younger, Rockey Vann, Jordan White, Paul Crawford, Andrew Mattox, James Jones, Joshua Forney, Tourek Williams, Jerrico Lee, and Isame Faciane, contributed extraordinary performances throughout the regular season and the Little Caesars Pizza Bowl, and

WHEREAS, although the FIU football team lost Number 19, Kendall Berry, in March 2010 in a tragic incident that caused his untimely death, his spirit was very much present with the team throughout the season, and

WHEREAS, FIU Head Coach Mario Cristobal, who provided strong, wise leadership and instilled a solid work ethic in the football team, was named the Sun Belt Conference Coach of the Year, and

WHEREAS, Coach Cristobal has been commended by the National Collegiate Athletic Association (NCAA) for “the improved academic performance of the football team since the arrival of (Coach Cristobal) in December 2006,” the team’s 74-point increase in the all-important Academic Progress Rate, and

WHEREAS, the FIU coaching and support staff, which includes Athletic Director Pete Garcia, Defensive Coordinator Geoff Collins, Offensive Coordinator Scott Satterfield, Cedric Calhoun, Greg Laffere, Alex Mirabal, Juan Navarro, Frank Ponce, Jeff Popovich, Apollo Wright, Phil Ockinga, Roderick Moore, Dennis Smith, Tony Egues, Dan Hernandez, Jared Brookman, and Andrew Green, exhibited exemplary leadership and guidance to the team, NOW, THEREFORE,

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

That the Florida Senate congratulates the FIU football team for its first-ever bowl game victory in the 2010 Little Caesars Pizza Bowl and for its outstanding performance during the 2010 season, which included the Sun Belt Conference championship.

BE IT FURTHER RESOLVED that the Florida Senate recognizes and praises the achievements of the FIU Golden Panthers football players, coaches, and staff, whose hard work, dedication, and resiliency proved instrumental throughout the season.

BE IT FURTHER RESOLVED that the Florida Senate commends the entire FIU community of students, alumni, faculty, staff, administrators, friends, and loyal fans in South Florida and beyond for its spirit and dedication.

—was introduced out of order and read by title. On motion by Senator Flores, **SR 660** was read the second time in full and adopted.

On motion by Senator Bennett—

By Senator Bennett—

SR 1136—A resolution recognizing March 2011 as “Brain Injury Awareness Month” in Florida.

WHEREAS, 100,000 Floridians annually sustain a traumatic brain injury, and

WHEREAS, more than 8,400 Floridians sustain permanent, life-long disabilities from a traumatic brain injury that results in a life-altering experience that may include serious physical, cognitive, and emotional impairments, and

WHEREAS, more than 210,000 Floridians currently live with permanent disabilities resulting from a traumatic brain injury, but the lack of public awareness is so vast that traumatic brain injury is known in the disability community as the “silent epidemic,” and

WHEREAS, traumatic brain injury attributable to roadside bombs and blasts is the signature wound of the global War on Terror, and military personnel who return to Florida with traumatic brain injuries require additional state and local resources, and

WHEREAS, most cases of traumatic brain injury are preventable, and enhanced public awareness of traumatic brain injury is essential in preventing and developing effective treatment and providing necessary resources, and

WHEREAS, the Brain Injury Association of Florida, Inc., has recognized March as “Brain Injury Awareness Month,” NOW, THEREFORE,

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

That March 2011 is recognized as “Brain Injury Awareness Month” in Florida.

—was introduced out of order and read by title. On motion by Senator Bennett, **SR 1136** was read the second time in full and adopted.

On motion by Senator Bennett—

By Senator Bennett—

SR 1576—A resolution honoring Mayor John Land, the longest-serving mayor in the State of Florida and the longest-serving full-time mayor in the United States of America.

WHEREAS, John Land was born in Plant City, moved to Apopka at a young age, and attended the University of Florida, and

WHEREAS, John Land served in the United States Army during World War II and was a participant in two campaigns in the European Theater of Operations, and

WHEREAS, upon his return from the military, John Land returned to Apopka, where he went into the manufacturing business before being elected as Mayor of the City of Apopka in 1949, a position he held from January 1, 1950, to January 1, 1968, and

WHEREAS, Mayor John Land was again elected to serve as the Mayor of the City of Apopka in 1970 and he has continued to serve the citizens of Apopka ever since, and

WHEREAS, among his many honors during his 58 years as the Mayor of the City of Apopka, Mayor John Land was the recipient of the 1978 Florida League of Cities’ E. Harris Drew Municipal Officer of the Year award and was declared to be a “State of Florida Treasure,” and

WHEREAS, Mayor John Land, the longest-serving mayor in the State of Florida and the longest-serving full-time mayor in the United States of America, holds the honor of being the only elected official in the state who serves on the Board of Directors of the Florida League of Cities without appointment or election, NOW, THEREFORE,

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

That the Florida Senate honors Mayor John Land for his many years of public service and for his outstanding contributions to the citizens of the City of Apopka.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Mayor John Land as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Bennett, **SR 1576** was read the second time in full and adopted.

BILLS ON THIRD READING

SENATOR BENNETT PRESIDING

CS for SJR 2—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution, relating to health care services.

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

That the following creation of Section 28 of Article I of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 28. Health care services.—

(a) To preserve the freedom of all residents of the state to provide for their own health care:

(1) A law or rule may not compel, directly or indirectly, any person or employer to purchase, obtain, or otherwise provide for health care coverage.

(2) A person or an employer may pay directly for lawful health care services and may not be required to pay penalties or taxes for paying directly for lawful health care services. A health care provider may accept direct payment for lawful health care services and may not be required to pay penalties or taxes for accepting direct payment from a person or an employer for lawful health care services.

(b) The private market for health care coverage of any lawful health care service may not be abolished by law or rule.

(c) This section does not:

(1) Affect which health care services a health care provider is required to perform or provide.

(2) Affect which health care services are permitted by law.

(3) Prohibit care provided pursuant to general law relating to workers' compensation.

(4) Affect laws or rules in effect as of March 1, 2010.

(5) Affect the terms or conditions of any health care system to the extent that those terms and conditions do not have the effect of punishing a person or an employer for paying directly for lawful health care services or a health care provider for accepting direct payment from a person or an employer for lawful health care services, except that this section may not be construed to prohibit any negotiated provision in any insurance contract, network agreement, or other provider agreement contractually limiting copayments, coinsurance, deductibles, or other patient charges.

(6) Affect any general law passed by a two-thirds vote of the membership of each house of the legislature after the effective date of this section, if the law states with specificity the public necessity that justifies an exception from this section.

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

(1) "Compel" includes the imposition of penalties or taxes.

(2) "Direct payment" or "pay directly" means payment for lawful health care services without a public or private third party, not including an employer, paying for any portion of the service.

(3) "Health care system" means any public or private entity whose function or purpose is the management of, processing of, enrollment of individuals for, or payment, in full or in part, for health care services, health care data, or health care information for its participants.

(4) "Lawful health care services" means any health-related service or treatment, to the extent that the service or treatment is permitted or not prohibited by law or regulation at the time the service or treatment is rendered, which may be provided by persons or businesses otherwise permitted to offer such services.

(5) "Penalties or taxes" means any civil or criminal penalty or fine, tax, salary or wage withholding or surcharge, or named fee with a similar effect established by law or rule by an agency established, created, or controlled by the government which is used to punish or discourage the exercise of rights protected under this section. For purposes of this section

only, the term "rule by an agency" may not be construed to mean any negotiated provision in any insurance contract, network agreement, or other provider agreement contractually limiting copayments, coinsurance, deductibles, or other patient charges.

BE IT FURTHER RESOLVED that the following title and statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE I, SECTION 28

HEALTH CARE SERVICES.—Proposing an amendment to the State Constitution to prohibit laws or rules from compelling any person or employer to purchase, obtain, or otherwise provide for health care coverage; permit a person or an employer to purchase lawful health care services directly from a health care provider; permit a health care provider to accept direct payment from a person or an employer for lawful health care services; exempt persons, employers, and health care providers from penalties and taxes for paying directly or accepting direct payment for lawful health care services; and prohibit laws or rules from abolishing the private market for health care coverage of any lawful health care service. Specifies that the amendment does not affect which health care services a health care provider is required to perform or provide; affect which health care services are permitted by law; prohibit care provided pursuant to general law relating to workers' compensation; affect laws or rules in effect as of March 1, 2010; affect the terms or conditions of any health care system to the extent that those terms and conditions do not have the effect of punishing a person or an employer for paying directly for lawful health care services or a health care provider for accepting direct payment from a person or an employer for lawful health care services; or affect any general law passed by two-thirds vote of the membership of each house of the Legislature, passed after the effective date of the amendment, provided such law states with specificity the public necessity justifying the exceptions from the provisions of the amendment. The amendment expressly provides that it may not be construed to prohibit negotiated provisions in insurance contracts, network agreements, or other provider agreements contractually limiting copayments, coinsurance, deductibles, or other patient charges.

—was read the third time in full.

On motion by Senator Haridopolos, CS for SJR 2 was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Evers	Montford
Alexander	Fasano	Negron
Altman	Flores	Norman
Benacquisto	Gaetz	Oelrich
Bennett	Garcia	Richter
Bogdanoff	Gardiner	Simmons
Dean	Hays	Storms
Detert	Jones	Thrasher
Diaz de la Portilla	Latvala	Wise
Dockery	Lynn	

Nays—10

Braynon	Rich	Smith
Hill	Ring	Sobel
Joyner	Sachs	
Margolis	Siplin	

SPECIAL ORDER CALENDAR

THE PRESIDENT PRESIDING

SB 916—A bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2011 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2011 shall be effective immediately upon publication; providing that general laws enacted during the 2010 regular session and

prior thereto and not included in the Florida Statutes 2011 are repealed; providing that general laws enacted during the November 16, 2010, special session and the 2011 regular session are not repealed by this adoption act; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote **SB 916** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 944—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 16.0155, 28.36, 102.012, 112.534, 206.608, 213.67, 283.30, 283.33, 283.43, 285.710, 288.0659, 288.106, 288.9604, 316.008, 319.30, 320.03, 321.05, 327.73, 339.135, 341.302, 373.036, 376.011, 380.0552, 380.503, 381.0065, 401.465, 402.7305, 403.7032, 403.891, 411.01, 435.03, 443.091, 443.131, 479.01, 494.00331, 550.334, 550.3345, 553.77, 624.310, 627.4605, 627.711, 633.081, 677.105, 893.055, 893.0551, 1002.69, 1003.428, 1003.429, and 1008.34, F.S.; and reenacting ss. 61.30, 163.3202, 369.317, 443.141, 497.372, and 718.111, F.S.; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote **SB 944** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 924—A reviser’s bill to be entitled An act relating to the Florida Statutes; repealing ss. 212.08(7)(ccc), 267.171, 288.1162(6)(b), 288.95155(2)(b), 288.99, 316.1893(2), 320.0609(2)(c), 320.131(1)(m), 379.2211, 379.2212, 400.179(2)(e), 420.9072(7)(b), 494.0017, 494.0029, 494.00295, 494.0031, 494.0032, 494.0033, 494.0034, 494.0041, 494.0061, 494.0062, 494.0064, 494.0065, 494.0072, 624.4072, 1006.15(8), and 1013.37(6), F.S.; and amending ss. 339.135(4)(a) and 377.6015(1)(a), F.S.; to delete provisions which have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the 2011 Florida Statutes only through a reviser’s bill duly enacted by the Legislature; amending ss. 14.2015, 212.05, 213.053, and 220.192, F.S., to conform cross-references; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote **SB 924** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 946—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 1000.01, 1000.02, 1000.04, 1000.05, 1000.06, 1000.07, 1000.21, 1001.02, 1001.03, 1001.10, 1001.11, 1001.20, 1001.27, 1001.271, 1001.28, 1001.43, 1001.60, 1001.61, 1001.62, 1001.63, 1001.64, 1001.65, 1001.705, 1001.706, 1002.20, 1002.21, 1002.33, 1002.34, 1002.41, 1002.45, 1003.03, 1003.41, 1003.4156, 1003.433, 1003.435, 1003.49, 1003.51, 1003.52, 1004.02, 1004.03, 1004.04, 1004.05, 1004.06, 1004.07, 1004.085, 1004.095, 1004.226, 1004.645, 1004.648, 1004.65, 1004.66, 1004.67, 1004.68, 1004.70, 1004.71, 1004.725, 1004.726, 1004.74, 1004.75, 1004.77, 1004.78, 1004.79, 1004.80, 1004.81, 1004.86, 1004.91, 1004.92, 1004.93, 1004.94, 1004.95, 1004.97, 1004.98, 1004.99, 1005.21, 1006.15, 1006.17, 1006.50, 1006.51, 1006.55, 1006.60, 1006.62, 1006.63, 1006.65, 1006.68, 1006.70, 1006.71, 1006.72, 1007.21, 1007.22, 1007.23, 1007.235, 1007.24, 1007.25, 1007.2615, 1007.262, 1007.263, 1007.264, 1007.265, 1007.27, 1007.271, 1007.272, 1007.28, 1007.33, 1007.34, 1007.35, 1008.30, 1008.31, 1008.32, 1008.345, 1008.385, 1008.405, 1008.41, 1008.42, 1008.43, 1008.45, 1009.21, 1009.22, 1009.23, 1009.25, 1009.26, 1009.265, 1009.27, 1009.28, 1009.285, 1009.286, 1009.29, 1009.40, 1009.42, 1009.44, 1009.50, 1009.505, 1009.533, 1009.535, 1009.55, 1009.56, 1009.60, 1009.605, 1009.65, 1009.67, 1009.70, 1009.72, 1009.77, 1009.89, 1009.891, 1009.97, 1009.971, 1009.98, 1009.981, 1010.01, 1010.02, 1010.03, 1010.04, 1010.06, 1010.07, 1010.08, 1010.09, 1010.11, 1010.22, 1010.23, 1010.30, 1010.33, 1010.34, 1010.58, 1011.01, 1011.011, 1011.012, 1011.30, 1011.31, 1011.32, 1011.51, 1011.62, 1011.68, 1011.75, 1011.80, 1011.801, 1011.81, 1011.82, 1011.83, 1011.84, 1011.85, 1011.86, 1012.01, 1012.35, 1012.56, 1012.80, 1012.81, 1012.82, 1012.83, 1012.84, 1012.85, 1012.855, 1012.86, 1012.865, 1012.87, 1012.875, 1012.88, 1012.885, 1012.98, 1013.01, 1013.02, 1013.03, 1013.12, 1013.13, 1013.19, 1013.23, 1013.231, 1013.25, 1013.27, 1013.28, 1013.31, 1013.36, 1013.37, 1013.371, 1013.40, 1013.44, 1013.51, 1013.52, 1013.60, 1013.64, 1013.65, and 1013.81, F.S., to conform to the directive in section 21 of chapter 2010-70, Laws of Florida, to prepare a reviser’s bill for consideration by the 2011 Regular Session of the Legislature to substitute the term “Florida College System Institution” for the terms “Florida college,” “community college,” and “junior college” where those terms appear in the Florida K-20 Education Code; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote **SB 946** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Braynon	Fasano
Alexander	Dean	Flores
Altman	Detert	Gaetz
Benacquisto	Diaz de la Portilla	Garcia
Bennett	Dockery	Gardiner
Bogdanoff	Evers	Hays

Hill	Norman	Siplin
Jones	Oelrich	Smith
Joyner	Rich	Sobel
Latvala	Richter	Storms
Lynn	Ring	Thrasher
Montford	Sachs	Wise
Negron	Simmons	

Nays—None

On motion by Senator Wise—

CS for CS for SB 736—A bill to be entitled An act relating to education personnel; providing a short title; amending s. 1012.34, F.S.; revising provisions relating to the evaluation of instructional personnel and school administrators; requiring the Department of Education to approve each school district’s instructional personnel and school administrator evaluation systems; requiring reporting by the Commissioner of Education relating to the evaluation systems; providing requirements and revising procedures and criteria for the evaluation systems; requiring the commissioner to approve or select and the State Board of Education to adopt formulas for school districts to use in measuring student learning growth; requiring the state board to adopt rules relating to standards and measures for implementation of the evaluation systems; amending s. 1008.22, F.S.; requiring school districts to administer assessments for each course offered in the district; amending s. 1012.22, F.S.; revising provisions relating to instructional personnel and school administrator compensation and salary schedules; providing requirements for a performance salary schedule, a grandfathered salary schedule, adjustments, and supplements; revising criteria for the promotion of instructional personnel; creating s. 1012.335, F.S.; providing employment criteria for instructional personnel hired on or after July 1, 2011; providing definitions; providing grounds for suspension or dismissal; requiring rules to define the term “just cause”; providing that certain individuals who are hired as instructional personnel are ineligible for contracts issued under s. 1012.33, F.S.; amending s. 1002.33, F.S.; requiring charter schools to comply with provisions relating to compensation and salary schedules, workforce reductions, contracts with instructional personnel hired on or after July 1, 2011, and certain requirements for performance evaluations; amending s. 1003.621, F.S.; requiring academically high-performing school districts to comply with additional requirements for personnel; amending s. 1006.09, F.S.; conforming provisions to changes made by the act; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; amending s. 1012.2315, F.S.; providing reporting requirements relating to instructional personnel and school administrator performance; amending s. 1012.27, F.S.; revising the criteria for transferring a teacher; conforming provisions to changes made by the act; amending s. 1012.28, F.S.; authorizing a principal to refuse to accept the placement or transfer of instructional personnel under certain circumstances; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain education personnel; revising just cause grounds for dismissal; deleting provisions to conform to changes made by the act; revising the criteria for renewing a professional service contract; requiring that a district school board’s decision to retain personnel be primarily based on the employee’s performance; repealing s. 1012.52, F.S., relating to legislative intent and findings to improve student achievement and teacher quality; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; authorizing an exemption from requirements for performance evaluation systems and compensation and salary schedules for certain school districts; providing that specified provisions of law do not apply to rulemaking required to administer the act; providing for the repeal of certain special acts or general laws of local application relating to contracts for instructional personnel or school administrators; providing for application of specified provisions of the act; providing for severability; providing effective dates.

—was read the second time by title.

Senator Montford moved the following amendment which failed:

Amendment 1 (599634)—Delete lines 719-743 and insert:

(d) “Professional performance contract” means an employment contract for instructional personnel for a period of 3 school years, which shall be renewed for additional 3-year periods as long as the individual has not received two consecutive unsatisfactory evaluations under s. 1012.34, two unsatisfactory evaluations within a 3-year period under s. 1012.34, or three evaluations of needs improvement within any 5-year period under s. 1012.34.

(2) **EMPLOYMENT**—

(a) Beginning on July 1, 2011, each individual newly hired as instructional personnel by a Florida school district shall receive a probationary contract.

(b) The district school board may issue an annual contract to instructional personnel who have successfully completed the probationary contract if the individual:

1. Holds a professional certificate or temporary certificate issued pursuant to s. 1012.56 and rules of the State Board of Education.
2. Has been recommended by the district school superintendent for the annual contract based upon the individual’s evaluation, as determined under s. 1012.34, and approved by the district school board.

(c) Upon completion of no less than 3 years of employment in the same school district within a 5-year period, except for leave duly authorized and granted, instructional personnel recommended for additional employment shall be awarded a professional performance contract. Instructional personnel may be required to serve a fourth year of employment before becoming eligible to receive a professional performance contract when prescribed by the district school board for good reason.

1. A professional performance contract may be offered by a district school board to instructional personnel only if the individual:

- a. Holds a professional certificate or temporary certificate as prescribed by s. 1012.56 and rules of the State Board of Education.
- b. Has been recommended by the district school superintendent for further employment and approved by the district school board based on successful performance of duties and demonstration of professional competence under s. 1012.34.

c. Has not received two consecutive unsatisfactory evaluations under s. 1012.34, two unsatisfactory evaluations within a 3-year period under s. 1012.34, or three evaluations of needs improvement within any 5-year period under s. 1012.34.

2. A district school board may issue a professional performance contract after July 1, 2011, to any instructional personnel staff member who has previously held a professional performance contract, a professional service contract, or a continuing contract in the same or another school district within this state. Any instructional personnel staff member who holds a professional service contract or a continuing contract may, but is not required to, exchange such contract for a professional performance contract in the same district.

3. If a professional performance contract is not renewed by the district school board based on performance of duties and demonstration of professional competence of the individual under s. 1012.34, upon the recommendation of the superintendent and upon the approval of the district school board, the individual may be appointed to up to three additional annual contracts or not be offered an additional contract. At the time of making such recommendation to the district school board, the superintendent shall state the performance-based reason for his or her recommendation and the district school board shall take final action on such recommendation.

MOTION

On motion by Senator Thrasher, the rules were waived and time of recess was extended until 12:30 p.m.

SENATOR BENNETT PRESIDING

Pursuant to Rule 4.19, **CS for CS for SB 736** was placed on the calendar of Bills on Third Reading.

On motion by Senator Thrasher, the rules were waived and the Senate reverted to—

REPORTS OF COMMITTEES**BEFORE THE STATE OF FLORIDA
COMMISSION ON ETHICS**

In re: Michael Haridopolos,
Respondent.

Complaint No. 09-169

JOINT STIPULATION OF FACT, LAW, AND RECOMMENDED ORDER

Respondent, Michael Haridopolos and the Advocate for the Florida Commission on Ethics enter into this Joint Stipulation of Fact, Law, and Recommended Order with respect to the above-styled Complaint. Subject to acceptance by the Commission on Ethics, the parties agree that they enter into this stipulated settlement in lieu of further hearings in this cause. The parties stipulate as follows:

STIPULATED FINDINGS OF FACT

1. At all times material to this Complaint, Respondent served as a member of the Florida Senate, and as such was subject to the provisions of the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes.

2. On December 14, 2009, a sworn Complaint was filed with the Commission on Ethics alleging that Respondent had violated the Code of Ethics.

3. Pursuant to Section 112.322, Florida Statutes, the Executive Director of the Commission on Ethics found that the Complaint was legally sufficient and ordered a preliminary investigation of the Complaint for a probable cause determination of whether Respondent had violated the Code of Ethics. The Report of Investigation was released on September 17, 2010.

4. On October 22, 2010 the Commission on Ethics found probable cause to believe Respondent had violated Section Article II. section 8(a) and (i) of the Florida Constitution. The allegations are:

- (a) Respondent violated Article II, Section 8(a) and (i) of the Florida Constitution, by failing to fully disclose his financial interests in 2004.
- (b) Respondent violated Article II, Section 8(a) and (i) of the Florida Constitution, by failing to fully disclose his financial interests in 2005.
- (c) Respondent violated Article II, Section. 8(a) and (i) of the Florida Constitution, by failing to fully disclose his financial interests in 2006.
- (d) Respondent violated Article II, Section 8(a) and (i) of the Florida Constitution, by failing to fully disclose his financial interests in 2007.
- (e) Respondent violated Article II, Section 8(a) and (i) of the Florida Constitution, by failing to fully disclose his financial interests in 2008.

5. On March 24, 2010 and September 14, 2010 Respondent filed two "Forms 6X, Amendment to Full and Public Disclosure of Financial Interests" which corrected the errors and omissions to the above financial disclosures for the years 2004, 2005, 2006, 2007, and 2008.

6. Respondent admits the facts as set forth in the Report of Investigation, which is specifically incorporated by reference in this Joint Stipulation.

STIPULATED CONCLUSIONS OF LAW

7. Respondent is subject to the provisions of Part III, Chapter 112, Florida Statutes, the Code of Ethics for Public Officers and Employees.

8. The Commission on Ethics has jurisdiction over the Complaint as filed in and over Respondent.

9. Respondent violated Article II, Section 8(a) and (i) of the Florida Constitution, by failing to fully disclose his financial interests in 2004, 2005, 2006, 2007, and 2008, by failing to fully disclose financial interests in 2004, 2005, 2006, 2007, and 2008, by failing to fully disclose financial interests.

10. Respondent admits the allegation as set forth in paragraph four (4) of the Stipulated Findings of Fact, above.

STIPULATED RECOMMENDED ORDER

11. The Advocate accepts Respondent's stipulation in this proceeding.

12. The Advocate and Respondent have entered into this Joint Stipulation and urge the Commission on Ethics to approve it in lieu of further hearings before the Commission in this cause.

13. Therefore, the Advocate recommends that:

- (a) The Commission on Ethics approve this Joint Stipulation, embodying the stipulations, admissions, and recommendations of the parties; and
- (b) The Commission on Ethics enter a Final Order and Public Report consistent with this Stipulation.

FURTHER STIPULATIONS

14. Respondent and the Advocate stipulate and covenant that they have freely and voluntarily entered into this Joint Stipulation of Fact, Law, and Recommended Order with full knowledge and understanding of its contents. Respondent and the Advocate further stipulate and covenant that this Joint Stipulation, constitutes the full agreement of the parties and that there are no oral or written understandings between the parties other than those contained in this Stipulation of Fact, Law, and Recommended Order.

15. Respondent and the Advocate stipulate and covenant that, in consideration of the provisions of this Joint Stipulation of Fact, Law, and Recommended Order, Respondent and the Advocate accept and will comply with the above-referenced Final Order and Public Report of the Commission on Ethics.

16. Respondent and the Advocate stipulate that this Joint Stipulation of Fact, Law, and Recommended Order is submitted to the Commission on Ethics for its consideration and ratification. In the event that it is not approved by the Commission on Ethics as written, this document shall be of no purpose and effect and shall not be deemed an admission by Respondent.

17. Effective upon approval of this Joint Stipulation of Fact, Law, and Recommended order by the Commission on Ethics, Respondent waives all time, notice, and hearing rights, requirements, and entitlements, as to all subsequent hearings in this proceeding.

Diane L. Guillemette
Advocate for the Florida
Commission on Ethics
Florida Bar No. 0887803
Office of the Attorney General
The Capitol L-01
Tallahassee, Florida 32399-1050

Mike Haridopolos
Respondent

Peter M. Dunbar, Esq.
Pennington, Moore, Wilkinson,
Bell & Dunbar, P.A.
P.O. Box 10095
215 South Monroe St.
Tallahassee, FL 32302-2095

The Honorable John Thrasher
Chair, Florida Senate Rules Committee
Mr. Chairman,

February 15, 2011

Last year, I was contacted by the Ethics Commission after they received a complaint regarding the Financial Disclosure forms that we all are required to fill out each year. I was alerted by the Commission to errors that had resulted from me filling out the forms incorrectly in the same way each year between 2004 and 2008. I believed that I had filled

out these forms accurately, and as soon as these errors were brought to my attention I filed amended forms to be sure that the correct information was listed.

When the Ethics Commission met on October 22, 2010 the investigator's report on the case was released, and probable cause was found that I had made these errors. After that report was released, I accepted full responsibility for these mistakes in a proposed stipulation agreement. The Commission voted to accept this agreement at their meeting on December 3, 2010.

Throughout the process, I answered all questions from the Commission completely and supplied them with all of the documentation they requested. None of these mistakes were intentional or meant to hide any personal information. To be clear, all of my income over this period was reported on the original forms. Nonetheless, I did not adequately follow the instructions on the forms that were filed and relied on forms from previous years for consistency. All documents now on file with the Ethics Commission are accurate and complete.

While these errors on my forms have been easily corrected, I take this situation very seriously and will embrace whatever is deemed to be the appropriate penalty. I accept responsibility for these errors and apologize to the members of the Florida Senate. I have learned from this process and have gained a greater respect for the need for elected officials to remain diligent in their efforts to be transparent with the public.

Sincerely,
 Mike Haridopolos
 Florida Senate, District 26

In re: The Honorable Mike Haridopolos, Senator, District 26

CONSENT DECREE

The Committee on Rules and the Honorable Mike Haridopolos, Senator, District 26, enter this consent decree.

INTRODUCTION

- (1) President Mike Haridopolos, having received a December 7, 2010 Final Order and Public Report from the Commission on Ethics re: himself, referred consideration of this matter to the Rules Committee in accordance with Senate Rule 1.42.
- (2) The Final Order and the Public Report of the Commission on Ethics finds that Senator Haridopolos violated Article II, section 8(a) and (i) of the Florida Constitution, by failing to fully disclose his financial interests for the years 2004, 2005, 2006, 2007, and 2008.

DISPOSITION

- (3) All parties accept the Commission on Ethics finding of violations as set forth in the Final Order and Public Report. The parties further agree that these violations were neither willful nor intentional and were corrected prior to the entry of the final order.
- (4) In view of the inadvertent nature of these violations, Senator Haridopolos' admission of error and his subsequent submission of required corrections, the Rules Committee recommends to the Senate that a letter of admonishment from the Rules Chair is an appropriate level of penalty.
- (5) The Rules Committee further recommends that the Senate accept this Consent Decree and that the same be published in the Senate Journal, whereupon this matter shall be resolved.

Entered into this 24th day of February, 2011

<i>s/ Mike Haridopolos</i> Respondent	<i>s/ John Thrasher</i> Chair
<i>s/ J.D. Alexander</i> Vice Chair	Larcenia J. Bullard
<i>s/ Don Gaetz</i>	<i>s/ Anitere Flores</i>
<i>s/ Dennis L. Jones, D.C.</i>	<i>s/ Andy Gardiner</i>
<i>s/ Joe Negron</i>	<i>s/ Gwen Margolis</i>
<i>s/ Gary Siplin</i>	<i>s/ Garrett Richter</i>
<i>s/ Stephen R. Wise</i>	<i>s/ Christopher L. "Chris" Smith</i>

The Honorable Mike Haridopolos
 Senator, District 26

March 9, 2011

Dear Senator Haridopolos:

I have received the report of the Rules Committee in which the committee has recommended, and you have accepted, that I issue a letter of admonishment related to your failure to file complete financial disclosure statements with the Commission on Ethics for the years 2004, 2005, 2006, 2007 and 2008 while a Member of the Florida Senate.

While I accept your assertion that the errors and omissions were unintentional, I nevertheless would admonish you that in upholding the trust which has been placed in you by the voters of District 26, you must meticulously adhere to the requirements of the financial disclosure law and other laws and rules related to legislative service.

In the future, should you find yourself in doubt as to the proper course of action in such matters, I would strongly urge you to seek the advice of the General Counsel of the Senate or of the Commission on Ethics, prior to risking a violation of the rules which govern our conduct.

I have also received your letter of apology which I am accepting on behalf of the Florida Senate. I appreciate and applaud your willingness to accept responsibility and to seek to bring this matter to an appropriate conclusion.

Sincerely,
 John Thrasher
 Chair, Rules Committee

MOTION

Senator Thrasher moved to adopt the Report of the Committee on Rules.

Senator Latvala was recorded as objecting to the level of severity of punishment recommended by the report.

The motion was adopted without further objection.

On motion by Senator Thrasher, the Joint Stipulation of Fact, Law, and Recommended Order; the President's letter to the Rules Chair; and the Rules Committee letter to the President were ordered spread upon the Journal.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Wednesday, March 9, 2011: SB 916, SB 944, SB 924, SB 946, CS for CS for SB 736.

Respectfully submitted,
 John Thrasher, Chair

The Committee on Banking and Insurance recommends the following pass: SB 534

The bill was referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 636

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

The Committee on Banking and Insurance recommends the following pass: SB 546

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 396

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

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE BUSINESS, REFERENCE CORRECTIONS

The following executive appointments, previously published on March 8, 2011, were shown with the following reference corrections:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Adjutant General of Florida National Guard Appointee: Titshaw, Emmett R., St. Augustine	Pleasure of Governor
Board of Medicine Appointee: Thomas, George, Bradenton	10/31/2014
Council on Efficient Government Appointee: Evans, Steven L., Tallahassee	8/22/2011
Education Practices Commission Appointee: Farmer, Diane A., Tampa McCray, Katrina E., Jacksonville	9/30/2013 9/30/2014
Secretary of Community Affairs Appointee: Buzzett, William A., Santa Rosa Beach	Pleasure of Governor
Secretary of Children and Family Services Appointee: Wilkins, David, Tallahassee	Pleasure of Governor
Secretary of Juvenile Justice Appointee: Walters, Wansley Hancock, Con- fidential pursuant to S. 119.071(4), F.S.	Pleasure of Governor
Florida Public Service Commission Appointee: Balbis, Eduardo E., West Palm Beach	1/1/2015
Appointee: Brise, Ronald A., North Miami	1/1/2014
Appointee: Brown, Julie I., Tampa	1/1/2015
Appointee: Graham, Art, Jacksonville Beach	1/1/2014
Secretary of Environmental Protection Appointee: Vinyard, Herschel T., Jacksonville	Pleasure of Governor
Governing Board of the Northwest Florida Water Man- agement District Appointee: Roberts, George, Panama City Beach	3/1/2014
Secretary of Management Services Appointee: Miles, John P., Winter Park	Pleasure of Governor
Secretary of State Appointee: Browning, Kurt S., Dade City	Pleasure of Governor
Board of Trustees, Florida A & M University Appointee: Alston, Torey L., Fort Lauderdale	1/6/2015
Board of Trustees, University of West Florida Appointee: O'Sullivan, John Mortimer, Pensa- cola	1/6/2015
Secretary of the Department of Lottery Appointee: O'Connell, Cynthia F., Tallahassee	Pleasure of Governor

Pursuant to Rule 12.7, referred to the Rules Subcommittee on Ethics and Elections in lieu of the Committee on Rules.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Hays—

SJR 1438—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution, to assert the sovereignty of the state and refuse to comply with unconstitutional federal mandates.

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

By Senator Hays—

SB 1440—A bill to be entitled An act relating to rural land development; amending s. 163.3177, F.S.; adding the Fish and Wildlife Conservation Commission and removing the water management districts from the list of governmental entities that must cooperate in providing assistance in the implementation of laws governing land use planning and development and related agency rule; adding a landowner as a recipient of assistance in designating rural land stewardship areas; exempting a landowner or local government from a requirement to demonstrate need; authorizing a landowner to petition a local government for certain land designations; adding economic development as a planning goal; removing the Department of Environmental Protection and water management districts as agencies providing assistance with mapping environmental areas worthy of protection; requiring the provision of technical assistance as needed to a local government in the implementation of rural land stewardship; removing a provision that expands the role of the Department of Community Affairs as a resource agency; removing a provision requiring the department to encourage participation of certain types of local governments; including the protection of private property rights for rural areas as a broad principle of rural sustainability; removing the notification requirement by the local government to the department of intent to designate a rural land stewardship area; modifying the criteria for designating a rural land stewardship area; removing consideration of certain criteria relating to a functional mix of land uses; removing as a review consideration the control of sprawl; providing for the designation of a receiving area and removing requirement for prior review by the Department of Community Affairs for designation of a receiving area; providing that the applicant rather than the developer is required to coordinate listed species protection; modifying the considerations that are balanced in designating a receiving area; providing for the establishment of a rural land stewardship overlay zoning district; providing for stewardship credits rather than transferable rural land use credits to be created following the designation of stewardship receiving areas; modifying the criteria that affect underlying permitted uses, density, or intensity of land uses; providing for an increase in density or intensity of use; providing for compensation to landowners who implement specified land management activities of public benefit; removing a reporting requirement; providing legislative findings that the act be implemented pursuant to law rather than rule; repealing certain rules of the Florida Administrative Code; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

SR 1442—Not referenced.

By Senator Storms—

SB 1444—A bill to be entitled An act relating to ad valorem tax refunds; amending s. 197.182, F.S.; requiring a tax collector to automatically make a refund of an overpayment of taxes due to taxpayer error regardless of when the overpayment occurred; deleting a requirement that a claim for a refund for an overpayment of ad valorem taxes by a taxpayer be made within a certain time; limiting the period during

which a taxpayer may file an action to contest the denial of a refund of ad valorem taxes; providing an effective date.

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

SB 1446—Not referenced.

By Senator Garcia—

SB 1448—A bill to be entitled An act relating to the sale or lease of a public hospital; amending s. 155.40, F.S.; requiring that the sale or lease of a county, district, or municipal hospital to a for-profit or not-for-profit Florida corporation receive prior approval by the Attorney General; requiring the governing board to first determine whether there are any qualified purchasers or lessees of the hospital before considering whether to sell or lease the hospital; defining the term “fair market value”; requiring the governing board to put in writing the facts and findings to justify the governing board’s decision to sell or lease the public hospital to a third party; detailing the issues that the governing board must address in order to sell or lease the hospital; setting forth the procedures that must be followed by the governing board to gain the approval of the Attorney General to sell or lease the hospital; authorizing the Attorney General to employ independent consultants to determine the fair market value of the proposed sale or lease; authorizing interested persons to file a statement in opposition to the sale or lease of the hospital; specifying the criteria the Attorney General must consider when deciding whether to approve or deny the proposed sale or lease of the hospital; requiring the Attorney General to publish his or her final decision in the Florida Administrative Weekly; amending s. 395.3036, F.S.; conforming a cross-reference; providing an effective date.

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

By Senator Bennett—

SB 1450—A bill to be entitled An act relating to class size requirements; amending s. 1003.03, F.S.; revising provisions relating to the amount of penalties calculated by the Department of Education when a school district fails to comply with the class size requirements; prohibiting the penalties from exceeding \$1,000 per school in each district; providing an effective date.

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

By Senator Bennett—

SB 1452—A bill to be entitled An act relating to local government energy zones; defining terms; authorizing a local government to create an energy zone by ordinance; requiring the producer of renewable energy to produce and sell all energy within the boundaries of the energy zone; requiring that the producer be offered a disconnectable-rate structure for its customers; authorizing retail sales by any producer of renewable energy within an energy zone; requiring the Public Service Commission to adopt rules to govern sales by producers of renewable energy within the local government energy zone; requiring that the commission submit reports to the Legislature; amending s. 366.02, F.S.; redefining the term “public utility” to exempt producers and sellers of renewable energy from economic regulation by the Public Service Commission; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications, Energy, and Public Utilities; and Budget.

By Senator Garcia—

SB 1454—A bill to be entitled An act relating to the treatment of a surrendered newborn infant; amending s. 383.50, F.S.; presuming that the birth mother of a surrendered newborn infant is eligible for coverage under Medicaid as is the infant; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Garcia—

SB 1456—A bill to be entitled An act relating to public records; amending s. 408.910, F.S.; creating an exemption from public-records requirements for personal, identifying information of a registrant, applicant, participant, or enrollee in the Florida Health Choices Program; providing exceptions; authorizing an enrollee’s legal guardian to obtain confirmation of certain information about the enrollee’s health plan; providing for applicability; providing a penalty for unlawful disclosure of personal, identifying information; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of necessity; providing an effective date.

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

By Senator Garcia—

SB 1458—A bill to be entitled An act relating to assisted living communities; amending s. 400.141, F.S.; revising licensing requirements for registered pharmacists under contract with a nursing home and related health care facilities; amending ss. 408.802, 408.806, 408.820, 408.831, and 408.832, F.S.; revising applicability of part II of ch. 408, F.S., relating to health care licensing procedures; creating part I of ch. 429, F.S., the “Assisted Care Communities Licensing Procedures Act”; creating s. 429.001, F.S.; providing a short title and providing purpose; creating s. 429.002, F.S.; providing definitions; creating s. 429.003, F.S.; requiring providers to have and display a license; providing limitations; creating s. 429.004, F.S.; establishing license fees and conditions for assessment thereof; providing a method for calculating annual adjustment of fees; providing for inspection fees; providing that fees are nonrefundable; limiting the total amount of fees that may be collected; creating s. 429.005, F.S.; providing a license application process; requiring specified information to be included on the application; requiring payment of late fees under certain circumstances; requiring inspections; providing an exception; authorizing the Agency for Health Care Administration to establish procedures and rules for electronic transmission of required information; creating s. 429.006, F.S.; providing procedures for change of ownership; requiring the transferor to notify the agency in writing within a specified time period; providing for duties and liability of the transferor; providing for maintenance of certain records; creating s. 429.007, F.S.; providing license categories and requirements therefor; creating s. 429.008, F.S.; requiring background screening of specified employees; providing for submission of proof of compliance under certain circumstances; providing conditions for granting provisional and standard licenses; providing an exception to screening requirements; creating s. 429.009, F.S.; providing minimum licensure requirements; providing procedures for discontinuance of operation and surrender of license; requiring forwarding of client records; requiring publication of a notice of discontinuance of operation of a licensee; providing for statewide toll-free telephone numbers for reporting complaints and abusive, neglectful, and exploitative practices; requiring proof of legal right to occupy property, proof of insurance, and proof of financial viability, under certain circumstances; requiring disclosure of information relating to financial instability; providing a penalty; creating s. 429.0105, F.S.; providing for inspections and investigations to determine compliance; providing that inspection reports are public records; requiring retention of records for a specified period of time; creating s. 429.011, F.S.; prohibiting certain unlicensed activity by a person or entity operating or maintaining an assisted care community; requiring an unlicensed person or entity to cease activity; providing penalties; requiring reporting of unlicensed activity; creating s. 429.012, F.S.; authorizing the agency to impose administrative fines; creating s. 429.013, F.S.; providing conditions for the agency to impose a moratorium or emergency suspension on a licensee; requiring notice; creating s. 429.014, F.S.; providing grounds for denial or revocation of a license or change-of-ownership application; providing conditions to continue operation; exempting renewal applications from provisions requiring the agency to approve or deny an application within a specified period of time, under certain circumstances; creating s. 429.015, F.S.; authorizing the agency to institute injunction proceedings, under certain circumstances; creating s. 429.016, F.S.; providing basis for review of administrative proceedings challenging agency licensure enforcement action; creating s.

429.017, F.S.; authorizing the Department of Elderly Affairs to adopt rules; providing a timeframe for compliance; creating s. 429.018, F.S.; requiring a licensee to have an emergency operations plan; authorizing a licensee to temporarily exceed licensed capacity under emergency conditions for a specified period of time; requiring agency approval of overcapacity requests under certain circumstances; authorizing the agency to issue an inactive license in certain locations under specified conditions; requiring the licensee to provide notice to residents; authorizing the department to adopt rules relating to emergency management and to report that information to the agency; creating s. 429.019, F.S.; providing grounds for denial or revocation of a license or change-of-ownership application; providing conditions to continue operation; exempting renewal applications from provisions requiring the agency to approve or deny an application within a specified period of time, under certain circumstances; amending s. 429.01, F.S.; creating the "Assisted Living Residences Act"; revising the purpose of the act; amending s. 429.02, F.S.; providing, revising, and deleting definitions; amending ss. 429.04, 429.07, 429.075, 429.08, 429.11, and 429.17, F.S.; revising provisions relating to licensing of assisted living residences; conforming terminology and references; amending s. 429.12, F.S.; revising provisions relating to the sale or transfer of ownership of an assisted living residence; amending s. 429.14, F.S.; revising provisions relating to administrative penalties; amending s. 429.174, F.S.; providing applicability of background screening of personnel; amending ss. 429.177, 429.18, 429.20, 429.22, 429.24, 429.44, 429.47, and 429.49, F.S.; conforming references; amending s. 429.178, F.S.; providing safety requirements for residences serving persons with Alzheimer's disease or other related disorders; repealing a provision relating to a facility's responsibility for the payment of certain training fees; amending s. 429.19, F.S.; revising Agency for Health Care Administration procedures for the imposition of fines for violations of ch. 429, F.S.; amending s. 429.195, F.S.; permitting the licensee of an assisted living residences to provide monetary rewards to residents who refer certain individuals to the residence; amending s. 429.23, F.S.; revising adverse incidents reporting requirements; amending s. 429.255, F.S.; permitting certain licensed persons to provide limited nursing services; deleting rulemaking authority of the Department of Elderly Affairs with regard to cardiopulmonary resuscitation in assisted living residences; repealing s. 1 of chapter 2010-200, Laws of Florida, which provides for future implementation of provisions relating to the use of automated external defibrillators in assisted living facilities; amending s. 429.256, F.S.; providing additional guidelines for the assistance with self-administration of medication; amending s. 429.26, F.S.; removing a requirement that a facility notify a licensed physician when a resident exhibits certain signs of dementia, cognitive impairment, or change of condition; revising the persons who are authorized to notify a resident's case manager about examining the resident; amending s. 429.27, F.S.; revising provisions relating to the property and personal effects of residents; amending s. 429.275, F.S.; removing rulemaking authority of the Department of Elderly Affairs over financial records, personnel procedures, accounting procedures, reporting procedures, and insurance coverage for residents of assisted living residences; amending s. 429.28, F.S., relating to the resident bill of rights; revising provisions relating to termination of residency; removing responsibilities of the agency for conducting compliance surveys and complaint investigations; amending s. 429.293, F.S.; permitting the use of an arbitration process to resolve a resident's claim of a rights violation or negligence; amending s. 429.294, F.S.; authorizing the release of copies of a resident's records to specified persons under certain conditions; providing limits on the frequency of the release of such records; amending s. 429.298, F.S.; providing limits on the amount of punitive damages; removing a provision that provides for a criminal investigation with a finding of liability for punitive damages; removing a provision that provides for admissibility of findings in subsequent civil and criminal actions; providing that the punitive damages awarded are divided between the claimant and the Health Care Trust Fund rather than the Quality of Long-Term Care Facility Improvement Trust Fund; revising the percentages of the division of the settlement amount; amending s. 429.31, F.S.; revising responsibilities of an administrator for providing notice of the closing of an assisted living residence; amending s. 429.34, F.S.; removing authorization for state and local long-term care ombudsman councils to enter and inspect residences; amending s. 429.35, F.S.; removing requirement that the agency forward results of residence inspections to certain entities; amending s. 429.41, F.S.; revising rulemaking authority regarding resident care and maintenance of residences; conforming terminology to changes made by the act; amending s. 429.42, F.S.; revising provisions relating to pharmacy services; amending s. 429.445, F.S.; removing a

requirement that assisted living residences submit certain information to the agency prior to commencing construction to expand the residence; amending s. 429.52, F.S.; revising training and education requirements for certain administrators, residence staff, and other licensed professionals; requiring trainers certified by the department to meet continuing education requirements and standards; providing conditions for suspension or revocation of a trainer's certificate; amending s. 429.53, F.S.; removing provisions relating to preconstruction approvals and reviews and agency consultations; repealing s. 429.54, F.S., relating to the collection of information regarding the actual cost of providing services in assisted living facilities and local subsidies; amending s. 429.65, F.S.; revising and deleting definitions; amending ss. 429.67 and 429.69, F.S.; revising licensure requirements for adult family-care homes; amending s. 429.71, F.S.; removing a provision authorizing the agency to request a plan to remedy violations by adult family-care homes; amending s. 429.73, F.S.; removing agency rulemaking authority over adult family-care homes; amending ss. 429.75, 429.83, 429.85, 429.87, 429.905, 429.907, 429.909, 429.913, 429.919, 429.925, and 429.927, F.S.; conforming terminology and references; amending s. 429.81, F.S.; specifying that residency agreements require a resident to provide 30 days' written notice of intent to terminate residency; amending s. 429.901, F.S.; removing definitions; amending s. 429.911, F.S.; revising provisions relating to the denial, suspension, and revocation of adult day care center licenses; amending s. 429.915, F.S.; revising provisions relating to conditional licenses to remove a requirement for a plan of correction to accompany the license; amending s. 429.917, F.S.; conforming references; removing a training requirement; creating s. 429.926, F.S.; providing an exemption from applicability of certain minimum licensure requirements to adult day care centers; amending s. 429.929, F.S.; removing agency rulemaking authority over adult daycare centers; conforming a cross-reference; amending ss. 101.62, 101.655, 159.27, 196.1975, 202.125, 205.1965, 252.357, 252.385, 380.06, 381.006, 381.0072, 381.0303, 394.455, 394.4574, 394.462, 394.4625, 394.75, 394.9082, 400.0060, 400.0069, 400.0074, 400.0239, 400.148, 400.1755, 400.464, 400.471, 400.474, 400.497, 400.506, 400.6045, 400.605, 400.609, 400.701, 400.925, 400.93, 405.01, 408.033, 409.212, 409.221, 409.906, 409.907, 409.912, 410.031, 410.034, 410.502, 415.102, 415.1034, 415.1051, 415.107, 420.626, 430.071, 430.601, 456.053, 458.348, 459.025, 468.1695, 468.505, 553.73, 627.94073, 633.021, 633.022, 641.31, 651.083, 825.101, 893.055, and 893.13, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Budget.

By Senator Bennett—

SB 1460—A bill to be entitled An act relating to energy economic zones; amending s. 163.32465, F.S.; including energy economic zones in the pilot program implementing an alternative state review process; amending s. 212.08, F.S.; exempting certain machinery and equipment used in the production of renewable energy in an energy economic zone from the tax on sales, use, and other transactions; authorizing the Department of Revenue to adopt rules; exempting certain building materials used in the rehabilitation of real property located in an energy economic zone from the tax on sales, use, and other transactions; authorizing the Department of Revenue to adopt rules; providing for expiration of the tax exemption for energy economic zones; exempting certain business property used in an energy economic zone from the tax on sales, use, and other transactions; authorizing the Department of Revenue to adopt rules; providing for expiration of the tax exemption for energy economic zones; exempting electrical energy used in an energy economic zone from the tax on sales, use, and other transactions; providing for expiration of the tax exemption for energy economic zones; amending s. 212.096, F.S.; providing a credit against sales tax for eligible businesses in energy economic zones; providing the method of calculating the credit; requiring the local governing body to develop an application form; providing criteria; authorizing the local governing body to review and approve completed applications submitted by eligible businesses; amending s. 220.181, F.S.; providing a credit against income tax for eligible businesses that create jobs in an energy economic zone; providing criteria for qualifying jobs; providing the method of calculating the credit; requiring the local governing body to develop an application form; authorizing the local governing body to review and approve completed applications submitted by eligible businesses; providing for expiration of the tax credit; amending s. 220.182, F.S.; providing a credit

against property tax for eligible businesses in an energy economic zone; providing the method of calculating the credit; requiring the local governing body to develop an application form; authorizing the local governing body to review and approve completed applications submitted by eligible businesses; providing for expiration of the tax credit; amending s. 220.183, F.S.; including a local governing body having jurisdiction of an energy economic zone as an eligible sponsor under community contribution tax credits; expanding the eligibility criteria to include location in an area designated as an energy economic zone; amending s. 288.047, F.S.; including energy economic zones in the Workforce Florida, Inc., Quick-Response Training Program; amending s. 288.063, F.S.; expanding the criteria by which transportation projects are reviewed and certified by the Office of Tourism, Trade, and Economic Development to include projects located in an energy economic zone; amending s. 288.106, F.S.; including the term “energy economic zone” in the definitions that apply to tax refund programs for qualified target industry businesses; revising the definition of the term “target industry business” to include certain businesses in energy economic zones; providing for a business that is otherwise excluded from designation as a target industry business to qualify upon approval pursuant to local ordinance; waiving certain minimum average wage requirements for target industry businesses located in an energy economic zone; excluding qualified target industry businesses within an energy economic zone from the minimum average wage requirements; amending s. 377.809, F.S.; extending to February 15, 2015, the deadline for submission by the Department of Community Affairs of its report evaluating the energy economic zone pilot program; expanding the Energy Economic Zone Pilot Program to provide fiscal and regulatory incentives for eligible businesses; providing criteria for receiving fiscal and regulatory incentives; allowing public utilities to grant certain discounts to small businesses located in an energy economic zone; providing for additional incentives; giving priority ranking to certain business located in energy economic zones for grants administered by the Florida Energy and Climate Commission or for other grants or programs; clarifying terms relating to energy economic zone eligibility criteria; requiring the local governing body to certify to the Department of Revenue, the Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development the pilot community’s developments and businesses eligible for the incentives in specified circumstances; authorizing the local governing body to revise boundaries of the energy economic zone in specified circumstances; requiring a community within an energy economic zone pilot program to adopt an ordinance authorizing certain tax incentives; providing additional criteria that may be included in the ordinance; limiting the amount of tax incentives available; providing circumstances and criteria for the transfer of tax credits; amending s. 445.003, F.S.; specifying eligibility for reimbursement grants under the Incumbent Worker Training Program to businesses in an energy economic zone; amending s. 220.191, F.S.; conforming a cross-reference; providing an effective date.

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

By Senator Hays—

SB 1462—A bill to be entitled An act relating to the powers of the consumer advocate; amending s. 627.0613, F.S.; deleting a power of the consumer advocate relating to the preparation of an annual report card grading personal residential property insurers; providing an effective date.

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

By Senator Sobel—

SB 1464—A bill to be entitled An act relating to road and bridge designations; designating Mardi Gras Way and West Park Boulevard in Broward County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Simmons—

SB 1466—A bill to be entitled An act relating to class size requirements; amending s. 1003.01, F.S.; redefining the terms “core-curricula courses” and “extracurricular courses”; amending s. 1003.03, F.S.; deleting a reference to the State Constitution regarding class size maximums; requiring that class size maximums be satisfied on or before the October student membership survey each year; requiring that the class size maximums be maintained after the October student membership survey unless certain conditions occur; providing that a student who enrolls in a school after the October student membership survey may be assigned to classes that temporarily exceed class size maximums if the school board determines that not assigning the student would be impractical, educationally unsound, or disruptive to student learning; providing for a specified number of students to be assigned above the maximum if the district school board makes this determination; requiring that the district school board develop a plan providing that the school will be in full compliance with the maximum class size requirements by the next October student membership survey; amending s. 1011.685, F.S.; revising provisions relating to class size reduction operational categorical funds; authorizing a school district that meets the maximum class size requirement to use the funds for any lawful operating expenditure; providing an effective date.

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

By Senator Altman—

SB 1468—A bill to be entitled An act relating to title insurance; amending s. 20.121, F.S.; assigning the Division of Title Insurance to the Department of Financial Services; providing legislative findings and intent; deeming that references in the Florida Insurance Code pertaining to title insurance refer to the Division of Title Insurance; amending s. 626.2815, F.S.; requiring any person who holds a license as a title agent to complete a minimum of 10 hours of continuing education courses every 2 years in Florida-specific title insurance and escrow management courses approved by the Division of Title Insurance; authorizing the department to contract with private entities to administer, review, or approve the continuing education program for title insurance; amending s. 626.841, F.S.; defining the term “agent in charge”; amending s. 626.8417, F.S.; revising provisions to conform to changes made by the act; amending s. 626.8418, F.S.; removing obsolete provisions relating to applying for a title insurance license; amending s. 626.8419, F.S.; requiring the title insurance agency to obtain a fidelity bond in an amount not less than \$250,000, with a deductible not to exceed 1 percent of the bond amount; creating s. 626.8422, F.S.; requiring each title insurance agency to have a separate agent in charge at every agency location; requiring that an agent in charge be an attorney licensed by and in good standing with The Florida Bar or a Florida-licensed title agent; amending s. 626.8437, F.S.; adding additional grounds for which the department must deny, suspend, revoke, or refuse to renew or continue the license or appointment of any title insurance agent or agency; amending s. 626.8473, F.S.; requiring an attorney to deposit into a separate trust account all funds received in connection with transactions in which the attorney is serving as a title or real estate settlement agent; requiring that the trust account be maintained exclusively for funds received in connection with such transactions; providing an exception for an applicable rule of The Florida Bar; creating s. 627.7715, F.S.; creating the Division of Title Insurance within the Department of Financial Services; requiring that the division exercise all powers and duties with respect to title insurance regulation, including those exercised by the Office of Insurance Regulation and the Division of Insurance Agents and Agency Services; providing for the division director to be appointed by the Chief Financial Officer; providing for bureaus within the division; amending s. 627.777, F.S.; providing for the approval and revocation of title insurance forms; creating s. 627.7815, F.S.; providing that trade secrets be preserved; providing for the filing of a trade secret notice with the department; providing a waiver of trade secret protection under certain circumstances; providing procedures to be followed to claim a trade secret; detailing the form and content of the notice for a trade secret; providing a presumption of trade secret protection under certain circumstances; creating s. 627.7985, F.S.; authorizing the Department of Financial Services to adopt rules relating to title insurance; amending s. 627.780, F.S.; revising provisions to conform to changes made by the act; amending s. 627.782, F.S.; requiring each title insurance agency licensed to do business in this state and each insurer doing direct, retail, or

affiliated business to maintain and submit certain information to the department as the department determines to be necessary to assist in the analysis of title insurance premium rates, title search costs, and the condition of the title insurance industry in this state; creating s. 689.263, F.S.; prohibiting a title insurance agent or title insurance agency from disbursing funds pursuant to a completed purchase and sale transaction subject to the Real Estate Settlement Procedures Act without requiring a properly executed statement of settlement cost; providing that by a specified date the rules of the Financial Services Commission and the Office of Insurance Regulation with respect to the regulation of title insurance become the rules of the Department of Financial Services; providing that the statutory powers, duties, and functions for the administration of chs. 624, 626, and 627, F.S., relating to title insurance, are transferred by a type two transfer, from the Financial Services Commission and the Office of Insurance Regulation to the Department of Financial Services; providing that the transfer of regulatory authority accomplished by this act shall not affect the validity of any pending judicial or administrative action relating to title insurance, to which action the Financial Services Commission or the Office of Insurance Regulation are parties; providing that all lawful orders issued by the Financial Services Commission or the Office of Insurance Regulation implementing or enforcing or otherwise relating to title insurance issued before the effective date of the act, remain in effect and are enforceable after the effective date of the act, unless thereafter modified in accordance with law; directing the Division of Statutory Revision to provide the relevant substantive committees of the Senate and the House of Representatives with assistance to enable the committees to prepare draft legislation to conform the Florida Statutes to the provisions of the act; directing the Division of Title Insurance to work with affected parties and to make recommendations to the Legislature relating to consolidation of all of title insurance governance into a single chapter of Florida Statutes, the possible implementation of other recommendations of the Title Insurance Study Advisory Council, and other suggestions for improvement of the statutory regulation of the title insurance industry; providing an effective date.

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

By Senator Altman—

SB 1470—An act relating to the capital investment tax credit; amending s. 220.191, F.S.; authorizing a qualifying business that has insufficient corporate income tax liability to fully claim a capital investment tax credit to apply the credit against its liability for sales and use taxes to be collected, reported, and remitted to the Department of Revenue; requiring a qualifying business that receives a credit against its sales and use tax liability to make additional capital investments; requiring a qualifying business to annually report its capital investments to the Office of Tourism, Trade, and Economic Development, the President of the Senate, and the Speaker of the House of Representatives; requiring a qualifying business that fails to make the required capital investments to repay the amount of the sales and use tax credit claimed with interest; limiting the availability of the sales tax credit to certain businesses that have their headquarters in this state, that qualify for the capital investment tax credit under certain circumstances, and that were approved to participate in the capital investment tax credit program during a certain period; limiting the annual amount of tax credits that may be approved; authorizing the Office of Tourism, Trade, and Economic Development and the Department of Revenue to adopt rules; providing an effective date.

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

By Senator Fasano—

SB 1472—A bill to be entitled An act relating to public records and meetings; amending s. 112.324, F.S.; providing an exemption from public-records requirements for a determination by the Commission on Ethics regarding an information or a written referral of an alleged violation of part III of ch. 112, F.S., the Code of Ethics for Public Officers and Employees; providing an exemption from public-meetings requirements for any proceeding conducted by the commission or a local Commission on Ethics and Public Trust pursuant to such information or referral; authorizing the commission and its staff to share investigative

information with criminal investigative agencies; providing for legislative review and repeal of the exemptions under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

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

By Senator Rich—

SB 1474—A bill to be entitled An act relating to elected officials; requiring the Commission on Ethics and the Elections Commission to notify the Chief Financial Officer or the governing body of a county, municipality, or special district, as appropriate, of any fines owed to it by a person who has been elected to a state, county, municipal, or special district office; requiring the Chief Financial Officer or the governing body of a county, municipality, or special district, as appropriate, to withhold salary payments it would otherwise make to an elected officeholder when that official owes a fine to the Commission on Ethics or the Elections Commission; authorizing the Chief Financial Officer and governing bodies to retain a portion of the payment to cover their administrative costs; providing an effective date.

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

By Senator Flores—

SB 1476—A bill to be entitled An act relating to paternity of a child; amending s. 39.001, F.S.; providing legislative intent; amending s. 39.01, F.S.; redefining the term “parent” and defining the term “unmarried biological father”; amending s. 39.502, F.S.; requiring that an unmarried biological father be individually notified of the filing of a dependency petition under certain circumstances; providing that notice of the petition for dependency is not required if the unmarried biological father signs an affidavit of nonpaternity or consents to termination of his parental rights; providing for waiver of service of process; requiring the notice to specifically warn the unmarried biological father that, if he fails to initiate specified activities, he will be precluded from contesting the petition for dependency or any subsequent petition for termination of parental rights unless otherwise ordered by the court and will receive no further notice of judicial proceedings; amending s. 39.503, F.S.; requiring the court to conduct an inquiry of the parent or legal custodian on specified issues if the identity or location of a parent is unknown and a petition for dependency or shelter is filed; requiring that a prospective parent be given the opportunity to become a party to the dependency proceedings if the inquiry and diligent search identifies the prospective parent; requiring the prospective parent to complete a sworn affidavit of parenthood and file it with the court or the Department of Children and Family Services; requiring the prospective parent to seek to establish paternity pursuant to ch. 742, F.S., if a child has two legally recognized parents; amending s. 39.801, F.S.; specifying procedures for providing notice to an unmarried biological father in a proceeding for the termination of parental rights; setting forth conditions that the unmarried biological father must follow in order to contest the petition to terminate parental rights; specifying the consequences if the unmarried biological father fails to meet the conditions to prevent termination of parental rights; amending s. 39.803, F.S.; requiring the court to conduct an inquiry of the parent or legal custodian on specified issues if the identity or location of a parent is unknown and a petition for termination of parental rights has been filed; providing an effective date.

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

By Senator Evers—

SB 1478—A bill to be entitled An act relating to intrastate commerce; providing that certain goods grown, manufactured, or made in this state and services performed in this state are not subject to the authority of the Congress of the United States under its constitutional power to regulate commerce; prohibiting any official, agent, or employee of the Federal Government or of the state from attempting to enforce federal laws, rules, or regulations in violation of the act; providing penalties; providing for application; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Agriculture; and Budget.

By Senator Evers—

SB 1480—A bill to be entitled An act relating to public swimming pools and spas; creating s. 514.0315, F.S.; requiring public swimming pools and spas to be equipped with certain safety features; providing an effective date.

—was referred to the Committees on Health Regulation; Regulated Industries; Commerce and Tourism; and Budget.

By Senator Evers—

SB 1482—A bill to be entitled An act relating to consumer protection; creating s. 501.20795, F.S.; requiring retail tire dealers to disclose to purchasers the date of manufacture and certain warnings relating to the age of tires; providing certain exceptions; providing that a violation of the act is a deceptive and unfair trade practice; providing penalties; requiring the Department of Legal Affairs to adopt rules; providing an effective date.

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

By Senator Fasano—

SB 1484—A bill to be entitled An act relating to governmental ethics; amending s. 112.312, F.S.; defining terms; amending s. 112.313, F.S.; requiring that all disclosures otherwise required by law be made in writing on forms prescribed by the Commission on Ethics; providing that a public officer may not act in such a way as to suggest to another person that the public officer can be improperly influenced by that person when the public officer is performing his or her official duties; amending s. 112.3135, F.S.; providing penalties if a public official makes a prohibited appointment, employment, promotion, or advancement decision for an individual; creating s. 112.3142, F.S., pertaining to qualified blind trusts; providing legislative findings and intent relating to qualified blind trusts; defining terms; providing that if a covered public official holds an economic interest in a qualified blind trust, he or she does not have a conflict of interest that would otherwise be prohibited by law; prohibiting a covered public official from attempting to influence or exercise any control over decisions regarding the management of assets in a qualified blind trust; prohibiting direct or indirect communication between the covered public official or any person having a beneficial interest in the qualified blind trust and the trustee; providing exemptions; requiring a covered public official to report as an asset on his or her financial disclosure forms the beneficial interest, and its value if required, which he or she has in a qualified blind trust; specifying the required elements necessary to establish a qualified blind trust; specifying the required elements necessary to be a trustee; specifying the required elements in the trust agreement; providing that the trust is not effective unless it is approved by the Commission on Ethics; requiring that the trustee and the official observe the obligations of the trust agreement; providing that the trust contains only readily marketable assets; requiring that the trust agreement be filed with the commission within a specified time; providing for the filing of an amendment to a financial disclosure statement of a covered public official in specified circumstances; amending s. 112.3143, F.S.; defining the term “principal by whom retained”; requiring a state public officer holding an elected or appointed office to publicly state the nature of all of the officer’s interests, and all of the interests of his or her principals, relatives, or business associates which are known to him or her, in the matter from which the officer is abstaining from voting; requiring the officer to file documents within 15 days after a vote occurs which disclose the nature of all of the officer’s interests as a public record; providing an exemption for certain specified officers; amending s. 112.3144, F.S.; requiring a candidate for a local office who has filed a full and public disclosure of financial interests when qualifying as a candidate to file a copy of that disclosure, instead of filing a second original disclosure, with the commission as the annual disclosure required under law; amending s. 112.3145, F.S.; revising definitions of the terms “local officer” and “specified state employee”; requiring a candidate for a state office who has filed a full and public disclosure of financial interests when qualifying as a candidate to file a

copy of that disclosure, instead of filing a second original disclosure, with the commission as the annual disclosure required under law; amending s. 112.3148, F.S.; defining terms; prohibiting a reporting individual or procurement employee from soliciting or accepting a gift in excess of a certain value from a vendor doing business with the reporting individual or the procurement agency; requiring each reporting individual or procurement employee to file a statement with the commission by a specified date containing a list of gifts, if any, which he or she believes to have a value in excess of a stated amount from a person who is regulated by the commission; providing exceptions; specifying the contents of the gift report; amending s. 112.3149, F.S.; defining the term “vendor”; prohibiting a reporting individual or procurement employee from knowingly accepting an honorarium from a vendor doing business with the reporting individual’s or procurement employee’s agency; prohibiting the vendor from giving an honorarium to the reporting individual or procurement employee; amending s. 112.317, F.S.; raising the civil penalties that may be imposed for violations of ch. 112, F.S., from \$10,000 to \$100,000; providing that a person who knowingly fails to file the required disclosure of documents by a specified date commits a misdemeanor of the first degree; providing criminal penalties; providing that a person who files a complaint with actual malice against a public officer is liable for costs and attorney’s fees; amending s. 112.3215, F.S.; providing that a person who is required to register with the Constitution Revision Commission or to provide information on a report required by the commission but who fails to disclose material fact or provides false information commits a noncriminal infraction; providing a fine for such infraction; amending s. 112.324, F.S.; providing procedures for investigations of complaints filed with the commission; amending ss. 411.01 and 445.007, F.S.; revising cross-references to conform to changes made by the act; reenacting ss. 310.151(1)(c) and 1002.33(25)(a), F.S., relating to pilotage and to charter schools, respectively, to incorporate the amendments made to s. 112.3143, F.S., in reference thereto; providing an effective date.

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

By Senator Evers—

SB 1486—A bill to be entitled An act relating to parole interviews for certain inmates; amending ss. 947.16, 947.174, and 947.1745, F.S.; extending from 2 years to 7 years the period between parole interview dates for inmates convicted of committing specified crimes; requiring a periodic parole interview for an inmate convicted of kidnapping, robbery, burglary of a dwelling, or burglary of a structure or conveyance in which a human being is present and a sexual act is completed or attempted; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Evers—

SB 1488—A bill to be entitled An act relating to motor vehicle license plates; creating s. 320.0892, F.S.; providing for the Department of Highway Safety and Motor Vehicles to issue a Silver Star license plate, without payment of the license tax, to persons meeting specified criteria; creating s. 320.08921, F.S.; providing for the Department of Highway Safety and Motor Vehicles to issue a Distinguished Service Cross license plate, without payment of the license tax, to persons meeting specified criteria; creating s. 320.08922, F.S.; providing for the Department of Highway Safety and Motor Vehicles to issue a Navy Cross license plate, without payment of the license tax, to persons meeting specified criteria; creating s. 320.08923, F.S.; providing for the Department of Highway Safety and Motor Vehicles to issue an Air Force Cross license plate, without payment of the license tax, to persons meeting specified criteria; providing an effective date.

—was referred to the Committees on Transportation; Military Affairs, Space, and Domestic Security; and Budget.

By Senator Evers—

SB 1490—A bill to be entitled An act relating to numeric nutrient water quality criteria; creating s. 403.0675, F.S.; prohibiting the implementation of certain federal numeric nutrient water quality criteria rules by the Department of Environmental Protection, water manage-

ment districts, and local governmental entities; authorizing the department to adopt numeric nutrient water quality criteria for surface waters under certain conditions; providing that certain total maximum daily loads and associated numeric interpretations constitute site specific numeric nutrient water quality criteria; providing for effect, governance, and challenge of such criteria; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

By Senator Flores—

SB 1492—A bill to be entitled An act relating to public school instruction; amending s. 1002.23, F.S.; requiring Department of Education guidelines for the school district parent guide to include information regarding required parental permission for certain instruction; authorizing a school district to include a parental consent form in the parent guide; amending s. 1003.42, F.S.; revising required instruction relating to comprehensive health education; specifying that a student needs parental permission to be taught reproductive health or sexually transmitted disease education; amending ss. 1002.20 and 1006.148, F.S.; conforming provisions and a cross-reference to changes made by the act; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; and Budget.

By Senator Evers—

SB 1494—A bill to be entitled An act relating to the Interstate Compact for Juveniles; reenacting s. 985.802, F.S., which expired by operation of law on August 26, 2010; providing purpose of the compact; providing definitions; providing for an Interstate Commission for Juveniles; providing for the appointment of commissioners; providing for an executive committee; providing for meetings; providing powers and duties of the Interstate Commission; providing for its organization and operation; providing for bylaws, officers, and staff; providing for qualified immunity from liability for the commissioners, the executive director, and employees; requiring the Interstate Commission to adopt rules; providing for oversight, enforcement, and dispute resolution by the Interstate Commission; providing for the activities of the Interstate Commission to be financed by an annual assessment from each compacting state; requiring member states to create a State Council for Interstate Juvenile Supervision; providing for the effective date of the compact and amendments thereto; providing for a state's withdrawal from and reinstatement to the compact; providing for assistance, certain penalties, suspension, or termination following default by a state; providing for judicial enforcement; providing for dissolution of the compact; providing for severability and construction of the compact; providing for the effect of the compact with respect to other laws and for its binding effect; reenacting s. 985.5025, F.S., which expired by operation of law on August 26, 2010; creating the State Council for Interstate Juvenile Offender Supervision to oversee state participation in the compact; providing membership; providing for records and open meetings; prescribing procedures if the council is abolished; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

Senate Resolutions 1496-1498—Not referenced.

By Senator Latvala—

SB 1500—A bill to be entitled An act relating to foster care providers; amending s. 409.1671, F.S.; decreasing the limits of liability and requisite insurance coverage for lead community-based providers and subcontractors; providing immunity from liability for the Department of Children and Family Services for acts or omissions of a community-based provider or subcontractor, or the officers, agents, or employees thereof; providing an effective date.

—was referred to the Committees on Banking and Insurance; Children, Families, and Elder Affairs; Judiciary; and Budget.

By Senator Simmons—

SB 1502—A bill to be entitled An act relating to an ad valorem tax exemption for deployed servicemembers; creating s. 196.173, F.S.; providing for certain servicemembers who receive a homestead exemption and who are deployed in a military operation designated by the Legislature to receive an additional ad valorem tax exemption; specifying the calculation to be used in determining the exemption amount; requiring that a servicemember apply to the property appraiser to receive the exemption in the year following the year of a qualifying deployment; providing for the application forms to be prescribed by the Department of Revenue and furnished to an applicant by the property appraiser; requiring that a property appraiser consider applications for an exemption within a certain time; requiring the Secretary of the Senate and the Clerk of the House of Representatives to transmit a copy of a concurrent resolution designating qualifying military operations to the Department of Revenue; requiring the Department of Revenue to notify property appraisers and tax collectors of the designated military operations; requiring the Department of Military Affairs to submit a report annually of military operations to the President of the Senate, the Speaker of the House of Representatives, and the tax committees of each house of the Legislature; providing a definition; authorizing the Department of Revenue to adopt emergency rules; amending s. 194.011, F.S.; requiring a person appealing the denial of a deployed service member exemption to the value adjustment board to file the appeal within a certain time; amending s. 196.011, F.S.; providing requirements for the forms used for claims for the exemption for deployed servicemembers; authorizing the Department of Revenue to adopt emergency rules; providing for application of the act to qualifying deployments in the 2010 calendar year; providing for the act to apply to tax rolls beginning in 2011; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Community Affairs; and Budget.

By Senator Simmons—

SB 1504—A bill to be entitled An act relating to initiative petitions; amending s. 100.371, F.S.; limiting the validity of a signed initiative petition to 30 months; creating s. 100.372, F.S.; providing definitions; specifying qualifications for a person to act as a paid petition circulator; prohibiting a petition circulator from receiving compensation based on the number of signatures obtained on an initiative petition; requiring the initiative petition forms used by a paid petition circulator to identify the name of the paid petition circulator; requiring a person seeking employment with an initiative sponsor as a paid petition circulator to sign an affidavit stating that the person has not been convicted of, or entered a plea of nolo contendere to, a criminal offense involving fraud, forgery, or identity theft in any jurisdiction within a certain period; subjecting a petition circulator or an initiative sponsor to criminal penalties for violating specified restrictions or requirements; prohibiting an initiative sponsor from compensating a petition circulator based on the number of signatures obtained on an initiative petition; authorizing the Department of State to adopt rules; amending s. 101.161, F.S.; requiring the Secretary of State to revise the wording of the ballot title or ballot summary for an amendment to the State Constitution proposed by the Legislature when the wording is found by a court to be confusing, misleading, or otherwise deficient; requiring the Secretary of State to place the revised ballot title or ballot summary on the ballot if the court's decision is not reversed; making technical and grammatical changes; amending s. 104.185, F.S.; subjecting a person to criminal penalties for altering a signed initiative petition without the knowledge and consent of the person who signed the initiative petition; amending ss. 15.21, 16.061, and 101.173, F.S.; replacing the term "substance" with "ballot summary" to conform to changes made by the act; providing for severability; providing an effective date.

—was referred to the Committees on Rules; Criminal Justice; and Budget.

By Senator Ring—

SB 1506—A bill to be entitled An act relating to the corporate income tax; amending s. 220.131, F.S.; conforming provisions to changes made by the act; creating s. 220.153, F.S.; providing for the apportionment of certain taxpayer's adjusted federal income solely by the sales factor

provided in s. 220.15, F.S.; providing for eligibility based on the taxpayer's capital expenditures and number of full-time employees; providing an application process; authorizing the Department of Revenue to examine and verify that a taxpayer has correctly apportioned its taxes; authorizing the Office of Tourism, Trade, and Economic Development to approve and revoke approval of an application; providing for the recapture of unpaid taxes, interest, and penalties; authorizing the office and the department to adopt rules; providing an effective date.

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

By Senator Wise—

SB 1508—A bill to be entitled An act relating to costs of prosecution; amending s. 28.246, F.S.; requiring the clerk of the court to distribute the funds received from a defendant according to a specified order of priority when the defendant makes a partial payment to the clerk of costs of prosecution; requiring that a portion of the costs of prosecution be remitted to the State Attorneys Revenue Trust Fund; amending s. 903.286, F.S.; requiring that the clerk of the court withhold from the return of a cash bond sufficient funds to pay unpaid costs, including the costs of prosecution; amending s. 938.27, F.S.; imposing certain costs on persons whose cases are disposed of under a pretrial intervention program or pretrial substance abuse intervention program; requiring the court to impose the costs of prosecution and investigation on the defendant; prohibiting the court from converting such costs to court-ordered community service; clarifying the types of cases from which the clerk of the court must collect and dispense cost payments; requiring that the clerk of the court separately record each assessment and payment of costs of prosecution and provide a monthly report to the state attorney of such assessments and payments; requiring the clerk of the court to assign the first of any fees collected as payment for costs of prosecution; amending s. 985.032, F.S.; requiring that a juvenile who is adjudicated delinquent or has adjudication of delinquency withheld be assessed costs of prosecution; reenacting s. 34.191(1), F.S., relating to the disposition of fines and forfeitures, to incorporate the amendment made to s. 28.246, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Latvala—

SB 1510—A bill to be entitled An act relating to state procurement of personal property and services; amending s. 287.012, F.S.; defining the term “off-the-shelf commodities”; amending s. 287.056, F.S.; authorizing the purchase of off-the-shelf commodities that are available under purchasing agreements and state term contracts when such purchases are in the best interest of the state; amending s. 287.057, F.S.; requiring the purchase of generic equivalent off-the-shelf commodities under certain circumstances; amending s. 283.33, F.S.; conforming a cross-reference; providing an effective date.

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

By Senator Bennett—

SB 1512—A bill to be entitled An act relating to growth management; amending s. 163.3164, F.S.; defining the terms “mobility plan” and “transit-oriented development”; amending s. 163.3177, F.S.; requiring that certain local governments update the future land use plan element by a specified date and address the compatibility of lands adjacent or proximate to a military installation or airport; providing that the amount of land required to accommodate anticipated growth in local comprehensive plans may not be limited solely by projected population; specifying a formula to be used in projecting population growth; requiring each county and municipality to enter into an interlocal agreement by a specified date which allocates the projected population among local jurisdictions; providing that local governments that fail to agree on the population allocation forfeit certain revenue-sharing funds; amend-

ing s. 163.3180, F.S.; specifying how to calculate the proportionate-share contribution for a transportation facility; defining the terms “construction cost” and “transportation deficiency” for purposes of determining the proportionate-share contribution; delaying the date by which local governments are required to adopt a methodology for assessing proportionate fair-share mitigation options; amending s. 163.3182, F.S.; revising provisions to substitute terminology relating to “transportation deficiencies” for “backlogs”; specifying schedule requirements for mass transit projects; amending s. 380.06, F.S.; exempting certain transit-oriented developments from transportation impact review; amending ss. 163.3162, 163.32465, 186.513, 186.515, 287.042, 288.975, 369.303, 420.5095, 420.9071, and 420.9076, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Community Affairs; Military Affairs, Space, and Domestic Security; Transportation; and Budget.

By Senator Latvala—

SB 1514—A bill to be entitled An act relating to permitting of consumptive uses of water; amending s. 373.236, F.S.; requiring consumptive use permits to be issued for a period of 20 years; providing exceptions; deleting legislative findings requiring the Department of Environmental Protection to provide certain information to agricultural applicants; eliminating requirements for permit compliance reports; removing the authority of the department and the water management district governing boards to request permit compliance reports and to modify or revoke consumptive use permits; providing for the modification of existing consumptive use permits under certain conditions; amending s. 373.250, F.S.; providing requirements for water management districts in evaluating applications for the consumptive use of water in mandatory reuse zones; providing applicability; creating s. 373.255, F.S.; requiring water management districts to implement a sustainable water use permit program for public water utilities; providing program criteria; providing permit application and issuance requirements; providing requirements for permit monitoring, compliance, and performance metrics; amending ss. 373.2234 and 373.243, F.S.; conforming cross-references; directing each water management district to consult with the Department of Environmental Protection to examine options for improving the coordination between the consumptive use permitting process and the water supply planning process by extending and reconciling certain permitting provisions; requiring each water management district to provide a report to the Governor and the Legislature; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Agriculture; and Budget.

By Senator Ring—

SB 1516—A bill to be entitled An act relating to community associations; amending s. 718.111, F.S.; requiring an insurance company insuring condominium association property to provide notice to unit owners if the insurance will be cancelled or not renewed by the association; authorizing a majority of the voting interests of the association to direct the board to obtain substitute coverage; amending s. 718.113, F.S.; authorizing the board of a condominium association to install impact glass or other code-compliant windows under certain circumstances; amending s. 718.116, F.S.; providing that a condominium association may not be deemed to be the previous owner of a condominium unit under certain circumstances; requiring a tenant to pay all of a unit owner's outstanding monetary obligations relating to the unit to the condominium association under certain circumstances; amending s. 720.303, F.S.; providing that a member of a homeowners' association has the right to speak on any matter placed on the agenda of the board of the association for at least 3 minutes; amending s. 720.306, F.S.; specifying additional requirements for elections for members of the board of a homeowners' association; specifying additional requirements for candidates to be a member of the board of a homeowners' association; amending s. 720.3085, F.S.; providing that a condominium homeowners' association may not be deemed to be the previous owner of a parcel under certain circumstances; providing an effective date.

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

By Senator Altman—

SB 1518—A bill to be entitled An act relating to postsecondary student fees; amending s. 1009.22, F.S.; requiring that acquisitions of improved real property by a district school board or Florida College System institution board of trustees which are funded through the use of the capital improvement fee meet certain survey and construction requirements; authorizing a Florida College System institution that has not met certain relative space needs to establish a capital improvement fee for 5 fiscal years; providing a maximum fee amount; providing requirements relating to the use of the fee; amending s. 1009.23, F.S.; deleting a fee limitation; requiring that acquisitions of improved real property by a Florida College System institution board of trustees which are funded through the use of the capital improvement fee meet certain survey and construction requirements; authorizing a Florida College System institution that has not met certain relative space needs to establish a capital improvement fee for 5 fiscal years; providing a maximum fee amount; providing requirements relating to the use of the fee; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

SR 1520—Not referenced.

By Senator Gaetz—

SB 1522—A bill to be entitled An act relating to wellness or health improvement programs; amending s. 626.9541, F.S.; authorizing insurers to offer rewards or incentives to health benefit plan members to encourage or reward participation in wellness or health improvement programs; authorizing insurers to require plan members not participating in programs to provide verification that their medical condition warrants nonparticipation; providing application; providing an effective date.

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

By Senator Simmons—

SB 1524—A bill to be entitled An act relating to telecommunications; creating the “Regulatory Reform Act”; amending s. 364.01, F.S.; revising legislative intent with respect to the jurisdiction of the Florida Public Service Commission; amending s. 364.011, F.S.; providing that certain basic and nonbasic telecommunication services are exempt from the jurisdiction of the Public Service Commission; amending s. 364.012, F.S.; requiring local exchange telecommunications companies to provide unbundled access to network elements; amending s. 364.0135, F.S.; providing legislative intent relating to the sustainable adoption of broadband Internet service; providing a definition of “sustainable adoption” as it relates to broadband Internet services; removing obsolete legislative intent; authorizing the Department of Management Services to work collaboratively with, and to receive staffing support and other resources from, Enterprise Florida, Inc., state agencies, local governments, private businesses, and community organizations to encourage sustainable adoption of broadband Internet services; authorizing the department to adopt rules; repealing ss. 364.015 and 364.016, F.S., relating to injunctive relief and travel costs of the commission; amending s. 364.02, F.S.; removing definitions for “monopoly service,” “operator service,” and “operator service provider,” and adding a definition for “VoIP”; repealing ss. 364.025, 364.0251, and 364.0252, F.S., relating to uniform telecommunications service, a telecommunications consumer information program, and the expansion of consumer information programs, respectively; amending s. 364.04, F.S.; providing that the commission has no jurisdiction over the content, form, or format of rate schedules published by a telecommunications company; providing that a telecommunications company may undertake certain activities; repealing ss.

364.051, 364.052, 364.057, 364.058, 364.059, 364.06, 364.063, 364.07, and 364.08, F.S., relating to price regulation, regulatory methods for small local exchange telecommunications companies, experimental and transitional rates, limited proceedings, procedures for seeking a stay of proceedings, joint rates, tolls, and contracts, rate adjustment orders, intrastate interexchange service contracts, and unlawful charges against consumers, respectively; amending s. 364.10, F.S.; removing obsolete provisions; requiring an eligible telecommunications carrier to provide a Lifeline Assistance Plan to qualified residential subscribers; repealing s. 364.15, F.S., relating to repairs, improvements, and additions to telecommunication facilities; amending s. 364.16, F.S., relating to interconnection, unbundling, and resale of telecommunication services; requiring the commission to, upon request, arbitrate and enforce interconnection agreements; prohibiting a telecommunications company from knowingly delivering traffic for which terminating access service charges would otherwise apply; authorizing the commission to adopt rules to prevent the unauthorized changing of a subscriber’s telecommunications service; removing obsolete provisions relating to local exchange telecommunications companies; repealing ss. 364.161 and 364.162, F.S., relating to unbundling and resale of telecommunication services and negotiated prices for interconnection services, respectively; amending s. 364.163, F.S.; conforming provisions to changes made by the act; amending s. 364.183, F.S.; revising provisions relating to access of the commission to certain records of a telecommunications company; repealing ss. 364.185, 364.19, and 364.27, F.S., relating to powers of the commission to investigate and inspect any premises of a telecommunications company, regulation of telecommunication contracts, and powers and duties as to interstate rates, respectively; amending s. 364.33, F.S., relating to the certificate of authority; prohibiting a person from providing any telecommunications service to the public without a certificate of necessity or a certificate of authority issued by the commission; providing that, after a specified date, the commission will no longer issue certificates of necessity; amending s. 364.335, F.S.; requiring an applicant to provide certain information when applying for a certificate of authority; describing the criteria necessary to be granted a certificate of authority; authorizing a telecommunications company to terminate a certificate of authority; repealing s. 364.337, F.S., relating to competitive local exchange companies; amending s. 364.3375, F.S., relating to pay telephone service providers; requiring pay telephone providers to obtain a certificate of authority from the commission; repealing ss. 364.3376, 364.3381, 364.3382, 364.339, 364.345, and 364.37, F.S., relating to operator services, cross-subsidization, cost disclosures, certificates for territories served, shared tenant services, and powers of the commission relating to service territories, respectively; amending s. 364.385, F.S.; removing obsolete provisions relating to saving clauses; amending s. 364.386, F.S.; revising the content to be included in the report to be filed with the Legislature; repealing ss. 364.501, 364.503, 364.506, 364.507, 364.508, 364.515, 364.516, 364.601, 364.602, 364.603, and 364.604, F.S., relating to the prevention of damages to underground telecommunication facilities, mergers or acquisitions, a short title for education facilities, legislative intent for advanced telecommunication services to eligible facilities, definitions, infrastructure investments, penalties for failing to provide advanced telecommunication services, the short title for telecommunication consumer protections, definitions, the methodology for protecting consumers for changing telecommunication providers, and billing procedures to inform and protect the consumer, respectively; amending ss. 196.012, 199.183, 212.08, 290.007, 350.0605, 364.105, 364.32, and 489.103, F.S.; revising cross-references to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Commerce and Tourism; and Budget.

SB 1526—Not referenced.

By Senator Altman—

SB 1528—A bill to be entitled An act relating to secondary metals recyclers; amending s. 538.18, F.S.; revising and providing definitions; amending s. 319.30, F.S.; conforming a cross-reference; amending s. 538.19, F.S.; revising the period required for secondary metals recyclers to maintain certain information regarding purchase transactions invol-

ving regulated metals property; revising requirements for the types of information that secondary metals recyclers must obtain and maintain regarding purchase transactions; limiting the liability of secondary metals recyclers for the conversion of motor vehicles to scrap metal under certain circumstances; amending s. 538.235, F.S.; revising requirements for payments made by secondary metals recyclers to sellers of regulated metals property, to which penalties apply; providing methods of payment for restricted regulated metals property; requiring that purchases of certain property be made by check or by electronic payment; amending s. 538.26, F.S.; prohibiting secondary metals recyclers from purchasing regulated metals property without maintaining certain records; deleting provisions prohibiting the purchase of regulated metals property from certain persons or at certain locations; prohibiting the purchase of specified restricted regulated metals property without obtaining certain proof of the seller's ownership and authorization to sell the property; creating s. 538.27, F.S.; limiting civil liability of secondary metals recyclers under certain circumstances; establishing an inference that secondary metals recyclers do not commit theft or deal in stolen property under certain circumstances; creating s. 538.28, F.S.; preempting to the state the regulation of secondary metals recyclers and purchase transactions involving regulated metals property; exempting certain ordinances and regulations from preemption; amending s. 812.022, F.S.; establishing an inference that secondary metals recyclers do not commit theft or deal in stolen property under certain circumstances; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; Criminal Justice; and Budget.

By Senator Altman—

SB 1530—A bill to be entitled An act relating to driver's licenses; creating the "Mature Drivers Act"; amending s. 322.05, F.S.; revising age requirements for issuance of driver's licenses; amending ss. 322.126 and 322.161, F.S., relating to reporting of licensed driver's or applicant's mental or physical disability to drive or need to obtain or wear a medical identification bracelet and restriction of the driving privilege of a person who has accumulated six or more points within a 12-month period; conforming provisions to changes made by the act; amending s. 322.1615, F.S.; revising age requirements for issuance of learner's driver's licenses; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Altman—

SB 1532—A bill to be entitled An act relating to the Florida Council on Military Base and Mission Support; amending s. 288.984, F.S.; creating the Military Base Encroachment Mitigation Workgroup within the council; directing the workgroup to consider and prioritize potential lands adjacent to federal military installations for purchase and conversion into public parks for off-highway vehicle use; providing a continuing appropriation; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Environmental Preservation and Conservation; and Budget.

By Senator Smith—

SB 1534—A bill to be entitled An act relating to criminal history records of juveniles; creating s. 943.05825, F.S.; providing for the automatic sealing of records of juvenile offenses upon completion of sentence; providing exceptions; providing for the effect of sealing; providing for application of other specified provisions relating to expunction and sealing of records; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Flores—

SB 1536—A bill to be entitled An act relating to murder of a child 17 years of age or younger; creating s. 782.066, F.S.; reclassifying specified murder offenses if committed upon a child 17 years of age or younger; prohibiting a court from suspending, deferring, or withholding adjudication of guilt or imposition of sentence; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Flores—

SJR 1538—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution to prohibit public funding of abortions and prohibit the State Constitution from being interpreted to create broader rights to an abortion than those contained in the United States Constitution.

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

By Senator Smith—

SB 1540—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term "special risk member"; amending s. 121.0515, F.S.; revising criteria for membership in the special risk class to include court deputies; providing legislative findings that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Criminal Justice; Judiciary; and Budget.

By Senator Siplin—

SB 1542—A bill to be entitled An act relating to corporate income tax credits; creating s. 220.1877, F.S.; providing legislative findings and purposes; providing definitions; establishing the Florida Public School Tax Credit Program; providing for credits against the corporate income tax for contributions to public schools for certain purposes; providing limitations; authorizing public schools to determine how to use undesignated contributions; requiring public schools to report certain information to the Department of Revenue; limiting the total annual amount of credits; requiring the department to apportion a dollar amount of tax credits to each school board receiving eligible contributions; providing a formula for apportioning the dollar amount of tax credits to each school board for allocation by the department to taxpayers applying for corporate income tax credits; providing requirements for taxpayers filing consolidated returns; providing procedures and requirements for rescinding credits; providing for use of rescinded credits by other taxpayers; specifying certain taxpayers as ineligible to receive the corporate tax credit; specifying administrative rules for use and application of the credit; requiring the Department of Revenue and the State Board of Education to adopt rules; providing requirements for deposits of eligible contributions; providing criteria for preservation of tax credits under certain circumstances; providing a limitation; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Education Pre-K - 12; and Budget.

By Senator Jones—

SB 1544—A bill to be entitled An act relating to death and fetal death registration; amending s. 382.008, F.S.; providing for advanced registered nurse practitioners to provide certification of death or fetal death; providing an effective date.

—was referred to the Committees on Health Regulation; Regulated Industries; and Budget.

By Senator Thrasher—

SB 1546—A bill to be entitled An act relating to charter schools; amending ss. 163.3180, 196.1983, and 1002.32, F.S.; conforming cross-references; amending s. 1002.33, F.S.; revising provisions relating to the sponsoring entities of charter schools; authorizing state universities and colleges to approve charter school applications and develop charter schools under certain circumstances; requiring that the Department of Education provide or arrange for training and technical assistance for charter schools; requiring that a charter school applicant participate in the training before filing an application; removing certain provisions relating to the appeal process for charter school applicants and the Charter School Appeal Commission; creating the Charter School Review and Appeals Panel; providing duties, responsibilities, and membership of the panel; providing for the designation of charter schools as high-performing if certain requirements are met; providing definitions relating to the high-performing charter school system; revising provisions to conform to changes made by the act; amending ss. 1002.34, 1002.345, 1011.68, 1012.32, and 1013.62, F.S.; conforming cross-references; creating the College-Preparatory Boarding Academy Pilot Program for dependent or at-risk students; providing a purpose for the program; requiring that the State Board of Education implement the program; providing definitions; requiring that the state board select a private nonprofit corporation to operate the academy if certain qualifications are met; requiring that the state board request proposals from private nonprofit corporations; providing requirements for such proposals; requiring that the state board enter into a contract with the operator of the academy; requiring that the contract contain specified requirements; requiring that the operator adopt bylaws, subject to approval by the state board; requiring that the operator adopt an outreach program with the local education agency or school district and community; providing that the academy is a public school and part of the state's education program; providing program funding guidelines; limiting the capacity of eligible students attending the academy; requiring that enrolled students remain under case management services and the supervision of the lead agency; authorizing the operator to appropriately bill Medicaid for services rendered to eligible students or earn federal or local funding for services provided; providing for eligible students to be admitted by lottery if the number of applicants exceeds the allowed capacity; authorizing the operator to board dependent, at-risk students; requiring that the state board issue an annual report and adopt rules; requiring that the Office of Program Policy and Analysis and Government Accountability conduct a study comparing the funding of charter schools to the funding of public schools; providing requirements for the study; requiring that the office submit its recommendations and findings to the Governor and the Legislature by a specified date; providing for severability; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Higher Education; and Budget.

By Senator Lynn—

SB 1548—A bill to be entitled An act relating to the Streamlined Sales and Use Tax Agreement; amending s. 212.02, F.S.; revising definitions; amending s. 212.03, F.S.; specifying certain facilities that are exempt from the transient rentals tax; amending s. 212.0306, F.S.; eliminating the use of brackets in the calculation of sales and use taxes; amending s. 212.031, F.S.; providing that an exception relating to food and drink concessionaire services from the tax on the license or rental fee for the use of real property is limited to the space used exclusively for selling and distributing food and drinks; providing that the amendment to the exception from the tax on the license or rental fee for the use of real property is retroactive and remedial in nature; amending s. 212.04, F.S.; eliminating the use of brackets in the calculation of sales and use taxes; limiting the application of an exemption from the admissions tax to certain events sponsored by certain educational institutions; amending s. 212.05, F.S.; deleting a reference to mail-order sales to conform to changes made by the act; deleting criteria establishing circumstances

under which taxes on the lease or rental of a motor vehicle are due; revising criteria establishing circumstances under which taxes on the sale of a prepaid calling arrangement are due; increasing the tax rate applicable to coin-operated amusement machines; eliminating the use of brackets in the calculation of sales and use taxes; amending s. 212.0506, F.S.; eliminating the use of brackets in the calculation of the tax on service warranties; amending s. 212.054, F.S.; limiting the \$5,000 cap on discretionary sales surtax to the sale of motor vehicles, aircraft, boats, motor homes, manufactured homes, modular homes, and mobile homes; specifying the time at which changes in surtaxes may take effect; providing criteria to determine the situs of certain sales; requiring the Department of Revenue to notify dealers of changes in surtax rates; providing for databases to identify taxing jurisdictions; providing criteria for holding purchasers harmless for failure to pay the correct amount of tax; holding sellers harmless for failing to collect a tax at a new rate under certain circumstances; amending s. 212.055, F.S.; deleting a provision providing for the emergency fire rescue services and facilities surtax to be initiated on a certain date after the approval of the tax in a referendum; amending s. 212.06, F.S.; deleting a reference to mail-order sales to conform to changes made by the act; specifying procedures for the sourcing of advertising and promotional direct mail; specifying procedures for sourcing other direct mail; providing definitions; providing that sales and use taxes do not apply to transactions involving tangible personal property that is exported from this state under certain circumstances; amending s. 212.07, F.S.; authorizing the Department of Revenue to use electronic means to notify dealers of changes in the sales and use tax rates; authorizing the Department of Revenue to create and maintain a taxability matrix; providing immunity from liability for acts in reliance on the taxability matrix; amending s. 212.08, F.S.; revising exemptions from the sales and use tax for food and medical products; limiting the exemption for building materials used in the rehabilitation of real property located in an enterprise zone to one exemption per building; defining terms relating to the exemption for building materials used in the rehabilitation of real property located in an enterprise zone; exempting certain charges relating to railroad cars which are subject to the jurisdiction of the United States Interstate Commerce Commission from sales and use taxes; exempting certain payments relating to a high-voltage bulk transmission facility from sales and use taxes; deleting references to "qualifying property" to conform to changes made by the act; creating s. 212.094, F.S.; providing a procedure for a purchaser to obtain a refund of tax collected by a dealer; amending s. 212.12, F.S.; authorizing the Department of Revenue to establish collection allowances for certified service providers; deleting a reference to mail-order sales to conform to changes made by the act; providing for the computation of taxes based on rounding instead of brackets; amending s. 212.15, F.S.; deleting a cross-reference relating to a provision providing for the state to hold certain tax revenues for the benefit of another state, to conform to changes made by the act; amending s. 212.17, F.S.; providing additional criteria for a dealer to claim a credit or refund for taxes paid relating to bad debts; amending s. 212.18, F.S.; authorizing the Department of Revenue to waive the dealer registration fee for applications submitted through a multistate electronic registration system; deleting a reference to mail-order sales to conform to changes made by the act; amending s. 212.20, F.S.; deleting procedures for refunds of tax paid on mail order sales; creating s. 213.052, F.S.; requiring the Department of Revenue to notify dealers of changes in a sales and use tax rate; specifying dates on which changes in sales and use tax rates may take effect; creating s. 213.0521, F.S.; providing the effective date for changes in the rate of state sales and use taxes applying to services; creating s. 213.215, F.S.; providing amnesty for uncollected or unpaid sales and use taxes for sellers who register under the Streamlined Sales and Use Tax Agreement; providing exceptions to the amnesty; amending s. 213.256, F.S.; defining terms; authorizing the Department of Revenue to enter into agreements with other states to simplify and facilitate compliance with sales tax laws; creating s. 213.2562, F.S.; requiring the Department of Revenue to review software submitted to the governing board for certification as a certified automated system; creating s. 213.2567, F.S.; providing for the registration of sellers, the certification of a person as a certified service provider, and the certification of a software program as a certified automated system by the governing board under the Streamlined Sales and Use Tax Agreement; authorizing the Department of Revenue to adopt emergency rules; requiring the President of the Senate and Speaker of the House of

Representatives to create a joint select committee to study certain matters related to state taxation; amending ss. 11.45, 196.012, 202.18, 203.01, 212.052, 212.081, 212.13, 218.245, 218.65, 288.1045, 288.11621, 288.1169, 551.102, and 790.0655, F.S.; conforming cross-references to changes made by the act; repealing s. 212.0596, F.S., relating to provisions pertaining to the taxation of mail-order sales; providing an effective date.

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

By Senator Negron—

SB 1550—A bill to be entitled An act relating to the Education Savings Account Program; creating s. 1002.385, F.S.; providing definitions; specifying criteria for students who are eligible to participate in the program; identifying certain students who may not participate in the program; providing that a parent may direct a financial institution trustee of his or her child's account to use the funds for specified costs of attending a private school or participating in a dual enrollment program or to make a contribution to the child's college savings plan or a payment to a contract under the Stanley G. Tate Florida Prepaid College Program; requiring a financial institution to transfer an account to another participating financial institution upon the request of a parent as provided by the Chief Financial Officer by rule; authorizing a parent to direct the trustee to donate unspent funds in an account when a student graduates from high school or when the student's participation in the program is terminated; requiring the trustee to donate the unspent funds to the student's school district if a selection is not timely made; requiring a parent to apply to the Department of Education for his or her child to participate in the program; specifying responsibilities of a parent or student for using funds in an account to attend a private school or private virtual school; requiring a student who participates in the program and attends a private school or private virtual school to take norm-referenced assessment tests required by the Department of Education; specifying responsibilities of a parent or student for using funds in an account to hire a private tutor or private tutoring program; specifying responsibilities of a parent or student for using funds in an account to participate in a dual enrollment program; specifying eligibility criteria for private schools, private tutors, private tutoring programs, and private postsecondary institutions to participate in the program; providing that all state postsecondary institutions are eligible to participate in the program; requiring that the Department of Education establish an enrollment period for the program, process student applications by a certain date, verify the eligibility of private schools, private virtual schools, private tutors, private tutoring programs, and postsecondary institutions, publish a list of eligible private schools, submit the list to participating financial institutions by a certain date, notify the participating financial institutions of certain students, establish a toll-free hotline for certain information, establish a process for reporting to the department violations of law relating to the program, require participating private schools, private virtual schools, private tutors, private tutoring programs, and postsecondary institutions to certify compliance with the requirements of the program, compare the list of participating students with the public school enrollment lists, maintain a list of nationally norm-referenced assessment tests, select an independent research organization that must make annual reports relating to the learning gains of students in the program, publish certain annual reports on its website, conduct random visits to certain schools, and issue a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives; requiring that the Chief Financial Officer process applications from financial institutions to participate in the program, provide a list of participating financial institutions to the department by a certain date each year, conduct random audits of participating financial institutions, revoke the eligibility of a financial institutions for violations of law relating to the program, and make payments to the accounts of participating students in specified situations; requiring financial institutions to apply to the Chief Financial Officer to participate in the program; providing that a participating financial institution serves as a trustee for a student's account; limiting the fees that may be charged by a financial institution for its services under the program; requiring a financial institution to make timely quarterly payments directly to a private school, private tutor, private tutoring program, or

postsecondary institution; requiring a financial institution to make timely quarterly payments to a selected college savings plan or the Stanley G. Tate Florida Prepaid College Program; requiring a financial institution to notify the department of the identity of certain students at certain dates; requiring a financial institution to annually notify the Chief Financial Officer of its intent to continue to participate in, or intent to withdraw from, the program; requiring a financial institution to provide advance notice to the Chief Financial Officer and parents of students participating in the program before withdrawing from the program; specifying criteria and procedures by which the Commissioner of Education may deny, suspend, or revoke a private school's participation in the program; specifying procedures by which a private school may challenge the decision of the Commissioner of Education to deny, suspend, or revoke the school's participation in the program; requiring the director of the Division of Administrative Hearings to expedite a hearing in certain situations; authorizing the Commissioner of Education to order participating financial institutions to immediately suspend payments from a student's account to a participating private school under certain circumstances; providing for appeal against a payment suspension; authorizing the Office of Inspector General of the Department of Education to release otherwise confidential student information under certain circumstances involving allegations of fraudulent activity under the program; specifying a formula to be used in determining the amount of annual payments made to a student's account under the program; providing for the random selection of applicants to the program who are attending a home education program or a private school; providing a calculation to determine the number of such students who may participate in the program; authorizing the Legislative Budget Commission to transfer funds in excess of amounts required to fully fund the accounts of all participating students to the Florida Education Finance Program; requiring the department and the Department of Financial Services to develop an agreement to assist in the administration of the program; requiring the State Board of Education to adopt rules for the Department of Education and the Commissioner of Education to administer the program; requiring the Chief Financial Officer to adopt rules to administer its responsibilities under the program; providing for the enrollment period and for the number of eligible students for the 2011-2012 school year; requiring the department to randomly select participating students in specified situations; authorizing the State Board of Education to adopt emergency rules for the department and the Commissioner of Education to implement the program; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Higher Education; and Budget.

By Senator Lynn—

SB 1552—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; defining the terms "community service" and "reemployment services"; amending s. 443.091, F.S.; providing that an unemployed individual is eligible to receive benefits if he or she participates in a community service program administered by a regional workforce board; authorizing the Agency for Workforce Innovation to adopt rules; conforming a cross-reference; amending s. 443.1216, F.S.; providing that community services are not covered by unemployment compensation; conforming cross-references; amending s. 443.131, F.S.; conforming cross-references; providing an effective date.

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

By Senator Hays—

SB 1554—A bill to be entitled An act relating to emergency vehicles; amending s. 318.18, F.S.; increasing the fine for the failure to comply with s. 316.126(1)(b), relating to yielding to emergency vehicles; providing an effective date.

—was referred to the Committees on Transportation; Health Regulation; and Military Affairs, Space, and Domestic Security.

By Senator Margolis—

SB 1556—A bill to be entitled An act relating to sales tax exemptions; amending s. 212.031, F.S.; exempting from the sales tax certain separately stated charges imposed on a lessee or licensee of leased or licensed premises; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; and Budget.

By Senator Benacquisto—

SCR 1558—A concurrent resolution calling for the Congress of the United States to call a convention pursuant to Article V of the United States Constitution to propose a constitutional amendment permitting repeal of any federal law or regulation by vote of two-thirds of the state legislatures.

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

By Senator Wise—

SB 1560—A bill to be entitled An act relating to violations of conditional release, control release, conditional medical release, or addiction-recovery supervision; amending s. 947.141, F.S.; authorizing the Parole Commission to order that a releasee who has violated the conditions of release or supervision be placed into a state prison; providing guidelines and time limits with respect to such placement; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Siplin—

SB 1562—A bill to be entitled An act relating to employment practices; prohibiting the use of a job applicant's personal credit history as a hiring criterion; providing an exception; providing an effective date.

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

By Senator Fasano—

SB 1564—A bill to be entitled An act relating to a special election; providing for a special election to be held on the date of the presidential preference primary in 2012, pursuant to Section 5 of Article XI of the State Constitution, for the approval or rejection by the electors of this state of amendments to the State Constitution, proposed by joint resolution, to prohibit increases in the assessed value of homestead property if the fair market value of the property decreases, reduce the limitation on annual assessment increases applicable to nonhomestead real property, provide an additional homestead exemption for owners of homestead property who have not owned homestead property for a specified time before purchase of the current homestead property, provide application and limitations with respect thereto, and provide an effective date if such amendments are adopted; providing for publication of notice and for procedures; providing an appropriation; providing a contingent effective date.

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

By Senator Alexander—

SB 1566—A bill to be entitled An act relating to interstate health insurance policies; creating s. 624.122, F.S.; authorizing solicitation and sale of interstate health insurance policies in this state by certain persons; providing a definition; requiring interstate health insurance policies and policy applications to contain a certain notice; providing for application of certain provisions to certain insurers; excluding interstate

health insurance policies from certain requirements; exempting interstate health insurance policies and applications from certain Florida Insurance Code provisions; providing exceptions; providing an effective date.

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

By Senator Montford—

SB 1568—A bill to be entitled An act relating to insurer insolvency; creating s. 631.2715, F.S.; providing for State Risk Management Trust Fund coverage for specified officers, employees, agents, and other representatives of the Department of Financial Services for liability under specified federal laws relating to receiverships; providing for retroactive application; amending s. 631.54, F.S.; providing that a covered claim for purposes of specified guaranty provisions does not include a claim rejected by another state's guaranty fund or liquidation law on the basis that it constitutes a claim under a policy issued by an insolvent insurer which is within a deductible or self-insured retention; amending s. 631.56, F.S.; providing that any board member of the Florida Insurance Guaranty Association representing an insurer in receivership shall be terminated as a board member; specifying a termination date; amending s. 631.57, F.S.; providing for actions by the Florida Insurance Guaranty Association to obtain custody and control of records and data related to an insolvent insurer; providing for an award of attorney's fees and costs in certain circumstances; providing for construction with other rights and remedies; amending s. 631.904, F.S.; providing that a covered claim for purposes of specified guaranty provisions does not include a claim rejected by another state's guaranty fund or liquidation law on the basis that it constitutes a claim under a policy issued by an insolvent insurer which is within a deductible or self-insured retention; amending s. 631.912, F.S.; providing that any board member of the Florida Workers' Compensation Insurance Guaranty Association who is employed by, or has a material relationship with, an insurer in receivership shall be terminated as a board member; specifying a termination date; amending s. 631.913, F.S.; providing for actions by the Florida Workers' Compensation Insurance Guaranty Association to obtain custody and control of records and data related to an insolvent insurer; providing for an award of attorney's fees and costs in certain circumstances; providing for construction with other rights and remedies; providing an effective date.

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

By Senator Evers—

SB 1570—A bill to be entitled An act relating to billboard regulation; amending s. 479.01, F.S.; revising and clarifying definitions relating to the regulation of billboards; providing an effective date.

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

By Senator Siplin—

SB 1572—A bill to be entitled An act relating to the termination of gas or electric service; prohibiting any utility from terminating a senior citizen's or low-income family's gas or electric service for nonpayment on any day, or on the following 2 calendar days, during which the National Weather Service forecasts extreme temperatures in the area in which the senior citizen or low-income family resides; prohibiting any utility from terminating a senior citizen's or low-income family's gas or electric service for nonpayment on any day preceding a holiday or weekend during which the National Weather Service forecasts extreme temperatures in the area in which the senior citizen or low-income family resides; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Children, Families, and Elder Affairs; and Budget.

By Senator Latvala—

SB 1574—A bill to be entitled An act relating to business enterprise opportunities for wartime veterans; amending s. 295.187, F.S.; revising legislative intent; renaming and revising the Florida Service-Disabled Veteran Business Enterprise Opportunity Act to expand the vendor preference in state contracting to include certain businesses owned and operated by wartime veterans; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Budget.

SR 1576—Not referenced.

By Senator Simmons—

SJR 1578—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of Section 32 of Article XII of the State Constitution to change the valuation to which the homestead exemption applies and to provide an alternative homestead exemption.

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

By Senator Sobel—

SB 1580—A bill to be entitled An act relating to medspas; amending s. 400.9905, F.S.; redefining the term “clinic” to include a medspa for purposes of regulation under the Health Care Clinic Act; defining the term “medspa”; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Sobel—

SB 1582—A bill to be entitled An act relating to bullying or harassment; amending s. 1006.147, F.S.; requiring the Department of Education to create a stand-alone model policy designed to protect students from bullying and harassment; providing criteria; requiring that each public K-12 educational institution designate a school employee as counselor for any student suffering from bullying or harassment; requiring the Department of Education to approve and produce training materials; requiring the department to provide the materials at no cost to public K-12 educational institutions; providing an effective date.

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

By Senator Sobel—

SB 1584—A bill to be entitled An act relating to deaf and hard-of-hearing children; creating the “Deaf and Hard-of-Hearing Children’s Educational Bill of Rights”; providing findings and purpose; recognizing the unique communication needs of deaf and hard-of-hearing children and encouraging the development of a communication-driven and language-driven educational delivery system in the state; requiring the Department of Education to develop a communication model to become part of the individual education plan process for deaf and hard-of-hearing students; providing an effective date.

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

By Senator Hays—

SB 1586—A bill to be entitled An act relating to the authority of certain professionals to practice in this state; amending ss. 455.2185 and 456.023, F.S.; deleting provisions that limit the practice privileges of out-

of-state or foreign health care professionals or veterinarians who are in this state for a specific sporting event; providing an effective date.

—was referred to the Committees on Health Regulation; Regulated Industries; and Budget.

By Senator Latvala—

SB 1588—A bill to be entitled An act relating to licensed security officers; amending s. 493.6120, F.S.; providing that a person who engages in any activity for which ch. 493, F.S., requires a license, but acts without having a license, commits a misdemeanor of the first degree; providing that a person commits a felony of the third degree for a second or subsequent offense of engaging in activities without a license; authorizing the Department of Agriculture and Consumer Services to impose a civil penalty not to exceed a specified amount; providing that penalties do not apply if the person engaged in unlicensed activity within 90 days after the expiration date of the person’s license; providing that a person who, while impersonating a security officer, private investigator, recovery agent, or other person required to have a license under ch. 493, F.S., knowingly and intentionally forces another person to assist the impersonator in an activity within the scope of duty of a professional licensed under ch. 493, F.S., commits a felony of the third degree; providing that a person who impersonates a security officer or other designated officer during the commission of a felony commits a felony of the second degree; providing that a person who impersonates a security officer or other designated officer during the commission a felony that results in death or serious bodily injury to another human being commits a felony of the first degree; authorizing a licensed security officer or a licensed security agency manager to detain a person on the premises of a critical infrastructure facility if the security officer has probable cause to believe that the person has committed or is committing a crime and for the purpose of ascertaining the person’s identity and the circumstances of the activity that is the basis for the temporary detention; providing that the person may be detained until a responding law enforcement officer arrives at the critical infrastructure facility; requiring the security officer to notify the law enforcement agency as soon as possible; requiring that custody of any person temporarily detained be immediately transferred to the responding law enforcement officer; prohibiting a licensed security officer or security agency manager from detaining a person after the arrival of a law enforcement officer unless the law enforcement officer requests the security officer to assist in detaining the person; authorizing the security officer to search the person detained if the security officer observes that the person temporarily detained is armed with a firearm, concealed weapon, or any destructive device that poses a threat to the safety of the security officer, or the detainee admits to the security officer that he or she is armed with a weapon; requiring the security officer to seize any weapon discovered and transfer the weapon to the responding law enforcement officer; defining the term “critical infrastructure facility”; providing identification requirements for licensed security officers; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; and Budget.

By Senator Hays—

SB 1590—A bill to be entitled An act relating to medical malpractice actions; creating ss. 458.3175 and 459.0066, F.S.; requiring the Board of Medicine and the Board of Osteopathic Medicine to issue expert witness certificates to physicians licensed outside the state; providing application and certification requirements; establishing application fees; providing for validity and use of the certification; exempting a physician issued a certificate from certain licensure and fee requirements; requiring the boards to adopt rules; amending ss. 458.331 and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; amending s. 627.4147, F.S.; deleting a requirement that medical malpractice insurance contracts contain a clause authorizing the insurer to make and conclude certain offers within policy limits over the insured’s veto; amending s. 766.102, F.S.; revising the length of devoted, professional time required in order for a health care provider to qualify to give expert

testimony regarding the prevailing professional standard of care; requiring an expert witness in certain medical negligence actions to be licensed under ch. 458 or ch. 459, F.S., or possess an expert witness certificate under certain conditions; providing that certain medical expert testimony is not admissible unless the expert witness meets certain requirements; amending s. 766.106, F.S.; requiring claimants for medical malpractice to execute an authorization form; deleting a provision prohibiting failure to provide certain presuit notice from serving as grounds for imposing sanctions; providing that certain immunity arising from participation in the presuit screening process does not prohibit certain physicians from being subject to certain penalties; allowing prospective medical malpractice defendants to interview a claimant's treating health care providers without notice to or the presence of the claimant or the claimant's legal representative; authorizing prospective defendants to take unsworn statements of a claimant's health care providers; creating s. 766.1065, F.S.; requiring that presuit notice for medical negligence claims be accompanied by an authorization for release of protected health information; providing requirements for the form of such authorization; amending s. 766.206, F.S.; requiring dismissal of a medical malpractice claim and payment of certain costs if such authorization form is not completed in good faith; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

SB 1592—Previously Referenced.

By Senator Sachs—

SB 1594—A bill to be entitled An act relating to pari-mutuel permitholders; amending s. 550.002, F.S., which defines the term “full schedule of live racing or games”; providing that a greyhound permitholder shall not be required to conduct a minimum number of live performances; amending s. 550.01215, F.S.; revising requirements for an application for a license to conduct performances; providing an extended period to amend certain applications; amending s. 550.054, F.S.; removing a requirement for holders of certain converted permits to conduct a full schedule of live racing to qualify for certain tax credits; amending s. 550.0951, F.S.; revising provisions for transfer by a permitholder of a tax exemption or license fee credit to a greyhound permitholder; revising the tax on handle for dogracing and intertrack wagering; amending s. 550.09514, F.S.; revising purse requirements for greyhound racing and provisions for payment of purses; amending s. 550.615, F.S.; revising provisions for intertrack wagering; amending ss. 550.26165 and 550.6305, F.S.; conforming cross-references to changes made by the act; amending s. 551.104, F.S.; revising a condition of licensure for the conduct of slot machine gaming; amending s. 551.114, F.S.; revising requirements for designated slot machine gaming areas; amending s. 849.086, F.S.; revising requirements for initial and renewal issuance of a cardroom license; providing that neither a corresponding pari-mutuel license application nor a minimum number of live performances is required for a greyhound permitholder to maintain or renew a cardroom license; providing an effective date.

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

By Senator Sobel—

SB 1596—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; providing a requirement for the composition of a charter school's governing body; conforming cross-references; providing for the shared use of facilities by charter schools; providing requirements for the transfer of enrolled students to certain charter schools; providing conditions that render a charter school ineligible for state implementation grant funds; providing capacity restrictions; amending s. 1002.345, F.S.; conforming cross-references; providing an effective date.

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

By Senator Siplin—

SM 1598—A memorial to the Congress of the United States, urging Congress to support repeal of Section 511 of the Tax Increase Prevention and Reconciliation Act, which requires governments that annually spend more than \$100 million to withhold a 3 percent federal tax on payments made for certain goods and services.

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

By Senator Rich—

SB 1600—A bill to be entitled An act relating to health insurance; providing a short title; providing a definition; authorizing an employee of a corporation that employs a specified number of employees to participate in the state group health insurance plan; providing conditions for eligibility to participate in the state group health insurance plan; authorizing a state resident to participate in the state group health insurance plan under certain conditions; requiring certain premium payments to be made electronically; requiring a corporation to apply for participation in the state group health insurance plan; requiring a corporation to agree to specified terms and conditions before participating in the plan; providing for open enrollment in the state group health insurance plan for eligible corporate employees and state residents; providing a corporate income tax credit to corporations participating in the plan for a specified percentage of contributions made towards employee premiums; limiting the total amount of tax credits available to all eligible corporations to a specified amount; authorizing the Department of Management Services to adopt rules for the implementation and administration of the act; authorizing the Department of Revenue to adopt rules for implementing the act and allocating tax credits; creating s. 625.083, F.S.; requiring financial reports of certain health insurers to be reported on a combined corporate basis; providing an effective date.

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

By Senator Gaetz—

SB 1602—A bill to be entitled An act relating to the Division of Emergency Management; transferring the division to the Executive Office of the Governor and renaming it the “Office of Emergency Management”; creating s. 14.2016, F.S.; establishing the Office of Emergency Management in the Executive Office of the Governor; amending ss. 20.18 and 125.01045, F.S.; conforming provisions to changes made by the act; amending s. 215.559, F.S.; revising the membership of the Hurricane Loss Mitigation Program's advisory group; conforming provisions to changes made by the act; amending ss. 163.3178, 166.0446, 215.5586, 252.32, 252.34, 252.35, 252.355, 252.61, 252.82, 252.936, 252.937, 252.943, 252.946, 282.34, 282.709, 311.115, 526.143, 526.144, 627.0628, 768.13, 943.03, 943.03101, 943.0312, and 943.0313, F.S.; conforming provisions to changes made by the act; amending ss. 112.3135, 119.071, 163.03, 163.360, 175.021, 186.505, 216.231, 250.06, 339.135, and 429.907, F.S.; conforming cross-references; providing a directive to the Division of Statutory Revision; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Budget.

By Senator Siplin—

SB 1604—A bill to be entitled An act relating to identification cards; amending s. 322.051, F.S.; providing that a Department of Corrections original certificate of identification or valid identification card is satisfactory proof of identity in order to be issued an identification card by

the Department of Highway Safety and Motor Vehicles; providing an effective date.

—was referred to the Committees on Criminal Justice; Transportation; and Budget.

By Senator Altman—

SB 1606—A bill to be entitled An act relating to public records; creating s. 626.84195, F.S.; providing an exemption from public-records requirements for financial information, such as revenue, loss, and expense data, which is supplied periodically by a licensed title insurance agency to the Department of Financial Services in order to assist the department in analyzing title insurance premium rates, title search costs, and the financial viability of the title insurance industry in the state; requiring that the information be supplied to the department by a specified date; requiring the department to adopt rules; authorizing the department to disclose the total combined responses of all agencies and reporting entities; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

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

By Senator Ring—

SB 1608—A bill to be entitled An act relating to dentistry; amending s. 466.006, F.S.; providing that an applicant who has maintained his or her dental license in good standing in another state for a specified number of years immediately before applying to take the licensing examinations to practice dentistry in this state is entitled to take such examinations; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Detert—

SB 1610—A bill to be entitled An act relating to the state minimum wage; amending s. 448.109, F.S.; conforming a provision to changes made by the act; amending s. 448.110, F.S.; providing for calculating the Florida minimum wage when the state minimum wage and the federal minimum wage for the prior year is lower than the adjusted real wage; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; and Budget.

By Senator Richter—

SB 1612—A bill to be entitled An act relating to regulation of the paralegal profession; requiring the Florida Supreme Court to establish a program to require the licensure of paralegals practicing in this state; requiring that the Supreme Court establish minimum standards and qualifications and provide for continuing education, certification, and professional conduct; requiring the Supreme Court to create an independent board to assist in the regulation of paralegals; providing penalties for unlicensed practice; providing an effective date.

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

By Senator Alexander—

SB 1614—A bill to be entitled An act relating to high school graduation requirements; amending s. 1003.428, F.S.; revising provisions relating to the general requirements for high school graduation to include a Career Academy curriculum and an Honors ROTC curriculum; providing an effective date.

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

By Senator Flores—

SB 1616—A bill to be entitled An act relating to the Dan Marino Foundation Florida Vocational College; establishing the Dan Marino Foundation Florida Vocational College in Broward County as a public residential postsecondary school for certain students who have developmental disabilities; providing funding for the school through the Department of Education; requiring that the school comply with the laws and rules applicable to state agencies unless otherwise provided by law; requiring that the school provide educational programs and services; requiring that the Auditor General conduct annual audits of the school's accounts and records; creating a board of trustees; providing membership, terms, and specifying powers and duties of the board; requiring that the board submit legislative budget requests for operations and fixed capital outlay; requiring that the board provide for the content and custody of student and employee personnel records; authorizing the board to provide legal services and reimbursement of expenses for officers and employees of the board; requiring notice and a public meeting under certain circumstances; requiring that all employees and applicants for employment with the board undergo personnel screening and security background investigations; providing a penalty for failure to disclose certain material facts and for use of confidential information for certain purposes; authorizing the employment of campus police and providing powers, duties, and qualifications; requiring reporting of on-campus crime statistics; amending s. 1000.04, F.S.; providing that the Dan Marino Foundation Florida Vocational College is a component of the delivery of public education within Florida's K-20 education system; amending s. 1001.20, F.S.; authorizing investigations by the Office of Inspector General within the Department of Education; providing an effective date.

—was referred to the Committees on Higher Education; Commerce and Tourism; and Budget.

By Senator Diaz de la Portilla—

SB 1618—A bill to be entitled An act relating to elections; amending s. 106.25, F.S.; allowing a respondent who is alleged by the Elections Commission to have violated the election code or campaign financing laws to elect as a matter of right a formal hearing before the Division of Administrative Hearings; authorizing an administrative law judge to assess civil penalties upon the finding of a violation; amending s. 106.265, F.S.; authorizing an administrative law judge to assess civil penalties upon a finding of a violation of the election code or campaign financing laws; providing for civil penalties to be assessed against an electioneering communications organization; removing reference to the expired Election Campaign Financing Trust Fund; directing that moneys from penalties and fines be deposited into the General Revenue Fund; providing an effective date.

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

By Senator Flores—

SB 1620—A bill to be entitled An act relating to K-12 educational instruction; amending s. 163.3180, F.S.; conforming cross-references to changes made by the act; amending s. 1002.20, F.S.; adding statewide virtual providers to the list of public school choices; amending s. 1002.33, F.S.; authorizing the creation of a virtual charter school; requiring the virtual charter school to contract with an approved statewide virtual provider; providing for funding of the virtual charter school; providing that specified provisions governing facilities and transportation do not apply to a virtual charter school; providing for a blended-learning charter school; defining the term; exempting blended-learning charter schools from the application process required of other institutions that wish to become statewide or district virtual instruction program providers; providing for funding; authorizing the sponsoring district of a virtual charter school to withhold a specified administrative fee to cover the

cost of oversight; amending s. 1002.34, F.S.; conforming cross-references to changes made by the act; amending s. 1002.37, F.S.; redefining the term “full-time equivalent student” as it applies to the Florida Virtual School; amending s. 1002.41, F.S.; providing that home education students may enroll in certain virtual education courses or courses offered in the school district in which they reside; amending s. 1002.45, F.S.; expanding the scope of virtual education programs; providing legislative findings and purpose; providing definitions; requiring the Department of Education to provide an application form and specifying a timeframe for posting the list of providers approved to offer virtual education programs; deleting the requirement that a provider’s administrative office be located in this state; providing additional criteria that must be met by providers seeking approval to operate virtual programs, including requirements for professional staff, course standards, detailed curriculum plans and course content, determination of student completion of graduation requirements, and a parent handbook; specifying that, beginning in the 2012-2013 school year, provider approval is for 3 years; providing an exception for providers approved before that date; specifying that after a certain date providers must provide necessary instructional materials and specified computer equipment and Internet access or reimbursement for Internet services to certain low-income students; prohibiting tuition or registration fees; authorizing school districts to provide eligible students with the option of participating in a district virtual instruction program; stating the purpose of the district program; specifying that the district program may be offered on a part-time basis for students in certain grades; authorizing school districts to enter into contracts with the Florida Virtual School, approved providers, or a charter school or to enter into cooperative agreements with other school districts to provide access to virtual instruction to students in their district; authorizing multidistrict contracts that may be executed by regional consortiums; requiring school district virtual instruction programs to align course curriculum and content to certain standards and to offer courses that meet certain standards; requiring district programs to provide certain low-income students with specified computer equipment, Internet access, or reimbursement for Internet services; requiring school districts to provide students enrolled in a virtual program with access to district testing facilities; specifying minimum criteria for provider contracts and exempting from those criteria providers of certain digital or online content or curriculum who serve students who are not enrolled in a district program; providing student eligibility and enrollment criteria; providing for full-time or part-time enrollment in district programs and programs offered by an approved statewide virtual provider; specifying a timeframe for the registration period for virtual programs; deleting existing enrollment criteria related to attendance during the previous year at a public school or in a virtual program, dependency on a member of the United States Armed Forces, and sibling enrollment in a virtual program; providing student participation requirements; requiring school districts to provide access to district testing facilities, to provide information to parents and students about student rights, and to post certain information on the district’s website; requiring the Department of Education to review the qualifications of statewide virtual providers and to approve those who meet qualification standards; requiring the department to establish a process for the review and approval of course content and to develop a process to evaluate the performance of part-time virtual providers; authorizing the department to charge reasonable fees to providers to cover the cost of this review; providing evaluation criteria; requiring the department to post on its website information on virtual instruction programs and approved providers; requiring the development of disclosure requirements that must be provided to parents; requiring that the department provide notice to parents of the enrollment period for full-time virtual programs; specifying the funding mechanism and formula for statewide and district virtual education programs; requiring the department to disqualify and remove a provider that receives a school grade of “D” or “F”; providing for a 1-year extension of eligibility to a provider that receives a school grade of “D” under certain circumstances; requiring that the State Board of Education adopt rules related to the approval process for virtual courses and ensure student choice of programs and courses; amending s. 1003.02, F.S.; requiring notice to parents of courses offered through statewide virtual providers, school district virtual instruction programs, and virtual charter schools; amending s. 1003.03, F.S.; including courses from statewide virtual providers and virtual charter schools in the options a school district must consider in meeting class size requirements;

amending s. 1003.428, F.S.; requiring that certain students take an online course beginning in the 2011-2012 school year; creating s. 1003.07, F.S.; creating the “Digital Learning Now Act”; providing legislative findings related to the elements to be included in high-quality digital learning; providing that a public school, private school, or home education student is eligible to participate in a state virtual program; providing for customized and accelerated learning; providing that students enrolled in a public school district may register and enroll in an online course identified in the course code directory offered by another district and limiting that registration to courses offered directly by the school districts; requiring the district that offers the course to report the student’s completion for funding purposes; providing that online content may be aligned with Next Generation Sunshine Standards or core curricular standards; authorizing school districts to use online instructors who reside outside the district; amending s. 1008.22, F.S.; requiring that all statewide assessments be available in an online format by a certain date; deleting a requirement that the Commissioner of Education study the cost and student achievement impact of secondary end-of-course assessments; amending s. 1011.61, F.S.; redefining the term “full-time equivalent student” for purposes of full-time and part-time virtual instruction programs and the Florida Virtual School; specifying how each successfully completed credit earned through an online course delivered by a district other than the one in which the student resides shall be calculated for the purpose of full-time equivalency; conforming a cross-reference; amending s. 1011.68, F.S.; conforming cross-references to changes made by the act; amending s. 1012.57, F.S.; revising legislative intent regarding the issuance of adjunct certificates to qualified in-state and out-of-state applicants; providing strategies for the use of adjunct certificateholders; revising the period during which an adjunct teaching certificate is valid; requiring the Office of Program Policy Analysis and Government Accountability or an independent research organization selected by the department to evaluate and submit a report to the Governor and Legislature on the best methods for implementing part-time virtual education in kindergarten through grade 5; providing for severability; amending s. 1013.62, F.S.; conforming cross-references to changes made by the act; providing an effective date.

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

By Senator Flores—

SB 1622—A bill to be entitled An act relating to family support; amending s. 88.1011, F.S.; revising and defining terms; amending s. 88.1021, F.S.; designating the courts and other entities as the tribunals of the state and designating the Department of Revenue as the support enforcement agency of the state; amending s. 88.1031, F.S.; clarifying that the Uniform Interstate Family Support Act is not the exclusive method to establish or enforce a support order in this state; creating s. 88.1041, F.S.; providing for the application of certain parts of ch. 88, F.S., to a foreign support order, a foreign tribunal, or an obligee, obligor, or child residing in a foreign country; amending s. 88.2011, F.S.; providing a basis for personal jurisdiction over nonresidents in support cases; amending s. 88.2021, F.S.; providing that personal jurisdiction acquired by a tribunal of this state in a proceeding under ch. 88, F.S., or other law of this state relating to a support order continues under certain circumstances; amending s. 88.2031, F.S.; authorizing a tribunal of this state to serve as an initiating tribunal to forward proceedings to a tribunal of another state and as a responding tribunal for proceedings initiated in another state or foreign country; amending s. 88.2041, F.S.; providing that a tribunal of this state may exercise jurisdiction to establish a support order in a foreign country under certain circumstances; amending s. 88.2051, F.S.; providing that a tribunal of this state may continue its exclusive jurisdiction to modify a child support order only under certain circumstances; amending s. 88.2061, F.S.; providing that a tribunal of this state may continue its jurisdiction to enforce a child support order or money judgment under certain circumstances; amending s. 88.2071, F.S.; providing procedures for determining which child support order is recognized as the controlling support order; requiring the party requesting a determination of the controlling support order to provide a copy of every child support order in effect, the applicable record of payments, and other specified documents; requiring that the parties recognize as the controlling support order any order

made pursuant to the procedures of the act; amending s. 88.2081, F.S.; conforming provisions to changes made by the act; amending s. 88.2091, F.S.; requiring a tribunal of this state to credit support amounts collected for a particular period pursuant to a child support order against the amount owed for the same period under any other child support order; creating s. 88.2101, F.S.; authorizing a tribunal of this state exercising personal jurisdiction over a nonresident in a proceeding under the act to receive evidence from outside this state and communicate with a tribunal outside this state; creating s. 88.2111, F.S.; providing that a tribunal of this state issuing a spousal support order consistent with the law of this state has continuing, exclusive jurisdiction to modify the spousal support order throughout the existence of the obligation; prohibiting the tribunal from modifying a spousal support order issued by a tribunal of another state or foreign country having continuing, exclusive jurisdiction over that order; amending ss. 88.3011, 88.3021, and 88.3031, F.S.; conforming provisions to changes made by the act; amending s. 88.3041, F.S.; providing for the duties of the initiating tribunal when forwarding documents to a foreign tribunal; amending s. 88.3051, F.S.; providing for the duties and powers of a responding tribunal when requested to enforce a support order, arrears, or judgment or to modify a support order; amending s. 88.3061, F.S.; conforming provisions to changes made by the act; amending s. 88.3071, F.S.; specifying the duties of a support enforcement agency in this state; amending s. 88.3081, F.S.; authorizing the Governor and Cabinet to determine that a foreign country has established a reciprocal arrangement for child support with this state and take appropriate action for notification of the determination; amending s. 88.3101, F.S.; setting forth the duties of the Department of Revenue as the state information agency; amending s. 88.3111, F.S.; requiring a petitioner to verify a petition filed with the tribunal; amending s. 88.3121, F.S.; revising provisions prohibiting the disclosure of specific identifying information under certain circumstances; requiring that such information be sealed and not be disclosed to the other party or the public; authorizing the tribunal to disclose the information after a hearing; amending ss. 88.3131 and 88.3141, F.S.; conforming provisions to changes made by the act; amending s. 88.3161, F.S.; providing for special rules of evidence and procedures for non-resident parties; providing that a voluntary acknowledgment of paternity is admissible to establish parentage of a child; amending ss. 88.3171 and 88.3181, F.S.; conforming provisions to changes made by the act; amending s. 88.3191, F.S.; providing for the receipt and disbursement of payments; requiring that if the obligor, obligee, and child reside in this state, upon request from the support enforcement agency of this or another state, the support enforcement agency or tribunal direct that the support payment be made to the support enforcement agency in the state in which the obligee is receiving services and send to the obligor's employer a conforming income-withholding order or an administrative notice of change of payee, reflecting the redirected payments; amending s. 88.4011, F.S.; providing for the establishment of a support order under certain circumstances; providing that the tribunal may issue a temporary child support order under certain circumstances; amending ss. 88.5011, 88.5031, 88.5041, and 88.5051, F.S.; conforming provisions to changes made by the act; amending s. 88.5061, F.S.; providing that an obligor may contest the validity or enforcement of an income-withholding order issued in another state and received directly by an employer in this state by registering the order in a tribunal of this state and filing a contest to that order; amending ss. 88.5071 and 88.6011, F.S.; conforming provisions to changes made by the act; amending s. 88.6021, F.S.; specifying procedures to register a support order; providing procedures if two or more support orders are in effect; amending s. 88.6031, F.S.; revising provisions to conform to changes made by the act; amending s. 88.6041, F.S.; providing that the law of the state that issues the order governs the law of the case; providing for an exception; amending s. 88.6051, F.S.; specifying the content of the notice of the registration of a support order; amending s. 88.6061, F.S.; providing procedures to contest the validity or enforcement of a registered support order; amending ss. 88.6071, 88.6081, and 88.6101, F.S.; conforming provisions to changes made by the act; amending s. 88.6111, F.S.; providing for modifying a child support order; providing that the law of the state that issued the controlling order governs the duration of the obligation of support; amending s. 88.6121, F.S.; providing that if a child support order issued by a tribunal of this state is modified by a tribunal of another state which assumed jurisdiction pursuant to the Uniform Interstate Family Support Act, a tribunal of this state may enforce the

order that was modified only as to arrears and interest accruing before the modification; creating s. 88.6151, F.S.; providing that if a foreign country lacks jurisdiction or refuses to exercise jurisdiction to modify its child support order, a tribunal of this state may assume jurisdiction to modify the child support order and bind all persons subject to the personal jurisdiction of the tribunal whether or not the person consents to modification of the child support order; creating s. 88.6161, F.S.; specifying procedures to register a child support order; repealing s. 88.7011, F.S., relating to proceeding to determine parentage of a child; creating s. 88.7021, F.S.; providing that part VII of ch. 88, F.S., applies only to support proceedings involving a foreign country in which the convention is in force with respect to the United States; creating s. 88.7031, F.S.; designating the Department of Children and Family Services as the agency designated by the United States Central Authority to perform specific functions under the convention in this state; creating s. 88.7041, F.S.; designating the procedures the governmental entity must follow to initiate support proceedings under the convention; creating s. 88.7051, F.S.; authorizing a petitioner to file a direct request in a tribunal of this state to establish or modify a support order or determination of parentage; setting forth procedures for filing direct requests; creating s. 88.7061, F.S.; designating procedures for individuals and support enforcement agencies to register foreign support orders; specifying the documents to be included with the registration request; creating s. 88.7071, F.S.; providing procedures to contest the validity of a foreign support order; creating s. 88.7081, F.S.; providing for the recognition and enforcement of foreign support orders; creating s. 88.7091, F.S.; providing procedures for a tribunal to refuse to recognize or enforce a foreign support order; creating s. 88.7101, F.S.; directing a tribunal of this state to recognize and enforce a foreign support agreement registered in this state; requiring an application or direct request for recognition and enforcement of a foreign support agreement to be accompanied by certain documents; creating s. 88.7111, F.S.; prohibiting a tribunal of this state from modifying a foreign child support order if the obligee remains a resident of the foreign country where the support order was issued; providing exceptions; creating s. 88.7112, F.S.; providing for personal jurisdiction in spousal support proceedings; amending s. 88.9011, F.S.; providing for uniform construction of the act; creating s. 88.9021, F.S.; directing that the act applies to proceedings begun on or after a specified date to establish a support order, determine parentage of a child, or register, recognize, enforce, or modify a prior support order, determination, or agreement, whenever issued or entered; amending ss. 61.13 and 827.06, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; and Budget.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Community Affairs; and Senator Bennett—

CS for SB 396—A bill to be entitled An act relating to building construction and inspection; amending s. 120.80, F.S.; exempting certain rule proceedings relating to the Florida Building Code from certain provisions of ch. 120, F.S.; amending s. 161.053, F.S.; prohibiting the Florida Building Commission from adopting rules that limit any exceptions or exemptions provided for modifications or repairs of existing structures within the limits of an existing foundation under certain circumstances; amending s. 255.252, F.S.; conforming provisions to changes made by the act; amending s. 255.253, F.S.; redefining the term “sustainable building rating” to include the International Green Construction Code; amending ss. 255.257 and 255.2575, F.S.; requiring that state agencies, local governments, and the court system adopt a sustainable building rating system for new and renovated buildings; amending s. 468.8316, F.S.; revising the continuing education requirements for licensed home inspectors; amending s. 468.8319, F.S.; deleting an exemption for certain contractors from the prohibition against performing repairs on a home that has a home inspection report; deleting an obsolete provision; amending s. 468.8323, F.S.; clarifying a provision relating to the contents of a home inspection report; amending s. 468.8324, F.S.; providing alternative criteria for obtaining a home inspector's license; amending s. 481.329, F.S.; providing that part II of ch.

481, F.S., does not preclude any person who engages in the business of landscape design from submitting such plans to governmental agencies for approval; amending s. 489.103, F.S.; clarifying an exemption from construction contracting regulation relating to Habitat for Humanity; amending s. 489.105, F.S.; adding the term “glass and glazing contractors” to the definition of the term “contractor”; amending ss. 489.107 and 489.141, F.S.; conforming cross-references; amending s. 514.028, F.S.; revising the composition of the advisory review board relating to public swimming pools and bathing facilities; amending s. 527.06, F.S.; prohibiting the Department of Agriculture and Consumer Services and other state agencies from requiring compliance with certain national standards for liquefied petroleum gas tanks unless the department or agencies require compliance with a specified edition of the national standards; providing for repeal under certain circumstances; amending s. 527.21, F.S.; revising the term “propane” for purposes of the Florida Propane Gas Education, Safety, and Research Act, to incorporate changes to certain national standards in a reference thereto; amending s. 553.73, F.S.; revising requirements relating to the Florida Building Code; providing for a supplement to the code; specifying national codes to form the foundation for state building standards and codes; revising how often the Florida Building Commission may approve technical amendments to the code; requiring proposed amendments to base codes to provide justifications; revising requirements relating to the installation of mechanical equipment on a roof; amending s. 553.74, F.S.; revising requirements for selecting a member of the Florida Building Commission; amending s. 553.842, F.S.; providing for the approval of certain windstorm products; amending s. 553.909, F.S.; revising the requirements for certain pool-related equipment; amending s. 627.711, F.S.; revising requirements relating to home inspectors conducting hurricane mitigation inspections; providing an effective date.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has adopted SCR 1202.

Robert L. “Bob” Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 8 was corrected and approved.

CO-INTRODUCERS

Senators Evers—SB 196, SB 998; Garcia—SB 234, SB 1972; Margolis—SB 664; Rich—SB 730; Richter—SB 1254; Sachs—SB 1726; Smith—SB 664; Storms—SB 1320, SB 1350

RECESS

On motion by Senator Thrasher, the Senate recessed at 12:25 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Thursday, March 10 or upon call of the President.



Journal of the Senate

Number 3—Regular Session

Thursday, March 10, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 9:30 a.m. A quorum present—38:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Excused: Senators Bullard and Richter

PRAYER

The following prayer was offered by Rev. Dr. John R. Ragsdale, Presbytery of St. Augustine, Jacksonville:

O God, we come before you this morning as servants of the people of this state. In this extraordinary act, we carve out time not to speak to constituents or to one another, but to speak to you and to listen.

Our minds and hearts are weighed by many things, yet in this moment we focus on one thing. We come, of course, with our own agendas, but daring to glimpse your agenda. We grapple and negotiate over scarce resources, mindful that you are the creator of all we have, and the provider of all we truly need.

Make us good stewards of your creation. We face tough choices in this session, but we do not do so alone. Be present to us then, so that when we depart this chamber, we will know that we have done our best for you and for all the citizens of this state.

And finally, but not least of all, we wonder and perhaps worry about family, friends and colleagues from whom we are apart, even as we rest confident they are in your care and held in your arms. For that and for so much more, we are truly grateful. Amen.

PLEDGE

Senate Pages Rejerio Burton of Ocala; Austin Toro of Tallahassee; Gregory Hyppolite of Miami; Alexandria Hall of Monticello; and Lindsay Taggart of Lutz, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Mark Moore of Tallahassee, sponsored by Senator Montford, as doctor of the day. Dr. Moore specializes in Anesthesiology.

ADOPTION OF RESOLUTIONS

On motion by Senator Joyner—

By Senator Joyner—

SR 540—A resolution recognizing February 2011 as “Black History Month” in Florida.

WHEREAS, our nation has celebrated Black History during the month of February since 1926 when Carter G. Woodson established Negro History Week, and the theme for this year’s celebration is “African Americans and the Civil War,” and

WHEREAS, long ago, approximately 12 million African men, women, and children were forced to enter ships for lives of slavery in the Western Hemisphere, 10 million of whom survived the Middle Passage to arrive in America, and

WHEREAS, the Civil War erupted because the ideals upon which this country was founded are in direct conflict with slavery, resulting in the ratification of the 13th Amendment, abolishing slavery in the United States of America, and

WHEREAS, the Civil Rights Movement of the 20th century began in an effort to correct the failures of Reconstruction and erase the remnants of slavery still evident in Jim Crow laws, in continued segregation in nearly every aspect of daily life, and in the persistence of second-class citizenship for African Americans, and

WHEREAS, as a testament of strength throughout these struggles, African Americans, such as Harriet Tubman, Sojourner Truth, Frederick Douglass, W.E.B. DuBois, Booker T. Washington, George Washington Carver, Carter G. Woodson, Malcolm X., Thurgood Marshall, Reverend Dr. Martin Luther King, Jr., Fannie Lou Hamer, Shirley Chisholm, Barbara Jordan, and Dorothy Height, have contributed to the political and social growth of American society, and

WHEREAS, through the contributions of African American musicians and writers, such as Louis Armstrong, Count Basie, Duke Ellington, Billie Holiday, Charlie Parker, Ella Fitzgerald, Dizzy Gillespie, Leontyne Price, Marian Anderson, Andre Watts, James DePreist, Phyllis Wheatley, Langston Hughes, James Baldwin, Richard Wright, Alex Haley, Maya Angelou, Alice Walker, Gwendolyn Brooks, and Toni Morrison, the culture of the United States of America has been vitally enriched, and

WHEREAS, African American sports figures, such as Jesse Owens, Arthur Ashe, Muhammad Ali, Robert “Bullet Bob” Hayes, a Florida native who is the only athlete to earn both an Olympic Gold Medal and an NFL Super Bowl Ring, Lee Roy Selmon, Venus Williams, and Serena Williams, have demonstrated their ability to be role models on and off

the field and in and out of the ring as they stood up for their rights and beliefs, and

WHEREAS, the fields of medicine, science, and technology have all been advanced by the contributions of such African American men and women as Dr. Charles Drew, Dr. Daniel Hale Williams, Garrett Morgan, George Washington Carver, Dr. Mae C. Jemison, and Dr. Benjamin Carson, and

WHEREAS, African Americans who are native to Florida, such as Zora Neale Hurston, Charles Kenzie Steele, Sr., Jesse K. McCrary, Jr., Joseph E. Lee, Asa Philip Randolph, and Mary McLeod Bethune, have proudly represented our state as they contributed to the history and culture of the United States of America, and

WHEREAS, it is important to celebrate the many achievements of African Americans in an effort to offer each American a broader perspective of United States history and an appreciation for the diversity that makes this country strong, and

WHEREAS, February is the birth month of both Abraham Lincoln and Frederick Douglass, two of the leaders in the movement to abolish slavery, and has been recognized at the local, state, and national levels as an appropriate month to commemorate the contributions of African Americans to our society, NOW, THEREFORE,

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

That February 2011 is recognized as “Black History Month” in the State of Florida, and the Florida Senate calls upon the people of this state to observe Black History Month through programs, ceremonies, and activities celebrating the historical and cultural contributions of African Americans.

—was introduced out of order and read by title. On motion by Senator Joyner, **SR 540** was read the second time in full and adopted.

At the request of Senator Hill—

By Senator Hill—

SR 1298—A resolution recognizing March 17, 2011, as “Chi Chapter Day” in recognition of the organization’s steadfast commitment to community service.

WHEREAS, the Chi Chapter was chartered on January 10, 1921, on the campus of Yale University in New Haven, Connecticut, under the direction of Grand Basileus J. Alston Atkins, and

WHEREAS, in 1960, the Theta Phi chapter petitioned for the establishment of a Chi Chapter on the campus of Edward Waters College, which was granted on March 20, 1961, and

WHEREAS, from 1961 to the present, the Chi Chapter has flourished, growing from its 10 charter members and initiating a number of outstanding Floridians, including the late Brother Roy Mitchell, the first African-American administrator at the University of Florida, Brother Nathaniel Glover, the former sheriff of Jacksonville who was recently selected as the 29th president of Edward Waters College, and Brother Edgar Mathis, Sr., a former Seventh District representative of Omega Psi Phi, and

WHEREAS, the past and present members of the soulful Chi Chapter are committed to community service and to improving the quality of life of all Floridians, NOW, THEREFORE,

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

That March 17, 2011, is recognized as “Chi Chapter Day” in recognition of the organization’s steadfast commitment to community service.

—**SR 1298** was introduced, read and adopted by publication.

BILLS ON THIRD READING

CS for CS for SB 736—A bill to be entitled An act relating to education personnel; providing a short title; amending s. 1012.34, F.S.; re-

vising provisions relating to the evaluation of instructional personnel and school administrators; requiring the Department of Education to approve each school district’s instructional personnel and school administrator evaluation systems; requiring reporting by the Commissioner of Education relating to the evaluation systems; providing requirements and revising procedures and criteria for the evaluation systems; requiring the commissioner to approve or select and the State Board of Education to adopt formulas for school districts to use in measuring student learning growth; requiring the state board to adopt rules relating to standards and measures for implementation of the evaluation systems; amending s. 1008.22, F.S.; requiring school districts to administer assessments for each course offered in the district; amending s. 1012.22, F.S.; revising provisions relating to instructional personnel and school administrator compensation and salary schedules; providing requirements for a performance salary schedule, a grandfathered salary schedule, adjustments, and supplements; revising criteria for the promotion of instructional personnel; creating s. 1012.335, F.S.; providing employment criteria for instructional personnel hired on or after July 1, 2011; providing definitions; providing grounds for suspension or dismissal; requiring rules to define the term “just cause”; providing that certain individuals who are hired as instructional personnel are ineligible for contracts issued under s. 1012.33, F.S.; amending s. 1002.33, F.S.; requiring charter schools to comply with provisions relating to compensation and salary schedules, workforce reductions, contracts with instructional personnel hired on or after July 1, 2011, and certain requirements for performance evaluations; amending s. 1003.621, F.S.; requiring academically high-performing school districts to comply with additional requirements for personnel; amending s. 1006.09, F.S.; conforming provisions to changes made by the act; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; amending s. 1012.2315, F.S.; providing reporting requirements relating to instructional personnel and school administrator performance; amending s. 1012.27, F.S.; revising the criteria for transferring a teacher; conforming provisions to changes made by the act; amending s. 1012.28, F.S.; authorizing a principal to refuse to accept the placement or transfer of instructional personnel under certain circumstances; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain education personnel; revising just cause grounds for dismissal; deleting provisions to conform to changes made by the act; revising the criteria for renewing a professional service contract; requiring that a district school board’s decision to retain personnel be primarily based on the employee’s performance; repealing s. 1012.52, F.S., relating to legislative intent and findings to improve student achievement and teacher quality; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; authorizing an exemption from requirements for performance evaluation systems and compensation and salary schedules for certain school districts; providing that specified provisions of law do not apply to rulemaking required to administer the act; providing for the repeal of certain special acts or general laws of local application relating to contracts for instructional personnel or school administrators; providing for application of specified provisions of the act; providing for severability; providing effective dates.

—was read the third time by title.

Senator Altman moved the following amendment:

Amendment 1 (675258)—Delete line 416 and insert: *attendance record, eligibility for free lunch, disability status, socioeconomic status, or status as an English*

MOTION

On motion by Senator Altman, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Altman moved the following substitute amendment which failed to receive the required two-thirds vote:

Amendment 2 (911694)—Delete line 416 and insert: *attendance record, eligibility for free and reduced lunch, disability status, socioeconomic status, or status as an English*

The question recurred on **Amendment 1** which failed to receive the required two-thirds vote.

On motions by Senator Wise, **CS for CS for SB 736** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—26

Mr. President	Evers	Negron
Alexander	Fasano	Norman
Altman	Flores	Oelrich
Benacquisto	Gaetz	Simmons
Bennett	Garcia	Siplin
Bogdanoff	Gardiner	Storms
Dean	Hays	Thrasher
Detert	Latvala	Wise
Diaz de la Portilla	Lynn	

Nays—12

Braynon	Joyner	Ring
Dockery	Margolis	Sachs
Hill	Montford	Smith
Jones	Rich	Sobel

SPECIAL GUESTS

President Haridopolos introduced Chief Financial Officer Jeff Atwater, former Senate President, who was present in the chamber.

SPECIAL ORDER CALENDAR

Consideration of **CS for SB 142** was deferred.

By Senator Bogdanoff—

CS for SJR 958—A joint resolution proposing an amendment to Section 1 of Article VII and the creation of Section 19 of Article VII and Section 32 of Article XII of the State Constitution to replace the existing state revenue limitation with a new state revenue limitation based on inflation and population changes.

—was read the second time by title.

SENATOR JONES PRESIDING

Senator Margolis moved the following amendment which failed:

Amendment 1 (138718)—Delete lines 191 and 192 and insert: *documents authorizing the issuance of bonds by the state; revenues that are used to*

THE PRESIDENT PRESIDING

Pursuant to Rule 4.19, **CS for SJR 958** was placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Smith, by two-thirds vote **SB 1874** and **SB 1940** were withdrawn from further consideration.

MOTION

On motion by Senator Thrasher, by two-thirds vote **CS for SB 142** was retained on the Special Order Calendar for Tuesday, March 15.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Thursday, March 10, 2011: **CS for SB 142** and **CS for SJR 958**.

Respectfully submitted,
John Thrasher, Chair

The Committee on Judiciary recommends the following pass: SB 648

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Health Regulation recommends the following pass: SB 548; SB 864

The Committee on Judiciary recommends the following pass: SB 228

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

The Committee on Judiciary recommends the following pass: SB 1142

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

The Committee on Regulated Industries recommends the following pass: SB 746

The Committee on Transportation recommends the following pass: SB 608; SB 714

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

The Committee on Transportation recommends the following pass: SB 758

The bill was referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Commerce and Tourism recommends the following pass: SB 106 with 1 amendment

The Committee on Criminal Justice recommends the following pass: SB 600; SB 602; SB 604

The Committee on Higher Education recommends the following pass: CS for SB 480

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

The Committee on Regulated Industries recommends the following pass: SB 544

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

The Committee on Criminal Justice recommends the following pass: SB 104; SB 496; SB 514; SB 664 with 1 amendment

The Committee on Health Regulation recommends the following pass: SB 702

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

The Committee on Commerce and Tourism recommends the following pass: SB 418; SB 462

The Committee on Judiciary recommends the following pass: SB 410

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

The Committee on Criminal Justice recommends the following pass: SB 464

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

The Committee on Transportation recommends a committee substitute for the following: SB 740

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 366

The Committee on Criminal Justice recommends a committee substitute for the following: SB 618

The Committee on Health Regulation recommends committee substitutes for the following: SB 398; SB 490; SB 584

The Committee on Transportation recommends a committee substitute for the following: SB 886

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 138

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 364

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 650

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 666

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 146

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

The Committee on Regulated Industries recommends the following not pass: SB 288

The bill was laid on the table.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Lynn—

SB 1626—A bill to be entitled An act relating to television picture tubes; repealing s. 817.559, F.S., relating to television picture tube labeling requirements; providing an effective date.

—was referred to the Committee on Commerce and Tourism.

SB 1628—Withdrawn prior to introduction.

By Senator Lynn—

SB 1630—A bill to be entitled An act relating to traffic offenses; repealing s. 316.2024, F.S., which prohibits a motor vehicle coasting on a downgrade; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Lynn—

SB 1632—A bill to be entitled An act relating to the Florida Industrial Development Corporation; repealing provisions of ch. 289, F.S., relating to the Florida Industrial Development Corporation; amending ss. 212.08, 220.183, 220.62, 440.491, and 658.67, F.S.; deleting references to conform to changes made by the act; providing an effective date.

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

By Senator Lynn—

SB 1634—A bill to be entitled An act relating to water vending machines; repealing s. 500.459, F.S., relating to the regulation of water vending machines and the permitting of water vending machine operators; amending s. 500.511, F.S.; deleting provisions for the deposit of operator permitting fees, the enforcement of the state's water vending machine regulations, penalties, and the preemption of county and municipal water vending machine regulations, to conform; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Commerce and Tourism.

By Senator Bennett—

SB 1636—A bill to be entitled An act relating to the protection of farm animals; defining terms; prohibiting a farm owner or operator from tethering or confining certain specified covered farm animals in a specified manner; providing exceptions; authorizing the Department of Agriculture and Consumer Services or the Attorney General to bring a civil action against a farm owner or operator to restrain any act or practice that illegally tethers or confines a covered farm animal; rejecting certain defenses against civil actions; providing that the act is in addition to any other law protecting animal welfare; providing for staggered dates of application to specified animals; providing an effective date.

—was referred to the Committees on Agriculture; Environmental Preservation and Conservation; Judiciary; and Budget.

By Senator Bennett—

SB 1638—A bill to be entitled An act relating to stimulating special event tourism and job creation; amending s. 212.20, F.S.; providing for the transfer of certain sales tax revenues from the General Revenue Fund to the Revenue Sharing Trust Fund for Counties; creating s. 218.213, F.S.; authorizing a county to designate certain time periods to hold special events designed to enhance tourism; authorizing a specified

distribution from sales tax proceeds when an increase in sales tax collections is realized over the previous year by a county during the same designated time period; providing for a specified adjustment of the aggregate amount to be transferred from the General Revenue Fund to the Revenue Sharing Trust Fund for Counties; amending s. 218.23, F.S.; providing for a distribution from the Revenue Sharing Trust Fund for Counties to a county eligible for a distribution related to the holding of a special event during a designated time period; requiring a county receiving a distribution to distribute funds to certain units of local government within whose jurisdiction a special event was held during a designated time period; providing an effective date.

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

By Senator Bennett—

SB 1640—A bill to be entitled An act relating to special assessments for the purchase of renewable energy for a municipality; amending s. 170.01, F.S.; authorizing a municipality to collect special assessments to pay the additional costs to purchase renewable energy for the municipality; providing an effective date.

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

By Senator Bennett—

SB 1642—A bill to be entitled An act relating to economic development; amending s. 288.9602, F.S.; revising legislative findings and declarations of necessity to emphasize the importance of the economic activities in counties and municipalities; providing that the purposes of the Florida Development Finance Corporation Act may be accomplished by legislation implementing constitutional provisions allowing local governments to issue revenue bonds to finance or refinance the cost of certain capital projects and authorizing new and innovative means for the investment of public trust funds; creating s. 366.94, F.S.; authorizing a producer of renewable energy to sell electricity to electricity customers at retail; requiring the Public Service Commission to adopt rules and submit reports to the Legislature; providing an effective date.

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

By Senator Latvala—

SB 1644—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 20.24, F.S.; specifying that the executive director of the Department of Highway Safety and Motor Vehicles serves at the pleasure of the Governor and Cabinet; authorizing the executive director to establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services; creating a Division of Motorist Services within the department; eliminating the Division of Driver Licenses and the Division of Motor Vehicles; amending s. 288.816, F.S.; requiring the Office of Tourism, Trade, and Economic Development to verify to the department that honorary counsels are entitled to special motor vehicle license plates; amending s. 316.1905, F.S.; providing that certain traffic citations may not be issued or prosecuted unless a law enforcement officer used an electrical, mechanical, or other speed-calculating device that has been tested and approved; amending ss. 316.1957 and 318.15, F.S.; conforming provisions to changes made by the act; amending s. 316.2085, F.S.; providing that license tags for mopeds and motorcycles must be affixed so that the letters and numbers are legible from the rear; specifying that the tags may be displayed horizontally or vertically to the ground so that the numbers and letters read from left to right or from top to bottom; amending s. 320.01, F.S.; revising the definition of the term “motor vehicle” to include special mobile equipment; amending s. 320.05, F.S.; deleting a provision requiring the department to provide a procedures manual for a fee; clarifying that the creation and maintenance of records by the Division of Motorist Services is not a law enforcement function of agency recordkeeping; amending s. 320.275, F.S., relating to the Automobile Dealers Industry Advisory Board; conforming provisions to the

elimination of the Division of Motor Vehicles within the department; amending s. 321.02, F.S.; designating the director of the Division of Highway Patrol of the department as the Colonel of the Florida Highway Patrol; amending s. 322.02, F.S.; providing that the executive director of the department serves as the executive officer of the Division of Motorist Services; amending s. 322.051, F.S.; revising requirements by which an applicant for an identification card may prove nonimmigrant classification; clarifying the validity of an identification card based on specified documents; providing for the department to waive the fees for issuing or renewing an identification card to persons who present good cause for such waiver; amending s. 322.08, F.S.; revising requirements by which an applicant for a driver's license may prove nonimmigrant classification; clarifying the validity of a license based on specified documents; creating s. 322.1415, F.S.; requiring the Department of Highway Safety and Motor Vehicles to issue a specialty driver's license or identification card to qualified applicants; specifying that, at a minimum, the specialty driver's licenses and identification cards must be available for certain state and independent universities and professional sports teams and all of the branches of the United States military; requiring that the design of each specialty driver's license and identification card be approved by the department; amending s. 322.20, F.S.; conforming provisions to changes made by the act; amending s. 322.202, F.S.; clarifying that the Division of Motorist Services is not a law enforcement agency; amending s. 322.21, F.S.; providing for the distribution of funds collected from the specialty driver's license and identification card fees; conforming provisions to changes made by the act; amending s. 413.012, F.S., relating to a prohibition on disclosing confidential records held by the department; conforming provisions to changes made by the act; reenacting s. 322.17(3), F.S., relating to replacement of a driver's license or instructional permit, to incorporate the amendments made to s. 322.08, F.S., in a reference thereto; reenacting s. 322.18(2)(d) and (4)(c), F.S., relating to driver's licenses, to incorporate the amendments made to s. 322.08, F.S., in references thereto; reenacting s. 322.19(4), F.S., relating to change of address or name on a driver's license, to incorporate the amendments made to s. 322.08, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Latvala—

SB 1646—A bill to be entitled An act relating to concealed weapons or firearms licenses; amending s. 790.06, F.S.; providing an exemption from certain restrictions for licensees holding specified county offices; providing an effective date.

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

By Senator Margolis—

SB 1648—A bill to be entitled An act relating to required instruction in the public schools; amending s. 1003.46, F.S.; requiring each district school board to provide and each high school student to complete specified coursework in human sexuality; defining the term “medically accurate information”; requiring the coursework to be developed by the Department of Education with input from teachers, school administrators, students, parents, and medical professionals; requiring the availability of resource packets containing course content; revising the contents of authorized instruction; authorizing exemption from instruction; amending s. 1002.20, F.S.; conforming a cross-reference; providing an effective date.

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

By Senator Storms—

SB 1650—A bill to be entitled An act relating to child custody; amending s. 61.13002, F.S.; providing that a parent's activation, deployment, or temporary assignment to military service and the resultant temporary disruption to the child may not be the sole factor in granting a petition for or modification of time-sharing and parental responsibility; providing that a time-sharing and parental responsibility order in effect before a temporary change due to a parent's military service shall au-

tomatically be reinstated after a specified period after return and notice by the returning parent; providing an exception; specifying burden of proof for the exception; providing an effective date.

—was referred to the Committees on Judiciary; Military Affairs, Space, and Domestic Security; Children, Families, and Elder Affairs; and Budget.

By Senator Wise—

SB 1652—A bill to be entitled An act relating to termination of parental rights; amending s. 39.401, F.S.; providing that a person may not take a child alleged to be dependent into custody except in cases involving an immediate threat to the health or safety of the child; requiring a court order finding probable cause that the child has been abused, neglected, or abandoned, or is suffering from or is in imminent danger of illness or injury as a result of abuse, neglect, or abandonment; amending s. 39.702, F.S.; requiring that a citizen review panel be established in each judicial circuit; deleting a provision that required that the citizen review panel be authorized through an administrative order by the chief judge of the judicial circuit; authorizing a citizen review panel to make recommendations to the court in adjudicatory hearings; amending s. 39.809, F.S.; requiring the court to consider the report and recommended order prepared by the citizen review panel in a hearing or trial on a petition for termination of parental rights; prohibiting continuances from being extended beyond 1 year; providing an exception; providing that hearings or trials involving termination of parental rights be open to the public; providing an exception; requiring that the report and recommended order of the citizen review panel accompany the written order of the court in a termination of parental rights proceeding; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Budget.

By Senator Wise—

SM 1654—A memorial to notify the Federal Government of colleges and universities in this state which are authorized to operate educational programs beyond the secondary level.

—was referred to the Committee on Higher Education.

By Senator Wise—

SB 1656—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; making scholarships available to students with disabilities who have a 504 accommodation plan issued under s. 504 of the federal Rehabilitation Act or a Tier 3 Response to Intervention plan developed by the public school of attendance and consistent with rules of the State Board of Education; allowing a parent to request and receive a scholarship for a student to enroll and attend a private school if the student has a 504 accommodation plan; providing that a student is ineligible for a scholarship if a temporary 504 accommodation plan is valid for 6 months or less or if a Tier 3 Response to Intervention plan is issued for less than 90 days; requiring that the school district notify a parent of available options within 10 days after a 504 accommodation plan is issued and 90 days after a Tier 3 Response to Intervention plan is developed; providing that a parent may choose to enroll the student in a public school in an adjacent district under certain conditions; providing for scholarship amounts when a student is eligible for scholarship funds under s. 504 of the federal Rehabilitation Act or a Tier 3 Response to Intervention plan; providing an effective date.

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

By Senator Detert—

SB 1658—A bill to be entitled An act relating to the Long-Term Care Ombudsman Program; amending ss. 400.0060 and 400.0067, F.S.; removing references to onsite administrative assessments and conforming cross-references to changes made by the act; amending s. 400.0061, F.S.;

revising legislative intent; amending s. 400.0069, F.S.; providing additional duties of the local long-term care ombudsman councils; amending s. 400.0071, F.S.; revising rules relating to State Long-Term Care Ombudsman Program complaint procedures; repealing s. 400.0074, F.S., relating to a requirement that local ombudsman councils conduct onsite administrative assessments; amending s. 400.0081, F.S.; requiring written consent of a resident of a long-term care facility for release of medical records; repealing s. 400.0089, F.S., relating to data reports regarding complaints about and conditions in long-term care facilities; amending s. 400.19, F.S.; revising conditions under which the Agency for Health Care Administration is required to conduct unannounced onsite facility reviews; amending s. 400.235, F.S.; eliminating the role of the State Long-Term Care Ombudsman Council in evaluating a nursing facility for the Gold Seal Program; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By Senator Sobel—

SB 1660—A bill to be entitled An act relating to public contracts; providing legislative findings and intent; requiring each entity intending to bid or submit a proposal to contract with the Florida Rail Enterprise or a fixed-guideway transportation system for goods or services related to high-speed or other rail systems to certify whether the entity had any direct involvement in the deportation of any individual to an extermination camp, work camp, concentration camp, prisoner-of-war camp, or any similar camp by whatever name located in Europe during the period from January 1, 1942, through December 31, 1944, and if so, whether the entity has physical possession of records related to the deportations and has provided restitution to identifiable victims; authorizing the entity to offer proof of mitigating circumstances related to acts committed during the wartime period; requiring that the Florida Rail Enterprise and other fixed-guideway transportation system acknowledge receipt of the information when awarding contracts; providing definitions; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Bennett—

SB 1662—A bill to be entitled An act relating to pawnbroker and secondhand dealer transactions; amending s. 538.03, F.S.; revising definitions; transferring regulation of secondhand dealers from the Department of Revenue to the Department of Agriculture and Consumer Services; amending s. 538.04, F.S.; revising recordkeeping requirements for secondhand dealer transactions; revising requirements for contents and electronic transfer of secondhand dealer transaction forms; requiring secondhand dealers to transfer certain information to a statewide central database within a specified period; authorizing certain electronic records to be used as evidence under certain circumstances; amending s. 538.05, F.S.; conforming provisions; amending s. 538.06, F.S.; revising the period for which secondhand dealers must maintain transaction records; amending s. 538.09, F.S.; revising registration and renewal fees for secondhand dealers; providing for prior notice of fee adjustments; deleting provisions for the transfer of certain funds; conforming provisions; amending s. 538.11, F.S.; revising powers and duties of the Department of Agriculture and Consumer Services; conforming provisions; amending s. 539.001, F.S.; dividing the Florida Pawnbroking Act into multiple sections; revising registration and renewal fees for pawnbrokers; providing for prior notice of fee adjustments; revising recordkeeping requirements for pawnbrokers; revising requirements for contents and electronic transfer of pawnbroker transaction forms; requiring pawnbrokers to transfer certain information to a statewide central database within a specified period; conforming provisions; creating s. 539.109, F.S.; establishing a statewide central database of pawnbroker and secondhand dealer transactions; providing for the required elements, design, and infrastructure of the database; requiring the department to contract for the creation and maintenance of the database; limiting the financial and operating interests of certain database contractors; creating an oversight board for the database; providing for membership and duties of the oversight board; prohibiting law enforcement agencies and their agents from being charged fees for accessing or using the database; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; and Budget.

By Senators Bogdanoff and Gaetz—

SJR 1664—A joint resolution proposing an amendment to Section 11 of Article V of the State Constitution to require Senate confirmation of appointments to the office of justice of the Supreme Court.

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

SJR 1666—Withdrawn prior to introduction.

By Senator Ring—

SB 1668—A bill to be entitled An act relating to the State Board of Administration; amending s. 215.44, F.S.; requiring the board to establish and maintain the salaries of its officers and employees in a manner consistent with its fiduciary duties; requiring that the Investment Advisory Council initiate a study at specified intervals to evaluate compensation; requiring that the council present the results of such study to the board; authorizing the board to delegate certain authority and duties relating to salaries to the executive director; revising the entities that submit reports to the board; amending s. 215.441, F.S.; removing a requirement that the Governor vote in favor of the selection of the executive director of the board; providing for the creation, operation, and membership of a search committee for the purpose of selecting the executive director; providing requirements for the appointment as executive director; providing for the determination of the executive director's compensation; amending s. 215.442, F.S.; requiring that the executive director present certain information quarterly to the Investment Advisory Council; amending s. 215.444, F.S.; reducing the number of council members and providing for the appointment of such members; expanding prerequisites for membership on the council; providing additional duties of the council; authorizing the council to create subcommittees and direct the executive director to enter into certain contracts; providing that a council member is an officer, employee, or agent of the state for the purpose of sovereign immunity; providing an effective date.

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

By Senator Margolis—

SB 1670—A bill to be entitled An act relating to tour-guide services; providing that the regulation of tour-guide services in this state is solely the responsibility of the respective counties; amending s. 559.927, F.S.; revising definitions, to conform; amending s. 559.9285, F.S.; deleting references to tour-guide services in provisions relating to the certification of businesses; amending s. 559.9335, F.S.; deleting references to tour-guide services in provisions relating to violations; amending s. 559.937, F.S.; deleting references to tour-guide services in provisions relating to criminal penalties; providing an effective date.

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

By Senator Flores—

SJR 1672—A joint resolution proposing an amendment to Section 10 of Article V and the creation of Section 32 of Article XII of the State Constitution to increase the vote required to retain a justice or judge in a judicial office and to provide for the increased vote requirement to apply beginning with retention elections during the 2012 General Election.

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

By Senator Flores—

SB 1674—A bill to be entitled An act relating to domestic violence and stalking; amending s. 741.28, F.S.; redefining the term “domestic violence”; amending s. 784.046, F.S.; removing the terms “stalking” and “aggravated stalking” from the definition of “violence” as it pertains to repeat violence, sexual violence, or dating violence; requiring the clerk of the court to assess a fee for filing a petition for protection against repeat violence; authorizing the court to require the respondent to reimburse the victim the amount of the filing fee; creating s. 784.0485, F.S.; creating a cause of action for an injunction for protection against stalking or cyberstalking; providing that any person who is the victim of stalking or cyberstalking or has reasonable cause to believe that there is a credible threat that he or she is in imminent danger of becoming the victim of an act of stalking or cyberstalking has standing in the circuit court to file a sworn petition for an injunction for protection against stalking or cyberstalking; providing that attorneys are not required to represent the parties; prohibiting a court from issuing mutual orders of protection; providing an exception for issuing separate orders of protection; providing for the venue where the petition for the injunction may be filed; defining terms; providing for the functions and duties of the clerk of the circuit court; specifying the form and content of the petition for injunction for protection against stalking or cyberstalking; providing for the issuance of a temporary injunction ex parte when there is an immediate and present danger of stalking or cyberstalking against the petitioner; requiring that any ex parte temporary injunction be effective for a fixed period not to exceed 15 days; providing for a hearing after notice; providing for the content of the injunction issued for protection from stalking or cyberstalking; specifying the criteria for “reasonable cause” for determining whether the injunction for protection should be issued; providing that the injunction and other relief ordered for the protection of the victim remain in effect until modified or dissolved; authorizing either party to move at any time to modify or dissolve the injunction; requiring the clerk of the circuit court to furnish a copy of the documents to the sheriff; providing the duties and functions of the sheriff's office; requiring the sheriff to assist the victim to execute the orders of the court; creating the Stalking and Cyberstalking Injunction Statewide Verification System within the Department of Law Enforcement; requiring the department to establish, implement, and maintain a statewide communication system capable of electronically transmitting information to and between criminal justice agencies relating to stalking or cyberstalking injunctions issued by the courts throughout the state; authorizing the court to enforce a violation of an injunction for protection against stalking or cyberstalking through a civil or criminal contempt proceeding or the state attorney to prosecute it as a criminal violation; creating s. 784.0487, F.S.; providing remedies for a willful violation of an injunction for protection against stalking or cyberstalking; specifying the grounds that violate the injunction; providing criminal penalties; providing that a person who suffers an injury or loss as a result of a violation of an injunction for protection against stalking or cyberstalking may be awarded economic damages for that injury or loss, including costs and attorney's fees; providing an effective date.

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

By Senator Thrasher—

SB 1676—A bill to be entitled An act relating to sovereign immunity; providing legislative findings and intent; amending s. 766.1115, F.S.; providing that specified provisions relating to sovereign immunity for health care providers do not apply to certain affiliation agreements or contracts to provide certain comprehensive health care services; amending s. 768.28, F.S.; expanding the definition of the term “officer, employee, or agent” for purposes of sovereign immunity to include certain health care providers; providing that certain colleges and universities that own or operate a medical school or any of its employees or agents that have agreed in an affiliation agreement to provide patient services as agents of a teaching hospital that is owned or operated by a governmental entity having health care responsibilities, or a not-for-profit entity that operates such facilities as an agent of that governmental entity under a lease, are agents of the state and are immune from certain liability for torts; requiring the contract to provide for indemnification; providing definitions; requiring that each patient, or the patient's legal representative, receive written notice regarding the patient's exclusive remedy for injury or damage suffered; providing that an employee providing patient services is not an employee or agent of the

state for purposes of workers' compensation; providing for application; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; and Budget.

By Senator Wise—

SB 1678—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; providing that when a student who is receiving the John M. McKay Scholarship enrolls in a public school or public school program, the term of the student's scholarship ends; providing an exception for students who enter a Department of Juvenile Justice detention center for a period of no more than 21 days; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Criminal Justice; and Budget.

By Senator Storms—

SB 1680—A bill to be entitled An act relating to parental or guardian involvement and accountability in public schools; creating s. 1008.347, F.S.; providing a purpose and principles concerning parental or guardian involvement; providing strategies that a parent or guardian may use to support and improve student achievement; requiring that teachers and schools develop information or use existing information to share with parents or guardians; specifying the type of information to be shared; requiring that prekindergarten through grade 3 teachers monitor and assess the quality of parent or guardian involvement for each student; requiring that the teacher mail an evaluation of parental or guardian involvement under certain circumstances; requiring that the State Board of Education adopt rules establishing an appeals process; requiring implementation beginning with the 2012-2013 school year; providing an effective date.

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

By Senator Rich—

SB 1682—A bill to be entitled An act relating to the Legislature; amending s. 1 of chapter 2010-91, Laws of Florida; requiring the Legislature to enact the maps of the state legislative and congressional districts by a specified date in the year 2012; providing an effective date.

—was referred to the Committees on Reapportionment; Rules; and Budget.

By Senator Hays—

SB 1684—A bill to be entitled An act relating to driver licenses; repealing s. 322.58, F.S., relating to the effect of classified licensure on persons holding a chauffeur's license; repealing provisions for licensure of such persons under the appropriate license classification; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Detert—

SB 1686—A bill to be entitled An act relating to economic development; creating s. 288.005, F.S.; providing definitions; amending s. 288.095, F.S.; making technical changes; deleting obsolete provisions; deleting a requirement for Enterprise Florida, Inc., to prepare an annual report; amending s. 288.106, F.S.; deleting a definition; revising criteria for the designation of target industries developed by the Office of Tourism, Trade, and Economic Development; requiring the Office of Tourism, Trade, and Economic Development to consider the economic benefits when awarding economic development incentives and certifying a business as a qualified target industry business; amending s. 288.1088, F.S.; requiring awards from the Quick Action Closing Fund to have a positive economic benefit; amending s. 288.90151, F.S.; revising legis-

lative intent; providing that private sector support for the operations of Enterprise Florida, Inc., includes cash jointly raised by Enterprise Florida, Inc., and a private statewide business organization that supports collaborative projects; requiring the Office of Economic and Demographic Research to hire an economic analysis firm to assist in the development of a methodology for establishing and reporting of economic benefits of awards from the Quick Action Closing Fund; amending s. 288.906, F.S.; revising the required contents of an annual report by Enterprise Florida, Inc.; creating s. 288.907, F.S.; requiring Enterprise Florida, Inc., to create an annual incentives report; specifying the required components of the report; amending s. 288.911, F.S.; requiring Enterprise Florida, Inc., to cooperate with VISIT Florida in the promotion of this state to businesses in target industries and high-impact industries; requiring that certain counties and municipalities annually provide to Enterprise Florida, Inc., an overview of certain local economic development activities; amending s. 288.7771, F.S.; conforming a cross-reference to changes made by the act; providing an effective date.

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

By Senator Margolis—

SJR 1688—A joint resolution proposing the creation of Section 8 of Article VI of the State Constitution to provide for the recall of the Governor, Lieutenant Governor, members of the Cabinet, and legislators.

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

By Senator Diaz de la Portilla—

SB 1690—A bill to be entitled An act relating to elections; amending s. 106.08, F.S.; revising the limitations on contributions made to certain candidates and political committees; reenacting ss. 106.04(5), 106.075(2), 106.087, 106.19, and 106.29, F.S., relating to contributions made by committees of continuous existence, contributions made to pay all or part of loans incurred, penalties for the acceptance of contributions or expenditures made in excess of the statutory limits or failing to report or falsely reporting certain information, and contributions received and expenditures made by state executive and county executive committees of each political party, to incorporate the amendment made to s. 106.08, F.S., in references thereto; providing an effective date.

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

By Senator Diaz de la Portilla—

SB 1692—A bill to be entitled An act relating to public corruption; amending s. 112.312, F.S.; redefining the term "gift" to exclude contributions or expenditures reported under federal election law; amending s. 112.3145, F.S.; redefining the term "local officer" for the purposes of disclosing financial interests to include members of a community redevelopment agency board and any finance director of a county, municipality, or other political subdivision; repealing s. 838.014(4), F.S., relating to the term "corruptly" or "with corrupt intent" to conform provisions to changes made by the act; amending s. 838.015, F.S.; redefining the term "bribery" as it relates to the requisite mental state for the offense of bribery; amending ss. 838.016 and 838.022, F.S.; revising provisions relating to the requisite mental state for the offenses of unlawful compensation and reward for official behavior and official misconduct, to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Rules; Criminal Justice; and Budget.

By Senator Richter—

SB 1694—A bill to be entitled An act relating to motor vehicle personal injury protection insurance; amending s. 26.012, F.S.; providing that the circuit court has exclusive jurisdiction in actions involving challenges to arbitration decisions under the Florida Motor Vehicle No-Fault Law; amending s. 627.4137, F.S.; requiring a claimant's request

about insurance coverage to be appropriately served upon the disclosing entity; amending s. 627.731, F.S.; providing legislative intent with respect to the Florida Motor Vehicle No-Fault Law; amending s. 627.736, F.S.; revising requirements relating to charges for treatment; specifying certain types of medical services subject to reimbursement; revising requirements relating to discovery; requiring the insured and assignee to comply with certain provisions to recover benefits; requiring the provider to produce persons having the most knowledge in specified circumstances; providing that an insurer that requests an examination under oath in a manner that is inconsistent with the policy is engaging in an unfair and deceptive trade practice; providing that failure to appear for an examination establishes a rebuttable presumption that such failure was unreasonable; limiting attorney's fees; providing that attorney's fees are calculated without regard to a contingency risk multiplier; providing for arbitration; authorizing an insurer to offer a policy that requires or allows for arbitration before a lawsuit can be filed and in lieu of litigation; providing that arbitration may not be initiated until a specified number of days after certain documents are received; providing for the location of arbitration and the selection of an arbitrator; requiring the claimant to make certain files available in specified circumstances; requiring the insurer to make certain evidence available in specified circumstances; providing that the written decision of the arbitrator, unless challenged, is binding; providing limits on the arbitration award and attorney's fees and costs; providing that a claimant is entitled to reimbursement of attorney's fees and costs; providing for a court challenge of the arbitration award; providing an effective date.

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

By Senator Wise—

SB 1696—A bill to be entitled An act relating to public school accountability; amending s. 1001.20, F.S.; deleting a provision that requires the Florida Virtual School to be administratively housed within the Office of Technology and Information Services within the Department of Education; amending s. 1001.42, F.S.; revising the powers and duties of district school boards to require that students be provided with access to Florida Virtual School courses; amending s. 1002.33, F.S.; revising provisions relating to charter schools to authorize a community college to work with the school district or school districts in its designated service area to operate charter schools; authorizing such charter schools to include an option for secondary students to receive an associate degree upon high school graduation; amending s. 1002.37, F.S.; conforming provisions to changes made by the act; amending s. 1002.38, F.S.; revising provisions relating to the Opportunity Scholarship Program to provide that school grades for all schools be based on statewide assessments; amending s. 1002.45, F.S.; revising qualification requirements for virtual instruction program providers; providing that an approved provider retain its approved status for 3 school years after approval; amending s. 1002.67, F.S.; requiring that the State Board of Education periodically review and revise the performance standards for the statewide kindergarten screening and align to student performance standards for statewide assessments; requiring that newly admitted voluntary prekindergarten program students complete the statewide voluntary prekindergarten enrollment screening; requiring that the provider pay for screening; amending s. 1002.69, F.S.; requiring that the Department of Education adopt a statewide voluntary prekindergarten enrollment screening; requiring that each Early Learning Coalition administer the enrollment screening; requiring that each parent or guardian enrolling his or her child in a voluntary prekindergarten education program submit the child for enrollment screening if required by the provider; amending s. 1002.73, F.S.; requiring that the Department of Education adopt procedures for the statewide voluntary prekindergarten enrollment screening, fee schedule, and the process for determining learning gains of students who complete the voluntary prekindergarten and kindergarten screenings; amending s. 1003.03, F.S.; providing that if a district school board produces evidence that it was unable to meet class size requirements despite efforts to do so, the reduction of an alternative amount of funds from the district's class size categorical may be recommended by the State Board of Education for approval by the Legislative Budget Commission; amending s. 1003.4156, F.S.; revising the general requirements for middle grades promotion; providing that a student with a disability may have his or her end-of-course assessment results waived under certain circumstances; providing that a middle grades student is exempt from the reading remediation requirements

under certain circumstances; creating s. 1003.4203, F.S.; requiring each district school board to develop and implement a digital curriculum for students in grades 5 through 12; specifying certain components of a digital curriculum; requiring student participation unless exempt due to written parental request; requiring curriculum standards and measures to assess student content knowledge and skills and learning gains; authorizing the Department of Education to develop a model to serve as a guide for school districts; providing for funding for a school district's digital curriculum; providing that a school district that demonstrates high achievement in student competency in web communications and web design is eligible for certain financial incentives; requiring that the department and the Commissioner of Education establish procedures for statewide recognition of school districts and individual students; authorizing partnerships with private businesses and consultants; requiring that school district digital curriculum advisory committees be established; amending s. 1003.428, F.S.; revising provisions relating to the general requirements for high school graduation; providing that a high school student may be exempt from intensive reading under certain circumstances; amending s. 1003.492, F.S.; revising provisions relating to industry-certified career education programs; requiring that rules adopted by the State Board of Education establish a process for weighing the value of industry certifications based on the rigor of the certification and its employment value to state businesses and industry; amending s. 1003.493, F.S.; revising provisions relating to career and professional academies to include middle schools; requiring that students who are completing a middle school career and professional academy program have an opportunity to earn an industry certification, high school credit, and participate in career planning, job shadowing, and leadership development opportunities; requiring that middle school career and professional academies align with high school career and professional academies; providing for partnerships with high schools, businesses, industry, employers, economic development organizations, and other local community partners; amending s. 1003.575, F.S.; revising provisions relating to assistive technology devices for young persons with disabilities to require that any school having an individualized education plan team arrange to complete an assistive technology assessment within a specified number of days after receiving a request for such assessment; amending s. 1003.621, F.S.; removing an exemption provided for high-performing school districts from compliance with requirements to requisition instructional materials from the publisher's depository; amending s. 1006.28, F.S.; revising provisions relating to the duties of district school boards to conform provisions to changes made by the act; amending s. 1006.29, F.S.; revising provisions relating to state instructional materials; replacing references to state instructional materials committees with state instructional materials reviewers; requiring that the Commissioner of Education appoint state or national experts to review and evaluate instructional materials; amending s. 1006.30, F.S.; revising provisions relating to the affidavit of state instructional materials reviewers to conform to changes made by the act; amending s. 1006.31, F.S.; revising provisions relating to the duties of each state instructional materials reviewer to conform to changes made by the act; amending s. 1006.32, F.S.; conforming provisions to changes made by the act; amending s. 1006.33, F.S.; revising provisions relating to bids or proposals of instructional materials to conform provisions to changes made by the act; amending s. 1006.34, F.S.; revising provisions relating to the commissioner's powers and duties in selecting and adopting instructional materials; providing an exemption from the requirement that a rule having certain regulatory costs be ratified by the Legislature; providing for the Department of Education rather than the Department of Legal Affairs to prepare contracts for instructional materials; requiring that the contracts be executed by the Commissioner of Education rather than by the Governor and Secretary of State; amending s. 1006.35, F.S.; conforming provisions relating to the accuracy of instructional materials to changes made by the act; amending s. 1006.36, F.S.; revising the term of adoption of any instructional materials from a 6-year period to a 5-year period; repealing s. 1006.37, F.S., relating to the requisition of instructional materials from a publisher's depository; amending s. 1006.38, F.S.; revising provisions relating to the duties, responsibilities, and requirements of instructional materials publishers and manufacturers; requiring electronic delivery of copies to the Department of Education in accordance with procedures adopted by the State Board of Education; authorizing publishers to offer digital or electronic versions of instructional materials at reduced rates; amending s. 1006.39, F.S.; revising provisions relating to the production and dissemination of educational materials and products by the Department of Education to conform to changes made by the act; amending s. 1006.40, F.S.; revising provisions relating to the annual allocation for the pur-

chase of digital, electronic, or web-based instructional materials; authorizing a district school board to purchase technology hardware using categorical funds for instructional materials under specified circumstances; amending s. 1006.43, F.S.; revising provisions relating to Department of Education's expenses and annual legislative budget requests to conform to changes made by the act; amending s. 1008.22, F.S.; revising provisions relating to the student assessment program for public schools; requiring that the Commissioner of Education direct school districts to participate in the administration of the National Assessment of Educational Progress or similar national or international assessment program; providing for future expiration of the requirement that school districts participate in international assessment programs; authorizing the school principal to exempt certain students from the end-of-course assessment in civics education; amending s. 1008.33, F.S.; revising provisions relating to public school improvement; requiring that the Department of Education categorize public schools based on the portion of a school's grade that relies on statewide assessments; revising the categorization of the lowest-performing schools; amending s. 1008.34, F.S.; revising provisions relating to the designation of school grades to conform to changes made by the act; providing for assigning achievement scores and learning gains for students who are hospital or homebound; requiring that a school that does not meet minimal proficiency standards established by the State Board of Education receive a school grade of "F"; amending s. 1011.01, F.S.; revising provisions relating to the annual operating budgets of district school boards and community college boards of trustees; amending s. 1011.03, F.S.; revising provisions relating to tentative and final district school board budgets; requiring that an adopted budget be transmitted to the Department of Education; amending s. 1011.61, F.S.; redefining the term "full-time equivalent student" as it relates to students in virtual instruction programs; amending s. 1011.62, F.S.; revising provisions relating to funds for the operation of schools; providing that the value of the full-time equivalent student membership be determined by weights adopted by the State Board of Education; conforming provisions; amending s. 1012.39, F.S.; revising provisions relating to the employment of non-degree teachers of career education; requiring that qualifications be established for nondegree teachers of career and technical education courses for state-recognized program clusters; providing effective dates.

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

By Senator Dean—

SB 1698—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; deleting legislative intent; deleting provisions requiring the Department of Health to administer an evaluation and assessment program of onsite sewage treatment and disposal systems and requiring property owners to have such systems evaluated at least once every 5 years; deleting provisions prohibiting the land application of septage and requiring the Department of Environmental Protection to recommend to the Governor and Legislature alternative methods for land application of septage; creating s. 381.00651, F.S.; requiring the Department of Health to implement and administer a pilot program for the periodic evaluation of onsite sewage treatment and disposal systems beginning from a certain date; providing criteria for selecting counties within which to implement the pilot program; authorizing the Department of Health to adopt rules; providing for enforcement; allowing other counties to participate in the evaluation program and providing criteria; providing that certain counties in certain circumstances are not required to participate in the pilot program; requiring that owners of an onsite sewage treatment and disposal system, excluding a system for which an operating permit is required, have the system pumped out and evaluated every 5 years; defining the term "system failure"; requiring the department to adopt an evaluation form and providing criteria; requiring the department to create a uniform statewide comprehensive evaluation, tracking, and reporting system accessible through a secure Internet connection; providing exceptions to the pump-out requirement; authorizing the department to require repairs, modifications, or replacement at the owner's expense if a system failure is identified; requiring the department to select the least costly remedial measure; requiring the evaluation or pump out to be performed by certain registered contractors, licensed engineers, or certified environmental health professionals; providing for an evaluation fee; requiring the department to give to owners of systems at least 60 days' notice before an evaluation deadline; requiring the

department and the Department of Environmental Protection to collaborate on providing notice to counties of certain available funds and creating a revolving loan program that provides low-interest loans to residents for the repair of failing systems; requiring the department to contract for the development of a uniform statewide comprehensive computerized evaluation, tracking, and reporting system and providing criteria; amending s. 381.00656, F.S.; extending the date by which the Department of Health is required to begin administering the grant program for the repair of onsite sewage treatment disposal systems; adding a cross-reference; amending s. 381.0066, F.S.; conforming a cross-reference; lowering the fees imposed by the department for evaluation reports; providing an effective date.

—was referred to the Committees on Health Regulation; Environmental Preservation and Conservation; and Budget.

By Senator Margolis—

SB 1700—A bill to be entitled An act relating to recall; creating s. 100.365, F.S.; providing procedures for recall from office of the Governor, the Lieutenant Governor, members of the Cabinet, and legislators; requiring that proponents of the recall register as a political committee; prescribing the methods and timeframes for initiating and conducting the recall; providing ballot language; authorizing the adoption of rules; providing a contingent effective date.

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

By Senator Norman—

SB 1702—A bill to be entitled An act relating to school district minimum classroom expenditure requirements; repealing s. 1011.64, F.S., which provides for minimum academic performance standards and increased classroom expenditure requirements for school districts not meeting the standards; amending ss. 1011.01, 1011.03, and 1011.60, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

By Senator Hays—

SJR 1704—A joint resolution proposing an amendment to Section 12 of Article V of the State Constitution to require that certain proceedings, records, and materials of the Judicial Qualifications Commission be open to the public and to require the commission to notify the Speaker of the House of Representatives of complaints received or initiated, investigations conducted, and complaints concluded.

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

By Senators Montford and Gaetz—

SJR 1706—A joint resolution proposing an amendment to Section 7 of Article IX of the State Constitution to require the Governor to appoint a state university student body president to the Board of Governors of the State University System.

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

By Senator Jones—

SB 1708—A bill to be entitled An act relating to destination resorts; amending s. 20.21, F.S.; creating the Destination Resort Commission within the Department of Revenue; amending s. 120.80, F.S.; exempting the Destination Resort Commission from specified provisions of the Administrative Procedure Act; creating the Destination Resort Act; providing definitions; providing that the Destination Resort Commission is a separate budget entity from the Department of Revenue; providing for the appointment and qualifications of members of the commission;

providing for the selection of the chair and vice chair of the commission; providing that the chair is the administrative head of the commission; specifying the responsibilities of the chair; providing that the commission serves as the agency head for purposes of the Administrative Procedure Act; providing that the executive director of the commission may serve as the agency head for purposes of final agency action within the authority delegated by the commission; specifying the powers of the commission, including the power to authorize limited gaming at up to five destination resorts, conduct investigations, issue subpoenas, take enforcement actions, and create an invitation to negotiate process to evaluate applications for a resort license; specifying the jurisdiction of the commission, the Department of Law Enforcement, and local law enforcement agencies to investigate criminal violations relating to limited gaming; requiring the commission to revoke or suspend the licensee of a person who was unqualified at the time of licensure or who is no longer qualified to be licensed; authorizing the commission to adopt rules relating to the types of gaming authorized, requirements for the issuance, renewal, revocation, and suspension of licenses, the disclosure of financial interests, procedures to test gaming equipment, procedures to verify gaming revenues and the collection of taxes, requirements for gaming equipment, procedures relating to a facilities-based computer system, bond requirements of resort licensees, the maintenance of records, procedures to calculate the payout percentages of slot machines, security standards, the scope and conditions for investigations and inspections into the conduct of limited gaming, the seizure of gaming equipment and records without notice or a warrant, employee drug-testing programs, and the payment of costs, fines, and application fees; authorizing the commission to adopt emergency rules; exempting the rules from specified provisions of the Administrative Procedure Act; authorizing the commission to employ law enforcement officers; specifying the qualifications and powers of law enforcement officers employed by the commission; providing for the appointment, qualifications, and powers of the executive director of the commission; specifying persons who may not be employed by the commission; requiring the commission to adopt a code of ethics for its employees, members, and agents; specifying prohibited financial interests and relationships; imposing post-employment restrictions on members, employees, and agents of the commission; restricting the political activities of members, employees, and agents of the commission; prohibiting commissioners, employees, and agents of the commission from wagering under certain circumstances; requiring members, employees, and agents of the commission to annually disclose certain financial interests; specifying conditions under which members, employees, and agents of the commission must immediately disclose certain financial matters, criminal matters, employment negotiations, the offering or acceptance of gifts, and the offering of a bribe; prohibiting ex parte communications between applicants or licensees and members of the commission; requiring parties to an ex parte communication to disclose the substance of the communication; authorizing the imposition of a fine on a member of the commission who fails to disclose an ex parte communication; authorizing the Commission on Ethics to investigate complaints alleging an ex parte communication; requiring the Commission on Ethics to provide a report of its findings to the Governor if it finds that a commissioner violated the prohibitions on ex parte communications; authorizing the Commission on Ethics to bring an action against a commissioner to collect any penalties assessed; prohibiting a person who participated in an ex parte communication from appearing or representing a person before the commission for a certain time; specifying grounds for removal or termination of employment of commissioners and employees who violate the laws regulating limited gaming; requiring a referendum in the county where a destination resort is to be located as a prerequisite to the conduct of limited gaming activities; preempting the regulation of limited gaming at a destination resort to the state; requiring the commission to develop an invitation to negotiate process to award a resort license; specifying the minimum criteria that an applicant must meet to be awarded a destination resort license; specifying events that disqualify an applicant from eligibility for a resort license; specifying the information that must be on or included with an application for a resort license; specifying the amount of a nonrefundable application fee for a resort license to be used to defray the costs of an investigation of the applicant; authorizing the imposition of additional fees if the amount of the application fee is insufficient to cover the costs of the investigation; requiring the payment of a one-time licensing fee to be submitted along with an application for a resort license; requiring the executive director to notify an applicant for a resort license if the application is incomplete; authorizing the applicant to have an informal conference with the executive director to discuss an incomplete application; authorizing the executive director to

grant an extension to complete an application; providing for the stay of the award of a resort license during an extension or the appeal to the commission of a finding by the executive director that an application is incomplete; exempting an institutional investor that is a qualifier for a resort licensee from certain application requirements under certain circumstances; requiring notice to the commission of any changes that may require a person to comply with the full application requirements; exempting lending institutions and underwriters from licensing requirements as a qualifier under certain circumstances; specifying conditions for a resort licensee to maintain licensure; requiring that the licensee post a bond; specifying conditions for the conduct of limited gaming by a resort licensee; requiring the commission to renew the license of a resort licensee if the licensee satisfies specified conditions; specifying an annual fee for the renewal of a resort license; imposing a tiered gross receipts tax based on the amount of a resort licensee's infrastructure costs; providing for the deposit of the tax into the Destination Resort Trust Fund; providing for certain unappropriated funds in the Destination Resort Trust Fund to be deposited into the General Revenue Fund, the Tourism Promotional Trust Fund, the Employment Security Administration Trust Fund, and the Transportation Disadvantaged Trust Fund; providing for the proceeds of the gross receipts tax to fund the operations of the commission; providing procedures for the submission and processing of fingerprints of certain persons regulated by the commission; providing that the cost of processing the fingerprints shall be borne by a licensee or applicant; requiring a person to report to the commission certain pleas and convictions for disqualifying offenses; requiring a resort licensee to train its employees about compulsive gambling; requiring a resort licensee to work with a compulsive gambling prevention program; requiring the commission to contract for services relating to the prevention of compulsive gambling; providing for the commission's compulsive gambling prevention program to be funded from a regulatory fee imposed on resort licensees; requiring a person to have a supplier's license to furnish certain goods and services to a resort licensee; specifying the amount of the application fee for a supplier's license; specifying persons who are disqualified from receiving a supplier's license; specifying circumstances under which the commission may revoke a supplier's license; authorizing the commission to adopt rules relating to the licensing of suppliers; requiring a supplier licensee to furnish a list of gaming devices and equipment to the commission, maintain records, file quarterly returns, and affix its name to the gaming equipment and supplies that it offers; requiring that the supplier licensee annually report its inventory to the commission; authorizing the commission to revoke a supplier's license under certain circumstances; providing that the equipment of a supplier's licensee which is used in unauthorized gaming will be forfeited to the county where the equipment is found; imposing a criminal penalty on a person who knowingly makes a false statement on an application for a supplier's license; requiring a person to have an occupational license to serve as a limited gaming employee of a resort licensee; requiring a person to apply to the commission for an occupational license and pay an application fee; specifying information that an applicant must include in an application for an occupational license; specifying grounds for the commission to deny an application for an occupational license; imposing a criminal penalty on a person who knowingly makes a false statement on an application for an occupational license; authorizing the executive director of the commission to issue a temporary occupational or temporary supplier's license under certain circumstances; requiring the commission to file quarterly reports with the Governor, the President of the Senate, and the Speaker of the House of Representatives; specifying procedures for the conduct of proceedings by the commission; authorizing the chair of the commission to assign a proceeding to less than the full commission; providing procedures for the resolution of certain disputes between a resort licensee and a patron; requiring a resort licensee to notify the commission of certain disputes with a patron involving amounts of \$500 or more; requiring a resort licensee to notify a patron of the right to file a complaint with the commission regarding certain disputes of an amount less than \$500; authorizing the commission to investigate disputes and to order a resort licensee to make a payment to a patron; providing for the enforcement of credit instruments; authorizing a resort licensee to accept an incomplete credit instrument and to complete incomplete credit instruments under certain circumstances; providing that existence of a mental disorder is not a defense or a valid counterclaim in an action to enforce a credit instrument; authorizing the commission to adopt rules prescribing the conditions under which a credit instrument may be presented to a bank; providing that a resort licensee has the right to exclude a person from its limited gaming facility; authorizing a person to request that the commission exclude her or him from limited

gaming facilities; specifying the required contents of the request; providing that a self-excluded person who is found on a gaming floor may be arrested and prosecuted for criminal trespass; providing that a self-excluded person holds harmless the commission and licensees from claims for losses and damages under certain circumstances; amending s. 849.15, F.S.; authorizing slot machine gaming in a resort licensee and the transportation of slot machines pursuant to federal law; amending s. 849.231, F.S.; providing that a prohibition on gambling devices does not apply to limited gaming as authorized in the act; amending s. 849.25, F.S.; providing that a prohibition on gaming does not apply to limited gaming as authorized in the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Regulated Industries; and Budget.

By Senator Jones—

SB 1710—A bill to be entitled An act relating to trust funds; creating the Destination Resort Trust Fund within the Department of Revenue; providing for the purpose of the trust fund; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Commerce and Tourism; Regulated Industries; and Budget.

By Senator Jones—

SB 1712—A bill to be entitled An act relating to public records; providing definitions; providing an exemption from public-records requirements for confidential and proprietary business information and trade secrets received by the Destination Resort Commission; providing an exemption from public-records requirements for information held that would reveal investigation techniques and procedures used by the Destination Resort Commission; providing a definition; providing an exception to the exemption for other governmental entities having oversight or regulatory or law enforcement authority; providing penalties for an employee of the commission who violates the provisions of the act; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Commerce and Tourism; Regulated Industries; and Governmental Oversight and Accountability.

By Senator Hays—

SB 1714—A bill to be entitled An act relating to the Citizens Property Insurance Corporation; amending s. 627.351, F.S.; revising legislative intent; providing that certain residential structures are not eligible for coverage by the corporation after a certain date; requiring policies issued by the corporation to include a provision that prohibits policyholders from engaging the services of a public adjuster; specifying the percentage amount of emergency assessments; revising provisions relating to policyholder surcharges; prohibiting the corporation from levying certain assessments with respect to a year's deficit until the corporation has first levied a specified surcharge; deleting obsolete provisions relating to the corporation's plan of operation; requiring the corporation to commission a consultant to prepare a report on outsourcing various functions and submit such report to the Financial Services Commission by a certain date; revising provisions relating to wind coverage; prohibiting the corporation from accepting applications for commercial nonresidential risks; requiring the policyholders to sign a statement acknowledging that they may be assessed surcharges to cover corporate deficits; providing that policies do not include coverage for screen enclosures and limiting coverage for damage from sinkholes after a certain date; requiring members of the board of governors to abstain from voting on issues on which they have a personal interest; requiring such members to disclose the nature of their interest as a public record; providing that the corporation operates as a residual market mechanism; revising provisions relating to corporation rates; clarifying that the corporation is immune from certain liabilities; deleting a requirement for an annual report to the Legislature on losses attributable to wind-only coverages; requiring owners of properties in Special Flood Hazard Areas to maintain a separate flood insurance policy after a certain date; providing

exceptions; amending ss. 627.3511 and 627.712, F.S.; conforming cross-references; providing an effective date.

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

By Senator Ring—

SB 1716—A bill to be entitled An act relating to transportation project funding; redirecting funds in the State Transportation Trust Fund and portions of amounts contracted for construction projects of the Department of Transportation to be used for prioritized projects; amending s. 212.0606, F.S., relating to a rental car surcharge; revising the use of allocated proceeds; amending s. 334.044, F.S., relating to powers and duties of the department; revising the allocation of a certain percentage amount of contracted funds; directing unused portions of such funds be reallocated; amending s. 339.135, F.S., relating to the department's adopted work program; providing for certain unencumbered and available funds remaining in the adopted work program due to certain cost savings to be reallocated; amending s. 339.55, F.S., relating to the state-funded infrastructure bank; directing the department to deposit certain funds into the bank; providing a contingent effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Ring—

SB 1718—A bill to be entitled An act relating to infrastructure investment; amending s. 20.23, F.S.; directing the Secretary of Transportation to designate an assistant secretary with certain duties relating to economic development, investment opportunities, and transportation projects; amending s. 163.3180, F.S.; providing a limited exemption from Strategic Intermodal System adopted level-of-service standards for certain new development or redevelopment projects; requiring that funding priority be given to improving certain Strategic Intermodal System segments; amending s. 311.09, F.S.; directing the Seaport Transportation and Economic Development Council to include in the Florida Seaport Mission Plan certain elements of local government comprehensive plans that relate to modal integration and economic competitiveness; directing such council to develop a priority list and submit the list to the Trade Infrastructure Investment Steering Committee; amending s. 339.55, F.S.; revising provisions for loans and credit enhancements made by the state-funded infrastructure bank; providing for loan selections by a State Infrastructure Bank Selection Committee; providing for membership of the committee; directing funds in the State Transportation Trust Fund be deposited in the State Infrastructure Bank under certain circumstances; amending s. 339.64, F.S.; revising the Strategic Intermodal System Plan project prioritization process; providing for Strategic Intermodal System projects to be selected by a Strategic Intermodal System Project Selection Committee; providing for membership of the committee; creating chapter 340, F.S., titled "Infrastructure Development"; creating s. 340.101, F.S.; providing a short title; providing a purpose; creating the Trade Infrastructure Investment Steering Committee; providing for membership, organization, staff, and employees of the committee; authorizing the committee to receive and administer funds; providing duties and responsibilities of the committee; directing the committee to submit reports to the Governor and the Legislature; creating s. 340.102, F.S.; authorizing certain local governmental entities to prepare a comprehensive economic development and expansion and intermodal transportation plan; providing for incorporation of the plan into the local government comprehensive plan; requiring certain elements be included in the plan; providing that, upon approval, plan projects constitute a priority list for state and local funding for transportation and related infrastructure projects of all state agencies; directing certain state agencies to develop a memorandum of agreement for assisting each port in the expedited implementation of projects included in each plan; amending s. 373.406, F.S.; providing that, under specified conditions, certain facilities located in deepwater ports are not part of a stormwater management system and are not impervious; amending s. 373.4133, F.S.; requiring the Department of Environmental Protection to issue a notice of intent for a port conceptual permit within a specified time; providing that a notice of intent to issue such permit creates a rebuttable presumption of compliance with specified standards and authorization; providing a standard for overcoming such a presumption; requiring the department to issue certain permits within a specified time and to notify specified entities of certain compliance;

amending s. 403.813, F.S.; exempting certain seaports from specified permit requirements for maintenance dredging if certain conditions are met; revising provisions for such dredging; providing an effective date.

—was referred to the Committees on Transportation; Commerce and Tourism; Environmental Preservation and Conservation; and Budget.

By Senator Hays—

SB 1720—A bill to be entitled An act relating to collective bargaining; amending s. 447.03, F.S.; authorizing employees who are members of a labor organization to decertify the labor organization or its certified bargaining agent; requiring labor organizations to provide specified notice; amending s. 447.07, F.S.; providing members of a labor organization with access to the organization's accounting information; requiring labor organizations to provide specified notice; creating s. 447.18, F.S.; providing for enforcement; providing for the award of damages, injunctive relief, and civil penalties; providing an effective date.

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

By Senator Fasano—

SB 1722—A bill to be entitled An act relating to ad valorem taxation; amending s. 193.1554, F.S.; reducing the amount that any change in the value of nonhomestead residential property resulting from an annual reassessment may exceed the assessed value of the property for the prior year; amending s. 193.1555, F.S.; reducing the amount that any change in the value of certain residential and nonresidential real property resulting from an annual reassessment may exceed the assessed value of the property for the prior year; creating s. 196.078, F.S.; providing a definition; providing a first-time Florida homesteader with an additional homestead exemption; providing for calculation of the exemption; providing for the applicability period of the exemption; providing for an annual reduction in the exemption during the applicability period; providing application procedures; providing for applicability of specified provisions; providing for contingent effect of provisions and varying dates of application depending on the adoption and adoption date of specified joint resolutions; authorizing the Department of Revenue to adopt emergency rules; providing for application and renewal of emergency rules; providing for retroactive application; providing effective dates.

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

By Senators Altman and Jones—

SB 1724—A bill to be entitled An act relating to renewable energy; amending s. 212.08, F.S.; requiring that solar energy systems have a certain percentage of components manufactured in Florida or the United States in order to be eligible for the exemption from the sales tax; amending s. 220.192, F.S.; extending the date of eligibility for the renewable energy technologies investment tax credit; revising the annual limits for the investment tax credits; defining the term "solar energy system"; providing requirement for a solar electric generating facility to be eligible to receive the tax credit; providing for unused amounts of the tax credit to be carried forward; amending s. 220.193, F.S.; extending until 2017 the Florida renewable energy production tax credit; amending s. 366.02, F.S.; revising the exceptions to the definition of the term "public utility" to include the developer of certain renewable energy generation facilities; creating s. 366.90, F.S.; providing legislative intent with respect to the production of electricity using renewable energy; amending s. 366.91, F.S.; redefining the terms "biomass," "net metering," and "renewable energy"; amending s. 366.92, F.S.; revising legislative intent; deleting and revising definitions; deleting provisions for the renewable portfolio standard and renewable energy credits; providing a mechanism for providers to recover costs to produce or purchase specified amounts of renewable energy through the environmental cost-recovery clause under certain conditions; providing for a competitive auction; providing for recovery of certain costs; providing for terms and conditions of a standard form contract; providing criteria for development deposits; providing criteria for termination of the project; providing for required and allowable purchase of renewable energy as a percentage

of the provider's total revenue; providing for minimum purchase of the various types of renewable energy; providing limits on the amount of recoverable costs; requiring certain information be provided to the Public Service Commission for cost recovery proceedings; providing conditions when a seller surrenders attributes; requiring that certain revenues received by a provider be shared with ratepayers; exempting certain renewable energy generating facilities from the Florida Electrical Power Plant Siting Act; requiring providers to submit certain information to the commission in its 10-year site plan; exempting certain expansions of existing renewable electric generating facilities from a determination of need by the commission; authorizing the developer of a solar energy generation facility to locate the facility on the premises of a host consumer under certain circumstances; requiring the commission to adopt rules and submit reports to the Legislature; exempting the expansion of existing renewable energy electric generating facilities from requirements for a determination of need under certain circumstances; amending s. 377.601, F.S.; revising legislative intent relating to the state's energy policy; amending s. 377.703, F.S.; conforming cross-references; amending s. 377.809, F.S.; creating an energy economic zone pilot program for attracting renewable energy, energy efficiency, and biofuel technology industries to an area; requiring the Department of Community Affairs to provide technical assistance; providing for an application process; providing criteria to grant at least one application; amending s. 403.503, F.S.; redefining the term "electrical power plant" for purposes of the Florida Electrical Power Plant Siting Act; providing for severability; providing an effective date.

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

By Senators Margolis and Sachs—

SB 1726—A bill to be entitled An act relating to weapons or firearms; amending s. 790.115, F.S.; prohibiting possession of any firearm, electric weapon, or other specified device on property operated by a school district; providing criminal penalties; amending s. 790.251, F.S., and reenacting subsection (4), relating to prohibited acts; clarifying that provisions prohibiting restrictions on firearms possession do not apply to restrictions on possession on property owned or operated by a school district; banning the possession, sale, transfer, or manufacture of high-capacity ammunition feeding devices; providing exceptions; providing a definition of "high-capacity ammunition feeding device"; subjecting a person to a criminal penalty for the unlawful possession, sale, transfer, or manufacture of a high-capacity ammunition feeding device; providing an effective date.

—was referred to the Committees on Criminal Justice; Education Pre-K - 12; and Budget.

By Senator Latvala—

SB 1728—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; defining the terms "community service" and "reemployment services"; amending s. 443.091, F.S.; providing that an unemployed individual is eligible to receive benefits if he or she participates in a community service program administered by a one-stop career center; amending ss. 443.1216 and 443.131, F.S.; conforming cross-references; providing an effective date.

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

By Senator Altman—

SB 1730—A bill to be entitled An act relating to the Technology Seed Capital Fund; providing definitions; providing for the creation of the Technology Seed Capital Fund by the Institute for the Commercialization of Public Research; providing for the creation of a fund management committee by the board of directors of the institute; forbidding members of the committee from investing in a company for a specified period after an investment in a company is approved; specifying responsibilities of the institute and the fund management committee with respect to the fund; specifying the requirements for an investment management plan proposal from interested applicants for the investment manager posi-

tion; specifying the authority of the investment manager for the fund; specifying qualifications for investments of the fund; requiring that proposed investments be matched by the private sector before the fund invests; requiring that the company be domiciled in the state and operate in one of the targeted industry clusters; requiring that the company have certain positions and abilities; limiting the amount of individual investments of the fund; requiring earnings from the fund to be reinvested; limiting the administrative costs of the fund; requiring the institute to submit an annual report to the Governor and Legislature relating to the activities of the fund; providing an appropriation; providing an effective date.

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

By Senator Lynn—

SB 1732—A bill to be entitled An act relating to postsecondary education; requiring the Board of Governors of the State University System, in coordination with the Higher Education Coordinating Council, to develop a plan for establishing certain comprehensive undergraduate universities; requiring the Board of Governors to submit a plan to transfer a Florida College System institution to the State University System; providing conditions for the plan; requiring the State Board of Education, in coordination with the Higher Education Coordinating Council, to examine options to realign adult basic education and career education programs; requiring the State Board of Education to submit a plan for the consolidation of certain programs, to clarify jurisdictional responsibility and funding, and to establish an implementation schedule; repealing s. 1000.07, F.S., relating to the Florida Business and Education Collaborative; amending s. 1001.64, F.S.; requiring a community college board of trustees to ask the Commissioner of Education to authorize an investigation of a college president by the Department of Education's inspector general in specified circumstances; requiring the inspector general to report on the investigation and make recommendations; requiring the inspector general to refer any potential legal violation to the Commission on Ethics, the Department of Law Enforcement, the state attorney, or other appropriate authority; amending s. 1007.27, F.S.; requiring the Department of Education to identify certain courses for which a state university has established a higher score for awarding credit; authorizing the statewide articulation agreement to allow a state university board of trustees to establish scores on advance placement exams which the university will accept for course credit; deleting a provision authorizing the exemption of certain students from a requirement to enroll in a summer term; repealing s. 1007.33(6), F.S., relating to an exemption from provisions governing the approval process for baccalaureate degrees; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

By Senator Smith—

SB 1734—A bill to be entitled An act relating to student assessment in the public schools; providing that the Florida Comprehensive Assessment Test (FCAT) shall be discontinued; requiring the High School Competency Test (HSCT) to replace the grade 10 FCAT; requiring a student to earn passing scores on the HSCT to qualify for a standard high school diploma; requiring the State Board of Education to designate passing scores; providing for implementation beginning with the 2013-2014 school year; providing an effective date.

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

By Senator Latvala—

SB 1736—A bill to be entitled An act relating to health care; amending s. 112.0455, F.S., relating to the Drug-Free Workplace Act; deleting an obsolete provision; deleting a provision that requires a laboratory to submit to the Agency for Health Care Administration a monthly report containing statistical information regarding the testing of employees and job applicants; repealing s. 383.325, F.S., relating to confidentiality of inspection reports of licensed birth center facilities; amending s. 395.002, F.S.; revising and deleting definitions applicable to regulation of hospitals and other licensed facilities; conforming a cross-

reference; amending s. 395.003, F.S.; deleting an obsolete provision; conforming a cross-reference; amending s. 395.0193, F.S.; requiring a licensed facility to report certain peer review information and final disciplinary actions to the Division of Medical Quality Assurance of the Department of Health rather than the Division of Health Quality Assurance of the Agency for Health Care Administration; amending s. 395.1023, F.S.; providing for the Department of Children and Family Services rather than the Department of Health to perform certain functions with respect to child protection cases; requiring certain hospitals to notify the Department of Children and Family Services of compliance; amending s. 395.1041, F.S., relating to hospital emergency services and care; deleting obsolete provisions; repealing s. 395.1046, F.S., relating to complaint investigation procedures; amending s. 395.1055, F.S.; requiring licensed facility beds to conform to standards specified by the Agency for Health Care Administration, the Florida Building Code, and the Florida Fire Prevention Code; amending s. 395.10972, F.S.; revising a reference to the Florida Society of Healthcare Risk Management to conform to the current designation; amending s. 395.2050, F.S.; revising a reference to the federal Health Care Financing Administration to conform to the current designation; amending s. 395.3036, F.S.; correcting a reference; repealing s. 395.3037, F.S., relating to redundant definitions; amending ss. 154.11, 394.741, 395.3038, 400.925, 400.9935, 408.05, 440.13, 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; revising references to the Joint Commission on Accreditation of Healthcare Organizations, the Commission on Accreditation of Rehabilitation Facilities, and the Council on Accreditation to conform to their current designations; amending s. 395.602, F.S.; revising the definition of the term "rural hospital" to delete an obsolete provision; amending s. 400.021, F.S.; revising the definition of the terms "geriatric outpatient clinic" and "resident care plan"; amending s. 400.0255, F.S.; correcting an obsolete cross-reference to administrative rules; amending s. 400.063, F.S.; deleting an obsolete provision; amending ss. 400.071 and 400.0712, F.S.; revising applicability of general licensure requirements under part II of ch. 408, F.S., to applications for nursing home licensure; revising provisions governing inactive licenses; amending s. 400.111, F.S.; providing for disclosure of controlling interest of a nursing home facility upon request by the Agency for Health Care Administration; amending s. 400.1183, F.S.; revising grievance record maintenance and reporting requirements for nursing homes; amending s. 400.141, F.S.; providing criteria for the provision of respite services by nursing homes; requiring a written plan of care; requiring a contract for services; requiring resident release to caregivers to be designated in writing; providing an exemption to the application of discharge planning rules; providing for residents' rights; providing for use of personal medications; providing terms of respite stay; providing for communication of patient information; requiring a physician's order for care and proof of a physical examination; providing for services for respite patients and duties of facilities with respect to such patients; conforming a cross-reference; requiring facilities to maintain clinical records that meet specified standards; providing a fine relating to an admissions moratorium; deleting requirement for facilities to submit certain information related to management companies to the agency; deleting a requirement for facilities to notify the agency of certain bankruptcy filings to conform to changes made by the act; amending s. 400.142, F.S.; deleting language relating to agency adoption of rules; amending 400.147, F.S.; revising reporting requirements for licensed nursing home facilities relating to adverse incidents; repealing s. 400.148, F.S., relating to the Medicaid "Up-or-Out" Quality of Care Contract Management Program; amending s. 400.179, F.S.; deleting an obsolete provision; amending s. 400.19, F.S.; revising inspection requirements; amending s. 400.23, F.S.; deleting an obsolete provision; correcting a reference; deleting a requirement that the rules for minimum standards of care for persons under 21 years of age include a certain methodology; directing the agency to adopt rules for minimum staffing standards in nursing homes that serve persons under 21 years of age; providing minimum staffing standards; amending s. 400.275, F.S.; revising agency duties with regard to training nursing home surveyor teams; revising requirements for team members; amending s. 400.484, F.S.; revising the schedule of home health agency inspection violations; amending s. 400.606, F.S.; revising the content requirements of the plan accompanying an initial or change-of-ownership application for licensure of a hospice; revising requirements relating to certificates of need for certain hospice facilities; amending s. 400.607, F.S.; revising grounds for agency action against a hospice; amending s. 400.915, F.S.; correcting an obsolete cross-reference to administrative rules; amending s. 400.931, F.S.; deleting a requirement that an applicant for a home medical equipment provider license submit a surety bond to the agency;

amending s. 400.932, F.S.; revising grounds for the imposition of administrative penalties for certain violations by an employee of a home medical equipment provider; amending s. 400.967, F.S.; revising the schedule of inspection violations for intermediate care facilities for the developmentally disabled; providing a penalty for certain violations; amending s. 400.9905, F.S.; revising the definitions of the terms "clinic" and "portable equipment provider"; providing that part X of ch. 400, F.S., the Health Care Clinic Act, does not apply to certain clinical facilities, an entity owned by a corporation with a specified amount of annual sales of health care services under certain circumstances, or an entity owned or controlled by a publicly traded entity with a specified amount of annual revenues; amending s. 400.991, F.S.; conforming terminology; revising application requirements relating to documentation of financial ability to operate a mobile clinic; amending s. 408.034, F.S.; revising agency authority relating to licensing of intermediate care facilities for the developmentally disabled; amending s. 408.036, F.S.; deleting an exemption from certain certificate-of-need review requirements for a hospice or a hospice inpatient facility; amending s. 408.043, F.S.; revising requirements for certain freestanding inpatient hospice care facilities to obtain a certificate of need; amending s. 408.061, F.S.; revising health care facility data reporting requirements; amending s. 408.10, F.S.; removing agency authority to investigate certain consumer complaints; amending s. 408.802, F.S.; removing applicability of part II of ch. 408, F.S., relating to general licensure requirements, to private review agents; amending s. 408.804, F.S.; providing penalties for altering, defacing, or falsifying a license certificate issued by the agency or displaying such an altered, defaced, or falsified certificate; amending s. 408.806, F.S.; revising agency responsibilities for notification of licensees of impending expiration of a license; requiring payment of a late fee for a license application to be considered complete under certain circumstances; amending s. 408.813, F.S.; authorizing the agency to impose fines for unclassified violations of part II of ch. 408, F.S.; amending s. 408.815, F.S.; authorizing the agency to extend a license expiration date under certain circumstances; amending s. 409.91196, F.S.; conforming a cross-reference; amending s. 409.912, F.S.; revising procedures for implementation of a Medicaid prescribed-drug spending-control program; amending s. 409.91255, F.S.; transferring administrative responsibility for the application procedure for federally qualified health centers from the Department of Health to the Agency for Health Care Administration; requiring the Florida Association of Community Health Centers, Inc., to provide support and assume administrative costs for the program; amending s. 429.07, F.S.; deleting the requirement for an assisted living facility to obtain an additional license in order to provide limited nursing services; deleting the requirement for the agency to conduct quarterly monitoring visits of facilities that hold a license to provide extended congregate care services; deleting the requirement for the department to report annually on the status of and recommendations related to extended congregate care; deleting the requirement for the agency to conduct monitoring visits at least twice a year to facilities providing limited nursing services; increasing the licensure fees and the maximum fee required for the standard license; increasing the licensure fees for the extended congregate care license; eliminating the license fee for the limited nursing services license; transferring from another provision of law the requirement that a biennial survey of an assisted living facility include specific actions to determine whether the facility is adequately protecting residents' rights; providing that under specified conditions an assisted living facility that has a class I or class II violation is subject to periodic unannounced monitoring; requiring a registered nurse to participate in certain monitoring visits; amending s. 429.11, F.S.; revising licensure application requirements for assisted living facilities to eliminate provisional licenses; amending s. 429.12, F.S.; deleting a requirement that a transferor of an assisted living facility advise the transferee to submit a plan for correction of certain deficiencies to the Agency for Health Care Administration before ownership of the facility is transferred; amending s. 429.17, F.S.; deleting provisions relating to the limited nursing services license; revising agency responsibilities regarding the issuance of conditional licenses; amending s. 429.19, F.S.; clarifying that a monitoring fee may be assessed in addition to an administrative fine; amending s. 429.23, F.S.; deleting reporting requirements for assisted living facilities relating to liability claims; amending s. 429.255, F.S.; eliminating provisions authorizing the use of volunteers to provide certain health-care-related services in assisted living facilities; authorizing assisted living facilities to provide limited nursing services; requiring an assisted living facility to be responsible for certain recordkeeping and staff to be trained to monitor residents receiving certain health-care-related services; amending s. 429.28, F.S.; deleting a requirement for a biennial survey of an assisted living facility, to con-

form to changes made by the act; conforming a cross-reference; amending s. 429.35, F.S.; authorizing the agency to provide certain information relating to the inspections of assisted living facilities electronically or through the agency's Internet website; amending s. 429.41, F.S., relating to rulemaking; conforming provisions to changes made by the act; amending s. 429.53, F.S.; revising provisions relating to consultation by the agency; revising a definition; amending s. 429.54, F.S.; requiring licensed assisted living facilities to electronically report certain data semiannually to the agency in accordance with rules adopted by the department; amending s. 429.71, F.S.; revising schedule of inspection violations for adult family-care homes; amending s. 429.915, F.S.; revising agency responsibilities regarding the issuance of conditional licenses; repealing s. 440.102(9)(d), F.S., relating to a laboratory's requirement to submit to the Agency for Health Care Administration a monthly report containing statistical information regarding the testing of employees and job applicants; amending s. 483.294, F.S.; revising frequency of agency inspections of multiphasic health testing centers; amending s. 626.9541, F.S.; authorizing an insurer offering a group or individual health benefit plan to offer a wellness program; authorizing rewards or incentives; providing for verification of a member's inability to participate for medical reasons; providing that such rewards or incentives are not insurance benefits; amending s. 766.202, F.S.; adding persons licensed under part XIV of ch. 468, F.S., to the definition of "health care provider"; amending ss. 394.4787, 400.0239, 408.07, 430.80, and 651.118, F.S.; conforming terminology and references to changes made by the act; revising a reference; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Alexander—

SB 1738—A bill to be entitled An act relating to state financial information; amending s. 11.45, F.S.; requiring the Auditor General to annually provide to the Legislature a list of school districts that have failed to comply with certain financial transparency requirements, as identified pursuant to audit; amending s. 215.90, F.S.; conforming a cross-reference; amending s. 215.91, F.S.; providing that the Financial Management Information Board is responsible for the system; deleting provisions relating to the Florida Financial Management Information System Coordinating Council; deleting references to functional owner subsystems; amending s. 215.92, F.S.; redefining terms and adding and deleting definitions; creating s. 215.922, F.S.; establishing the Agency for Enterprise Business Services within the Department of Financial Services; providing that the office is a separate budget entity not subject to the department; providing that the agency is headed by the Governor and Cabinet acting as the Financial Management Information Board; providing for an executive director; providing the duties of the agency; creating s. 215.923, F.S.; establishing the Enterprise Financial Business Operations Council to act in an advisory capacity to the agency; providing the members of the council; providing council duties; creating s. 215.924, F.S.; providing for an Enterprise Financial Business Strategic Plan; requiring the plan to be annually reviewed, updated, and submitted to the Legislature; providing for the contents of the plan; amending s. 215.93, F.S.; revising provisions relating to the Florida Financial Management Information System; renaming the Florida Accounting Information Resource Subsystem the Financial Management Subsystem; adding the Revenue and Tax Collection, Processing, and Distribution Subsystem; deleting references to functional owner subsystems and providing for enterprise business owners; revising the duties of the owners; deleting references to the design and coordination staff; providing for the ownership and functions of the Revenue and Tax Collection, Processing, and Distribution Subsystem by the Department of Revenue; amending s. 215.94, F.S.; deleting references to functional owner subsystems and providing for enterprise business owners; amending s. 215.95, F.S.; providing additional duties for the Financial Management Information Board; repealing s. 215.96, F.S., relating to the coordinating council and design and coordination staff; creating s. 215.961, F.S.; providing state agency requirements relating to the Florida Financial Management Information System and the use of functional information and enterprise agency business subsystems; amending s. 215.985, F.S., relating to the Transparency Florida Act; redefining the term "governmental entity" to include public schools rather than public school districts; requiring the Legislative Auditing Committee to recommend a format for school districts, charter schools, and charter technical career centers to use in collecting and displaying financial information; revising the schedule for adding information to

the state's official website; revising provisions exempting certain municipalities and special districts from the Transparency Florida Act; requiring the Office of Policy and Budget to maintain the state's financial data on the state website for a specified period; requiring a certified public accountant conducting an audit of a unit of local government to report compliance with the act; establishing a state contract management system on the website; requiring the Legislative Auditing Committee to adopt guidelines for administering the act; conforming terms; repealing s. 570.07(41), F.S., relating to the Department of Agriculture and Consumer Services' exemption from using the state online procurement system; amending ss. 17.11, 216.102, 216.141, and 216.237, F.S.; conforming terms; providing for funding; providing an effective date.

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

SB 1740—Not referenced.

By Senator Thrasher—

SB 1742—A bill to be entitled An act relating to the regulation of professions; amending s. 20.165, F.S.; authorizing the Department of Business and Professional Regulation to require a person licensed by or applying for a license from the department to be governed by provisions providing programs for impaired practitioners under the jurisdiction of the Division of Medical Quality Assurance within the Department of Health; authorizing the Department of Business and Professional Regulation to exercise any of the powers granted to the Department of Health with respect to such programs; amending s. 456.001, F.S.; redefining the term “health care practitioner” as it relates to the regulation of health care professions to include those persons certified or licensed to provide medical transportation services or radiological services; amending s. 456.0635, F.S.; exempting a health care practitioner from disqualification for a license, certificate, or registration if the practitioner was suffering from an addiction or impairment at the time of the disqualifying conduct and subsequently completes an impaired practitioner program; amending s. 456.074, F.S.; requiring the State Surgeon General to issue an emergency order suspending or restricting a health care practitioner's license under certain circumstances; amending s. 456.076, F.S.; exempting an entity retained by the Department of Health as an impaired practitioner consultant from certain licensing requirements if the entity employs or contracts with licensed professionals; revising the schools or programs that may contract for impaired practitioner consulting services; limiting the liability of certain medical schools and schools that prepare health care practitioners and veterinarians for licensure for referring a student to an impaired practitioner consultant; clarifying the types of legal proceedings related to services provided by impaired practitioner consultants which are defended by the Department of Financial Services; clarifying requirements for an impaired practitioner consultant to maintain as confidential certain information concerning an impaired practitioner; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Regulation; and Budget.

By Senator Storms—

SB 1744—A bill to be entitled An act relating to abortions; amending s. 390.0111, F.S.; requiring that an ultrasound be performed on a woman obtaining an abortion; providing exceptions; specifying who may perform an ultrasound; requiring that the ultrasound be reviewed with the patient before the woman gives informed consent for the abortion procedure; specifying who may review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; amending s. 390.012, F.S.; requiring an ultrasound for all patients regardless of when the abortion is performed; providing exceptions; requiring that live ultrasound images be reviewed and explained to the patient; requiring compliance with all other provisions in s. 390.0111, F.S., if the patient declines to view the

live ultrasound images; providing for severability; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Richter—

SB 1746—A bill to be entitled An act relating to excise taxes; amending s. 206.9925, F.S.; replacing the term “petroleum products” with “pollutant” for purposes of part IV of ch. 206, F.S. and clarifying the definition; deleting provisions defining the terms “pollutants,” “solvents,” and “consume” for purposes of part IV of ch. 206, F.S.; amending s. 206.9935, F.S.; revising the amounts of excise taxes imposed on pollutants; deleting provisions providing for the revenues from the excise taxes to be deposited into the Coastal Protection Trust Fund, the Water Quality Assurance Trust Fund, the Inland Protection Trust Fund, and the Coastal Protection Trust Fund; amending s. 206.9941, F.S.; deleting the exemptions applicable to the excise tax on solvents; revising the exemption from the excise tax on petroleum products to apply to pollutants; amending s. 206.9942, F.S.; replacing the term “petroleum product” with the term “pollutant”; deleting provisions relating to excise taxes on solvents and lead-acid batteries; amending s. 206.9945, F.S.; deleting the application of a service charge on funds in the Fuel Tax Collection Trust Fund; providing for certain excise tax revenues to be transferred into the General Revenue Fund instead of the Coastal Protection Trust Fund and the Water Quality Assurance Trust Fund; providing for certain excise tax revenue to be transferred to the General Revenue Fund after revenue bonds for the Florida Inland Protection Financing Corporation have been satisfied; repealing s. 376.70, F.S., relating to a gross receipts tax levied on drycleaning facilities and dry drop-off facilities; repealing s. 376.71, F.S., relating to an exemption for uniform rental companies and linen supply companies from a registration fee and a gross receipts tax; repealing s. 376.75, F.S., relating to a tax on the production or importation of perchloroethylene; repealing s. 403.717, F.S., relating to the requirements for waste tires and lead-acid batteries; repealing s. 403.718, F.S., relating to the imposition of a waste tire fee; repealing s. 403.7185, F.S., relating to the imposition of a lead-acid battery fee; repealing s. 681.117, F.S., relating to a fee on the lease or sale of a motor vehicle; amending s. 213.053, F.S.; providing for the future expiration of provisions authorizing the sharing of otherwise confidential information relating to waste tire fees, lead-acid battery fees, gross receipts taxes levied on drycleaning facilities and dry drop-off facilities, the tax relating to the production or importation of perchloroethylene, and motor vehicle warranty enforcement; amending ss. 72.011, 213.05, 376.301, 376.307, 376.3078, and 403.709, F.S.; conforming cross-references to changes made by the act; providing for the application of the act to distributions of tax revenues; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Budget.

By Senator Flores—

SB 1748—A bill to be entitled An act relating to abortions; amending s. 390.0111, F.S.; restricting the circumstances in which an abortion may be performed in the third trimester or after viability; requiring an abortion clinic to provide conspicuous notice on any form or medium of advertisement that the abortion clinic is prohibited from performing abortions in the third trimester or after viability; providing certain physician, location, and clinic licensure and ownership requirements; requiring a physician who offers to perform or performs terminations of pregnancy to complete continuing education related to ethics; prohibiting a termination of pregnancy from being performed in a location other than a validly licensed hospital, abortion clinic, or physician's office; prohibiting a person from establishing, conducting, managing, or operating an abortion clinic without a valid, current license; prohibiting a person from performing or assisting in performing an abortion on a person in the third trimester or after viability, other than in a hospital; requiring an abortion clinic to be owned and operated by a physician who has received training during residency in performing a dilation-and-curettage procedure or a dilation-and-evacuation procedure; providing a penalty; providing that failure to dispose of fetal remains in accordance with rules of the Department of Health is a misdemeanor of the first degree rather than a misdemeanor of the second degree; clarifying provisions providing that it is a first-degree misdemeanor to unlawfully

advertise how to obtain a miscarriage of a woman pregnant with a child; requiring the Department of Health to permanently revoke the license of any health care practitioner who is convicted or found guilty of, or enters a plea of guilty or nolo contendere to, regardless of adjudication, certain felony criminal acts; requiring the Agency for Health Care Administration to submit to the Governor and Legislature an annual report of aggregate statistical data relating to abortions and provide such data on its website; amending s. 390.0112, F.S.; requiring the director of a medical facility or physician's office to submit a report to the agency following each termination of pregnancy on a form developed by the agency which is consistent with the U.S. Standard Report of Induced Termination of Pregnancy from the Centers for Disease Control and Prevention; requiring the agency to submit reported data to the Division of Reproductive Health within the Centers for Disease Control and Prevention; amending s. 390.012, F.S.; requiring the agency to adopt rules that prescribe standards for placing conspicuous notice on any form or medium of advertisement of an abortion clinic which states that the abortion clinic is prohibited from performing abortions in the third trimester or after viability; amending s. 456.013, F.S.; requiring that each applicable board require a physician who offers to perform or performs terminations of pregnancy to annually complete a course relating to ethics as part of the licensure and renewal process; providing that the course counts toward the total number of continuing education hours required for the profession; requiring the applicable board to approve the course; repealing s. 797.02, F.S., relating to the advertising of drugs for abortions; repealing s. 797.03, F.S., relating to prohibited acts related to abortions and their penalties; providing for severability; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

By Senator Diaz de la Portilla—

SB 1750—A bill to be entitled An act relating to property insurance appraisal umpires and property insurance appraisers; amending s. 624.501, F.S.; providing license application, issuance, biennial renewal, or continuation fees for property insurance appraisal umpires and property insurance appraisers; amending s. 626.015, F.S.; defining the terms “property insurance loss appraiser” and “property insurance appraisal umpire” for purposes of the Licensing Procedures Law; amending s. 626.016, F.S.; providing that property insurance appraisal umpires and property insurance appraisers are subject to the powers of the Department of Financial Services, the Financial Services Commission, and the Office of Insurance Regulation; amending s. 626.022, F.S.; expanding the scope of part I of ch. 626, F.S., to include property insurance appraisal umpires and property insurance appraisers; deleting obsolete provisions; amending s. 626.112, F.S.; requiring that property insurance appraisal umpires and property insurance appraisers operating in this state be licensed by the department; creating part XII of ch. 626, F.S.; creating s. 626.9931, F.S.; providing legislative findings and purpose; creating s. 626.9932, F.S.; providing the scope and parameters for application; creating s. 626.9933, F.S.; providing definitions; creating s. 626.9934, F.S.; providing procedures for the application for licensure as a property insurance appraisal umpire and as a property insurance appraiser; requiring that all applicants be fingerprinted by a law enforcement agency or other entity approved by the department at the time of application; requiring the department to develop and maintain an updated list of licensed umpires and licensed property insurance appraisers; creating s. 626.9935, F.S.; authorizing the department to adopt rules; creating s. 626.9936, F.S.; providing qualifications for licensure as a property insurance appraisal umpire and as a property insurance appraiser; creating s. 626.9937, F.S.; providing professional and educational requirements for licensure as a property insurance appraisal umpire and property insurance appraiser; creating s. 626.9938, F.S.; providing for the regulation of umpire and property insurance appraiser course providers, instructors, and courses; requiring the department to adopt rules establishing standards for providers, instructors, and courses, and a process for determining compliance with certain precensure requirements; adopting forms to be used for the administration of such requirements; creating s. 626.9939, F.S.; providing grounds for the compulsory refusal, suspension, or revocation of an umpire's license and a property insurance appraiser's license; creating s. 626.9940, F.S.; providing grounds for the discretionary refusal, suspension, or revocation of an umpire's license and a property insurance appraiser's license; creating s. 626.9941, F.S.; providing ethical standards for property in-

surance appraisal umpires; creating s. 626.9942, F.S.; requiring that a licensed property insurance appraisal umpire and property insurance appraiser retain certain records for a specified period; requiring that umpires and property insurance appraisers make such records available for inspection and copying by the department; requiring that appraisals that are the subject of litigation or have been admitted as evidence in a lawsuit be retained for a specified period; creating s. 626.9943, F.S.; providing ethical standards for licensed property insurance appraisers; creating s. 627.4141, F.S.; providing procedures that must be followed if a residential or commercial property insurance contract provides that either party may submit a written demand to enter into the process of appraisal when the insured and the insurer fail to mutually agree to the actual cash value, the amount of loss, or the cost of repair or replacement of property for which a claim has been filed; providing an exception upon which an insurer may refuse to accept such demand; authorizing each party to select a competent licensed and independent appraiser and to notify the opposing party within a specified period; requiring the appraisers to select a licensed umpire from the department's list of licensed umpires; authorizing either party to file a petition, in a county or circuit court in the jurisdiction in which the covered property is located, to designate a licensed umpire if the appraisers cannot agree on the selection of a licensed umpire; providing that appraisal proceedings are informal unless the insurer and the insured agree otherwise; defining and providing the scope of the term “informal” for purposes of appraisal proceedings; requiring each licensed appraiser to submit a written report to the other licensed appraisers; requiring that any differences in findings among the licensed appraisers which cannot be resolved by the licensed appraisers themselves within a specified period be submitted to the licensed umpire for review; requiring the licensed umpire to submit his or her conclusions regarding any unresolved differences in the findings of the licensed appraisers within a specified period; providing that if either licensed appraiser agrees with the conclusions of the licensed umpire, an itemized written appraisal award signed by the licensed umpire and licensed appraiser shall be filed with the insurer and shall determine the amount of the loss; providing that the appraisal award is binding upon the insurer and the insured; providing for compensation of the licensed appraisers and the licensed umpire; providing that the Florida Arbitration Code does not apply to residential or commercial property insurance loss appraisal proceedings; providing that certain provisions of the Florida Arbitration Code relating to procedural matters do apply; prohibiting the appraisal process from addressing issues involving coverage or lack thereof under an insurance contract; authorizing the licensed umpire and licensed appraisers to consider causation issues when necessary to determine the amount of loss; amending ss. 626.172, 626.7845, 626.8305, and 626.8411, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

By Senator Wise—

SB 1752—A bill to be entitled An act relating to the Department of Health; requiring the addition of severe combined immunodeficiency disease to the list of disorders for which newborn infants are screened by the Division of Children's Medical Services Network of the department; amending s. 383.14, F.S.; requiring the department to bill third-party payors for certain newborn screening tests; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

By Senator Garcia—

SB 1754—A bill to be entitled An act relating to health insurance; prohibiting a person from being compelled to purchase health insurance except under specified conditions; specifying that the act does not prohibit the collection of certain debts; providing an effective date.

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

By Senator Richter—

SB 1756—A bill to be entitled An act relating to pharmacy and dietary services at assisted living facilities; amending s. 429.42, F.S.; deleting obsolete provisions relating to a corrective action plan and a requirement that two pharmacists assist with inspections at assisted living facilities under certain conditions; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Bogdanoff—

SB 1758—A bill to be entitled An act relating to frozen desserts; repealing chapter 503, F.S., relating to the state's regulation of frozen desserts, enforcement and penalties for violations of such regulations, licensure of frozen dessert plants, and preemption of municipal and county regulations of frozen desserts; amending ss. 381.0014, 570.07, 570.40, 570.41, 570.50, and 570.51, F.S.; to conform; providing an effective date.

—was referred to the Committees on Health Regulation; Community Affairs; and Budget.

By Senator Wise—

SB 1760—A bill to be entitled An act relating to infants born alive; creating s. 390.01112, F.S.; providing a short title; providing definitions; providing that an infant born alive subsequent to an abortion is entitled to the same rights, powers, and privileges as a child born alive in the course of a birth that is not subsequent to an abortion; providing a standard of care to be exercised by health care practitioners toward such a child; requiring health care practitioners to report violations; providing that violations may constitute grounds for discipline of health care practitioners under a specified provision; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Smith—

SM 1762—A memorial to the Congress of the United States, urging Congress to ban the sale, distribution, and possession of methylenedioxypyrovalerone (MDVP).

—was referred to the Committee on Health Regulation.

By Senator Rich—

SB 1764—A bill to be entitled An act relating to corporate income taxes; amending s. 220.13, F.S.; limiting deductions of certain intangible expenses, licensing fees, and management fees paid by a taxpayer to a related entity; creating exceptions to the limitations on deductions; requiring the adjustment of the income of a related entity under certain circumstances; limiting the number of times certain items may be added or subtracted from taxable income; specifying information relating to transactions with related entities which must be contained in a corporate income tax return; providing that the failure of a taxpayer to add certain amounts to a taxpayer's income or to provide complete information in a tax return is negligence for which a penalty may be imposed; authorizing the Department of Revenue to adopt rules; specifying the applicability of the act; providing an effective date.

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

By Senator Storms—

SB 1766—A bill to be entitled An act relating to proceedings to challenge the assessment of real property for the purposes of ad valorem taxation; amending s. 193.074, F.S.; deleting a provision authorizing certain administrative bodies having quasi-judicial powers from authorizing the disclosure of confidential property tax returns; providing that the disclosure of a confidential property tax return without the written consent of the taxpayer may be grounds for removal from office;

amending s. 194.011, F.S.; prohibiting the value adjustment board from considering certain evidence or documentation that was not timely disclosed; amending s. 194.034, F.S.; deleting a provision prohibiting a value adjustment board or special magistrate from considering certain evidence from a petitioner which was not timely provided to the property appraiser; amending s. 195.027, F.S.; authorizing the trier of fact in an administrative or judicial proceeding challenging the assessment of nonhomestead property from considering the financial records of a taxpayer which the taxpayer failed to disclose as previously required; requiring the property appraiser, the Department of Revenue, and the Auditor General to return a taxpayer's financial records within 10 days after receipt if requested by the taxpayer; requiring the taxpayer to be notified and receive an explanation of the purpose of sharing the taxpayer's financial records with certain entities authorized to have access to those records; providing for application of the act; providing an effective date.

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

By Senator Diaz de la Portilla—

SB 1768—A bill to be entitled An act relating to local option fuel taxes; providing a short title; providing legislative findings; amending s. 336.025, F.S.; revising the definition of "transportation expenditures" for purposes of specified provisions that restrict the use of local option fuel tax funds by counties and municipalities; providing for severability; providing an effective date.

—was referred to the Committees on Community Affairs; Transportation; and Budget.

BILLS REFERRED TO SUBCOMMITTEE

March 10, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Subcommittee on Health and Human Services Appropriations which will report to this standing committee within 60 days: CS for SB 94.

Senator JD Alexander, Chair
Committee on Budget

March 10, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Subcommittee on Transportation, Tourism, and Economic Development Appropriations which will report to this standing committee within 60 days: SB 552 and CS for SB 782.

Senator JD Alexander, Chair
Committee on Budget

March 10, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Subcommittee on Ethics and Elections which will report to this standing committee within 60 days: SB 1472, SB 1474, SB 1484, SB 1504, SB 1618, and SB 1400.

Senator John Thrasher, Chair
Committee on Rules

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Criminal Justice; and Senators Bennett, Gaetz, and Dockery—

CS for SB 138—A bill to be entitled An act relating to military veterans convicted of criminal offenses; providing a short title; creating s. 921.00242, F.S.; providing that persons found to have committed criminal offenses who allege that the offenses resulted from posttraumatic

stress disorder, traumatic brain injury, substance use disorder, or psychological problems stemming from service in a combat theater in the United States military may have a hearing on that issue before sentencing; providing that defendants found to have committed offenses due to such causes and who are eligible for probation or community control may be placed in treatment programs in certain circumstances; providing for sentence credit for defendants placed in treatment who would have otherwise been incarcerated; providing a preference for treatment programs that have histories of successfully treating such combat veterans; amending s. 948.08, F.S.; creating a pretrial veterans' treatment intervention program; providing requirements for a defendant to be voluntarily admitted to the pretrial program; providing certain exceptions to such admission; providing for the disposition of pending charges following a defendant's completion of the pretrial intervention program; providing for the charges to be expunged under certain circumstances; amending s. 948.16, F.S.; creating a misdemeanor pretrial veterans' treatment intervention program; providing requirements for voluntary admission to the misdemeanor pretrial program; providing for the misdemeanor charges to be expunged under certain circumstances; exempting treatment services provided by the Department of Veterans' Affairs or the United States Department of Veterans Affairs from certain contract requirements; providing an effective date.

By the Committee on Criminal Justice; and Senators Smith, Lynn, and Dockery—

CS for SB 146—A bill to be entitled An act relating to criminal justice; providing a short title; providing legislative intent; requiring state agencies and regulatory boards to prepare reports that identify and evaluate restrictions on licensing and employment for ex-offenders; amending s. 112.011, F.S.; prohibiting state agencies from denying an application for a license, permit, certificate, or employment based on a person's lack of civil rights; providing an exception; amending s. 943.0585, F.S.; clarifying under what circumstances a person may legally deny the existence of an expunged criminal history record; authorizing the disclosure of the contents of an expunged record upon receipt of a written, notarized request from the record subject; requiring clerks of the court to post information relating to procedures to seal or expunge criminal history records on the clerk's website; amending s. 943.059, F.S.; clarifying under what circumstances a person may legally deny the existence of a sealed criminal history record; authorizing a court to seal a criminal history record of a person who had a prior criminal history record sealed or expunged; providing an effective date.

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

CS for SB 364—A bill to be entitled An act relating to child care facilities; amending s. 402.302, F.S.; revising and providing definitions; providing for certain household children to be included in calculations regarding the capacity of licensed family day care homes and large family child care homes; providing conditions for supervision of household children of operators of family day care homes and large family child care homes; amending s. 402.318, F.S.; revising advertising requirements applicable to child care facilities; providing penalties; amending s. 411.01, F.S., relating to school readiness programs; conforming a cross-reference; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Altman—

CS for SB 366—A bill to be entitled An act relating to public lodging and public food service establishments; providing a short title; amending s. 509.144, F.S.; revising definitions; providing additional penalties for the offense of unlawfully distributing handbills in a public lodging establishment; specifying that certain items used in committing such offense are subject to seizure and forfeiture under the Florida Contraband Forfeiture Act; amending s. 901.15, F.S.; authorizing a law enforcement officer to arrest a person without a warrant when there is probable cause to believe the person violated s. 509.144, F.S., and where the owner or manager of the public lodging establishment signs an affidavit containing information supporting the determination of probable cause; amending s. 932.701, F.S.; revising the definition of the term "contraband"; amending s. 509.032, F.S.; clarifying provisions relating to the preemption to the state of the regulation of public lodging and public food service establishments; amending s. 509.261, F.S.; providing for

remedial training in response to a violation of laws or rules governing public lodging and public food service establishments; providing that the terms and provisions of the act do not affect or impede the provisions of a specified state statute or any protection or right guaranteed by the Second Amendment to the United States Constitution; providing an effective date.

By the Committee on Health Regulation; and Senator Jones—

CS for SB 398—A bill to be entitled An act relating to chiropractic medicine; amending s. 460.4062, F.S.; revising the requirements for obtaining a chiropractic medicine faculty certificate; amending s. 460.408, F.S.; authorizing the Board of Chiropractic Medicine to approve continuing education courses sponsored by chiropractic colleges under certain circumstances; prohibiting the board from approving the use of certain courses in continuing chiropractic education; amending s. 460.413, F.S.; requiring that a chiropractic physician preserve the identity of funds or property of a patient in excess of a specified amount; limiting the amount that may be advanced to a chiropractic physician for certain costs and expenses; amending s. 460.4165, F.S.; providing that services rendered by a certified chiropractic physician's assistant under indirect supervision may occur only at the supervising chiropractic physician's address of record; deleting the length of time specified for the basic program of education and training for certified chiropractic physician's assistants; amending s. 460.4166, F.S.; authorizing a registered chiropractic assistant to operate therapeutic office equipment; requiring a registered chiropractic assistant to register with the board effective April 1, 2012, and pay a fee for registration; requiring a registered chiropractic assistant to submit an initial application by March 31, 2012, or within 30 days after becoming employed, whichever is later; requiring an applicant to specify place of employment and supervising chiropractic physicians; requiring an application to be signed by a chiropractic physician who is an owner of the applicant's place of employment; providing an effective date of a registered chiropractic assistant's registration; authorizing who may supervise a registered chiropractic assistant; requiring a registered chiropractic assistant to notify to the board of his or her change of employment; requiring a chiropractic physician to sign the registered chiropractic assistant's notification of change in employment; requiring a registered chiropractic assistant's employer to notify the board when a registered chiropractic assistant is no longer employed by that employer; providing eligibility conditions for registering as a registered chiropractic assistant; requiring the biennial renewal of a registered chiropractic assistant's registration and payment of a renewal fee; requiring the board to adopt by rule forms for certain statutorily required applications and notifications; providing for the signature of certain forms and notices by specified owners and supervisors under certain conditions; amending s. 460.4167, F.S.; authorizing certain sole proprietorships, group practices, partnerships, corporations, limited liability companies, limited partnerships, professional associations, other entities, health care clinics licensed under part X of ch. 400, F.S., health maintenance organizations, or prepaid health clinics to employ a chiropractic physician or engage a chiropractic physician as an independent contractor to provide services authorized by ch. 460, F.S.; authorizing the spouse or adult children of a deceased chiropractic physician to hold, operate, pledge, sell, mortgage, assign, transfer, own, or control the deceased chiropractic physician's ownership interests under certain conditions; authorizing an employer that employs a chiropractic physician to exercise control over the patient records of the employed chiropractor, policies and decisions relating to pricing, credit, refunds, warranties, and advertising, and decisions relating to office personnel and hours of practice; deleting an obsolete provision; providing an effective date.

By the Committee on Health Regulation; and Senator Jones—

CS for SB 490—A bill to be entitled An act relating to financial responsibility for medical expenses of pretrial detainees or sentenced inmates; amending s. 901.35, F.S.; providing that the responsibility for paying the expenses of medical care, treatment, hospitalization, and transportation for a person who is ill, wounded, or otherwise injured during or as a result of an arrest for a violation of a state law or a county or municipal ordinance is the responsibility of the person receiving the medical care, treatment, hospitalization, or transportation; removing provisions establishing the order by which medical providers receive reimbursement for the expenses incurred in providing the medical ser-

vices or transportation; amending s. 951.032, F.S.; setting forth the order by which a county or municipal detention facility may seek reimbursement for the expenses incurred during the course of treating or transporting in-custody pretrial detainees or sentenced inmates; requiring each in-custody pretrial detainee or sentenced inmate who receives medical care or other services to cooperate with the county or municipal detention facility in seeking reimbursement for the expenses incurred by the facility; setting forth the order of fiscal resources from which a third-party provider of medical services may seek reimbursement for the expenses the provider incurred in providing medical care; providing that, absent a written agreement between a third-party provider and a governmental body, the remuneration be billed by the third-party provider and paid by the governmental body at a rate not to exceed a specified percent of the Medicare allowable rate for the service rendered; requiring each in-custody pretrial detainee or sentenced inmate who has health insurance, subscribes to a health care corporation, or receives health care benefits from any other source to assign such benefits to the health care provider; defining the term "in-custody pretrial detainee or sentenced inmate"; providing that law enforcement personnel or county or municipal detention facility personnel are responsible for restricting the personal freedom of certain in-custody pretrial detainees or sentenced inmates; providing an effective date.

By the Committee on Health Regulation; and Senator Flores—

CS for SB 584—A bill to be entitled An act relating to massage therapy; amending s. 480.041, F.S.; requiring applicants to apply for a temporary permit upon forms prepared and furnished by the Department of Health in accordance with the Board of Massage Therapy's rules; authorizing the Board of Massage Therapy to issue temporary permits to applicants who meet certain qualifications to practice massage therapy; providing for the expiration of temporary permits; providing limitations; amending s. 480.044, F.S.; providing for a temporary permit fee; providing an effective date.

By the Committee on Criminal Justice; and Senator Evers—

CS for SB 618—A bill to be entitled An act relating to juvenile justice; repealing ss. 985.02(5), 985.03(48), 985.03(56), 985.47, 985.483, 985.486, and 985.636, F.S., relating to, respectively, legislative intent for serious or habitual juvenile offenders in the juvenile justice system, definitions of terms for a training school and the serious or habitual juvenile offender program, the serious or habitual juvenile offender program in the juvenile justice system, the intensive residential treatment program for offenders less than 13 years of age, and the designation of persons holding law enforcement certification within the Office of the Inspector General to act as law enforcement officers; amending s. 985.494, F.S.; requiring a child who is adjudicated delinquent, or for whom adjudication is withheld, to be committed to a maximum-risk residential program for an act that would be a felony if committed by an adult if the child has completed two different high-risk residential commitment programs; repealing s. 985.445, F.S., relating to cases involving grand theft of a motor vehicle committed by a child; amending ss. 985.0301, 985.47, and 985.565, F.S.; conforming references to changes made by the act; amending s. 985.66, F.S.; removing all references to the Juvenile Justice Standards and Training Commission; requiring the Department of Juvenile Justice to be responsible for staff development and training; specifying the duties and responsibilities of the department for staff development and training; removing obsolete provisions to conform to changes made by the act; repealing s. 985.48(8), F.S., relating to activities of the Juvenile Justice Standards and Training Commission with respect to training and treatment services for juvenile sexual offenders; providing an effective date.

By the Committee on Regulated Industries; and Senator Jones—

CS for SB 650—A bill to be entitled An act relating to mobile home park lot tenancies; creating s. 723.024, F.S.; providing for local code and ordinance violations to be cited to the responsible party; prohibiting liens, penalties, fines, or other administrative or civil proceedings against one party or that party's property for a duty or responsibility of the other party; amending s. 723.061, F.S.; revising provisions relating to grounds and proceedings for eviction; revising procedures for mobile home owners being provided eviction notice due to a change in use of the land comprising the mobile home park or the portion thereof from which

mobile homes are to be evicted; providing requirements of the park owner and requirements and rights of an applicable homeowners' association with respect to the sale of the mobile home park under a change in use eviction; deleting a provision relating to governmental action affecting the removal of mobile home owners; providing an effective date.

By the Committee on Regulated Industries; and Senator Ring—

CS for SB 666—A bill to be entitled An act relating to governmental reorganization; transferring and reassigning certain functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources, from the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to the Department of Gaming Control; transferring certain trust funds from the Department of Business and Professional Regulation to the Department of Gaming Control; amending s. 11.905, F.S.; providing for the review of the Department of Gaming Control; amending s. 20.165, F.S.; deleting the Division of Pari-mutuel Wagering within the Department of Business and Professional Regulation; creating s. 20.318, F.S.; establishing the Department of Gaming Control; designating the Governor and Cabinet as the Gaming Commission and head of the department; defining terms; specifying powers and duties of the department; authorizing the department to take testimony; authorizing the department to exclude persons from certain gaming establishments; authorizing the department to conduct investigations and collect fines; requiring the department to issue advisory opinions under certain circumstances; authorizing the department to employ law enforcement officers; requiring the department to assist the Department of Revenue for the benefit of financially dependent children; amending s. 120.80, F.S.; deleting certain exceptions and special requirements regarding hearings applicable to the Department of Business and Professional Regulation; creating certain exceptions and special requirements regarding hearings within the Department of Gaming Control; amending s. 285.710, F.S.; providing that the Department of Gaming Control is the state compliance agency for purposes of the Indian Gaming Compact; amending s. 455.116, F.S.; removing a trust fund from the Department of Business and Professional Regulation; amending ss. 550.002, 550.0115, 550.01215, 550.0235, 550.0251, 550.0351, 550.054, 550.0555, 550.0651, 550.0745, 550.0951, 550.09511, 550.09512, 550.09514, 550.09515, 550.105, 550.1155, 550.125, 550.135, 550.155, 550.1648, 550.175, 550.1815, 550.24055, 550.2415, 550.2614, 550.26165, 550.2625, 550.26352, 550.2704, 550.334, 550.3345, 550.3355, 550.3551, 550.3615, 550.375, 550.495, 550.505, 550.5251, 550.625, 550.6305, 550.6308, 550.70, 550.902, and 550.907, F.S.; conforming provisions to the transfer of the regulation of pari-mutuel wagering from the Department of Business and Professional Regulation to the Department of Gaming Control; deleting obsolete provisions; conforming cross-references; amending ss. 551.102, 551.103, 551.104, 551.1045, 551.105, 551.106, 551.107, 551.108, 551.109, 551.112, 551.114, 551.117, 551.118, 551.121, 551.122, and 551.123, F.S.; conforming provisions to the transfer of the regulation of slot machines from the Department of Business and Professional Regulation to the Department of Gaming Control; deleting obsolete provisions; conforming cross-references; amending s. 565.02, F.S.; providing for the licensure of caterers at a horse or dog racetrack or jai alai fronton by the Department of Gaming Control; amending s. 616.09, F.S.; providing for the Department of Gaming Control or the Department of Legal Affairs, to prosecute a fair association for illegal gambling activities; amending s. 616.241, F.S.; adding the Department of Gaming Control to the list of entities authorized to enforce the prohibitions against having certain games at interstate fairs and specialized shows; amending s. 817.37, F.S.; providing for the enforcement of prohibitions against touting by the Department of Gaming Control; amending s. 849.086, F.S.; providing for the regulation of cardrooms by the Department of Gaming Control; amending s. 849.094, F.S.; providing for the regulation of game promotions by the Department of Gaming Control, rather than the Department of Agriculture and Consumer Services; deleting a reference to charitable nonprofit organizations; deleting a reference to the Department of Business and Professional Regulation to conform to changes made by the act; providing an effective date.

By the Committee on Transportation; and Senator Negrón—

CS for SB 740—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.60, F.S.; redefining the term "line-make ve-

hicles” to clarify circumstances under which vehicles sold or leased under multiple brand names or marks constitute a single line-make; amending s. 320.6992, F.S.; revising the application of provisions relating to franchise agreements; providing an effective date.

By the Committee on Transportation; and Senator Oelrich—

CS for SB 886—A bill to be entitled An act relating to motor vehicles; amending s. 316.3045, F.S.; revising penalties for unlawful operation of a soundmaking device in a motor vehicle; providing that a second or subsequent violation is a moving violation and includes the assessment of points against the driver’s license; amending s. 318.18, F.S.; providing increased penalties for repeat violations within a certain time period; providing an effective date.

ENROLLING REPORTS

SCR 1202 has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on March 10, 2011.

R. Philip Twogood, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 9 was corrected and approved.

CO-INTRODUCERS

Senators Bennett—SB 524, SB 874, SB 1524; Bogdanoff—SB 722; Dockery—SB 664; Evers—SB 664; Gaetz—SB 302, SB 520, SB 524, SB 546, SM 852, SJR 1706; Garcia—SB 556, SB 630; Haridopolos—SB 998; Hays—CS for CS for SB 736, CS for SJR 958, SB 1972; Jones—SB 524; Negron—CS for SJR 958; Ring—SB 164; Sobel—SB 796, SB 1320; Storms—CS for SB 88

RECESS

On motion by Senator Thrasher, the Senate recessed at 11:50 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Tuesday, March 15 or upon call of the President.



Journal of the Senate

Number 4—Regular Session

Monday, March 14, 2011

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REPORTS OF COMMITTEES

The Committee on Budget Subcommittee on General Government Appropriations recommends the following pass: SM 484

The Committee on Budget Subcommittee on Higher Education Appropriations recommends the following pass: CS for SB 84; CS for SB 414; CS for SB 654

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

The Committee on Environmental Preservation and Conservation recommends the following pass: SM 852

The bill was referred to the Committee on Commerce and Tourism under the original reference.

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 236

The bill was referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 882

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 330

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

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 430

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

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 652

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

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 524

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

The Committee on Budget recommends the following pass: CS for SM 214; SM 216; SM 218; SM 220; SB 298; SB 1012; SB 1014; SB 1016; SB 1018; SB 1020; SB 1022; SB 1024; SB 1026; SB 1028; SB 1030; SB 1032; SB 1034; SB 1036; SB 1038; SB 1040; SB 1042; SB 1044

The bills were placed on the Calendar.

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 392

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

The Committee on Budget Subcommittee on Finance and Tax recommends committee substitutes for the following: SB 382; SB 478

The Committee on Budget Subcommittee on General Government Appropriations recommends a committee substitute for the following: CS for SB 408

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1130

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 728; SB 822

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

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 960

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

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 968

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

The Committee on Judiciary recommends a committee substitute for the following: SB 594

The Committee on Transportation recommends a committee substitute for the following: SB 1150

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Govern-

mental Oversight and Accountability under the original reference.

The Committee on Military Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 450

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

The Committee on Military Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 368

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

The Committee on Budget recommends a committee substitute for the following: CS for CS for SB 248

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1970

The bills with committee substitute attached were placed on the Calendar.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Hays—

SB 1770—A bill to be entitled An act relating to parental notice of abortion; amending s. 390.01114, F.S.; revising the definition of the term “constructive notice”; revising notice requirements relating to the termination of a pregnancy of a minor; providing exceptions to the notice requirements; revising procedure for judicial waiver of notice; providing for the minor to petition for a hearing within a specified time; providing that in a hearing relating to waiving the requirement for parental notice, the court consider certain additional factors, including whether the minor’s decision to terminate her pregnancy was due to undue influence; providing a procedure for appeal if judicial waiver of notice is not granted; requiring that the court order contain factual findings and legal conclusions; requiring Supreme Court reports to the Governor and Legislature to include additional information; providing for severability; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; and Budget.

By Senator Hays—

SB 1772—A bill to be entitled An act relating to self-service storage facilities; amending s. 83.803, F.S.; redefining the term “last known address,” to conform to changes made by the act; amending s. 83.806, F.S.; revising notice requirements related to enforcing an owner’s lien; allowing postal notice by first-class mail, along with a certificate of mailing; allowing electronic mail notice; deleting provisions relating to advertisement requirements; amending s. 83.808, F.S.; clarifying provisions relating to the right to create contractual liens or limitations on liability; providing an effective date.

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

By Senator Bogdanoff—

SB 1774—A bill to be entitled An act relating to transportation corridors; repealing s. 341.0532, F.S., relating to statewide transportation corridors; removing the definition of “statewide transportation corridors”; removing provisions that specify certain transportation facilities as statewide transportation corridors; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Bogdanoff—

SB 1776—A bill to be entitled An act relating to licensure of health care facilities; repealing s. 395.0163, F.S., relating to inspections, submission and approval of plans, and fees charged by the Agency for Health Care Administration for construction projects by a public or private health care facility licensed or subject to licensure by the state; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Bogdanoff—

SB 1778—A bill to be entitled An act relating to clove cigarettes; repealing s. 859.058, F.S., relating to prohibitions against sale, use, possession, transfer, or other disposing of clove cigarettes or similar products; providing an effective date.

—was referred to the Committee on Health Regulation.

By Senator Bogdanoff—

SB 1780—A bill to be entitled An act relating to dangerous dogs; amending s. 767.11, F.S.; deleting provisions that includes any dog used primarily or in part for the purpose of dog fighting or a dog trained for dog fighting within the definition of “dangerous dog” for purposes of provisions regulating dangerous dogs; providing an effective date.

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

By Senators Latvala and Gaetz—

SB 1782—A bill to be entitled An act relating to domestic violence; amending s. 775.261, F.S.; revising the definition of the term “career offender” for purposes of the Florida Career Offender Registration Act to include severe domestic violence offenders; defining the term “severe domestic violence offender”; subjecting such offenders to the registration provisions of the act; providing penalties for violations; providing an effective date.

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

By Senator Storms—

SB 1784—A bill to be entitled An act relating to forensic mental health; amending s. 394.457, F.S.; providing additional responsibilities for certain contractors of the Department of Children and Family Services; requiring that the department make certain training available to correctional personnel; amending s. 394.4655, F.S.; providing for involuntary outpatient treatment plans that require patients to take all prescribed medications in certain circumstances; amending s. 394.78, F.S.; providing for set-asides for service providers that have supportive employment programs; amending s. 948.001, F.S.; defining the term “department” for purposes of ch. 948, F.S.; creating s. 948.0395, F.S.; providing for the creation of a forensic mental health probation and parole program; providing program requirements; providing for designation of certain correctional probation officers as forensic probation officers; requiring establishment of requirements for such officers; providing duties for such officers; authorizing the Department of Corrections to establish an advisory workgroup to assist with the program; requiring that the department adopt rules; authorizing the chief judge of each circuit to establish a mental health court; providing requirements for such courts; authorizing specified activities by such courts; requiring each court to have a coordinator for certain aspects of the court’s operations; requiring that such courts be funded from existing revenues or from a specified grant program; requiring that the Department of Children and Family Services adopt rules relating to supportive housing; requiring that the Office of Program Policy Analysis and Government Accountability perform a study of the forensic mental health system;

requiring that the study examine the causes impacting the incarceration of the mentally ill in state and local correctional facilities; requiring that a report of such study be submitted to the Legislature by a specified date; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; Health Regulation; and Budget.

By Senator Latvala—

SB 1786—A bill to be entitled An act relating to basic life support or advanced life support service; amending s. 401.23, F.S.; defining the term “advanced life support nontransport service” and redefining the term “advanced life support service” to exclude nontransport services; amending s. 401.25, F.S.; clarifying the licensure requirements for entities that provide advanced life support nontransport services; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Bogdanoff—

SB 1788—A bill to be entitled An act relating to bicycle regulations; amending s. 316.2065, F.S.; removing a requirement to keep one hand on the handlebars while operating a bicycle; amending s. 322.27, F.S.; conforming a cross-reference to changes made by the act; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Health Regulation.

By Senator Storms—

SB 1790—A bill to be entitled An act relating to driving under the influence; prohibiting a state or local law enforcement agency from operating a “no refusal” DUI checkpoint; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Judiciary.

By Senator Diaz de la Portilla—

SB 1792—A bill to be entitled An act relating to growth policy; repealing s. 163.2523, F.S., relating to the Urban Infill and Redevelopment Assistance Grant Program, to terminate the program; amending ss. 163.065, 163.2511, and 163.2514, F.S.; conforming cross-references to changes made by the act; providing an effective date.

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

By Senator Oelrich—

SB 1794—A bill to be entitled An act relating to airboats; amending s. 327.391, F.S.; requiring the Fish and Wildlife Conservation Commission to establish a voluntary sound testing program for airboats; allowing airboats that test below a specified sound level to be operated on all navigable waters of the state, including waterways on which airboats are prohibited by local ordinance; requiring a fee; providing testing requirements; amending s. 327.60, F.S.; requiring a super majority vote to enact certain ordinances regulating airboats; amending s. 327.65, F.S., relating to muffling devices on vessels; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Transportation.

By Senator Altman—

SB 1796—A bill to be entitled An act relating to the assessment of real property for ad valorem taxation; amending s. 193.011, F.S.; requiring a property appraiser to consider sales completed during a specified period after the assessment date in determining just valuation of real property under certain circumstances; providing an effective date.

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

By Senator Smith—

SB 1798—A bill to be entitled An act relating to mandatory minimum sentences; amending ss. 316.027, 316.193, 379.407, 500.451, 624.401, 775.087, 817.568, 876.39, 893.13, and 893.135, F.S.; relating to crashes involving death or personal injuries, driving under the influence, unlicensed purchase, sale, or harvest of seafood, violations involving horsemeat, acting as an insurer without a certificate of authority, possession of a weapon during the commission of certain offenses, criminal use of personal identification information, intentionally defective workmanship, and controlled substance violations, respectively, deleting mandatory minimum sentences; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Ring—

SB 1800—A bill to be entitled An act relating to public records; amending s. 628.461, F.S.; providing an exemption from public-records requirements for notice of a proposed divestiture in a domestic insurer provided to the Commissioner of Insurance pursuant to the acquisition of a domestic stock insurer; specifying duration of the exemption; providing an exemption from public-records requirements for the identity of a lender pursuant to a merger or other acquisition of control of a domestic stock insurer where a source of consideration is a loan made in the lender’s ordinary course of business, upon request of the lender; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing a conditional effective date.

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

By Senator Altman—

SB 1802—A bill to be entitled An act relating to ad valorem taxation; amending s. 193.114, F.S.; limiting the review of changes in the assessed value of real property resulting from an informal conference with the taxpayer to a review by the Department of Revenue; providing an effective date.

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

By Senator Diaz de la Portilla—

SB 1804—A bill to be entitled An act relating to growth management; amending s. 163.3180, F.S.; requiring that charter schools be a permitted mitigation option for purposes of meeting concurrency requirements; amending s. 163.3187, F.S.; providing that an amendment to a comprehensive plan that affects acreage of 10 acres or less is a small scale development amendment, notwithstanding any restrictive covenant; amending s. 201.15, F.S.; removing the funding cap for the State Housing Trust Fund and the Local Government Housing Trust Fund; prohibiting residual funds deposited in the State Housing Trust Fund and the Local Government Housing Trust Fund from being transferred to the General Revenue Fund; providing an effective date.

—was referred to the Committees on Community Affairs; Education Pre-K - 12; and Budget.

By Senator Diaz de la Portilla—

SB 1806—A bill to be entitled An act relating to motor vehicle insurance; amending s. 324.021, F.S.; revising provisions relating to proof of financial responsibility for rented or leased motor vehicles; providing lessors and lessees of rented and leased motor vehicles with certain responsibilities relating to the provision and obtaining of liability insurance; revising who is deemed the owner of a motor vehicle for purposes of determining financial responsibility; revising applicability of

certain provisions relating to financial responsibility of an owner of commercial motor vehicles; providing an effective date.

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

By Senator Diaz de la Portilla—

SB 1808—A bill to be entitled An act relating to assault or battery of law enforcement officers or firefighters; amending s. 784.07, F.S.; increasing the mandatory minimum term of imprisonment for battery of a law enforcement officer or firefighter while possessing a firearm or destructive device; increasing the mandatory minimum term of imprisonment for such a battery while possessing a semiautomatic firearm and its high-capacity detachable box magazine or a machine gun; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Benacquisto—

SB 1810—A bill to be entitled An act relating to energy; amending s. 212.08, F.S.; providing additional definitions for purposes of the exemption for sales or use of equipment, machinery, and other materials for renewable energy technologies; including under the exemption materials used in distributing renewable diesel fuel and renewable fuel oil; delaying expiration of the exemption; amending s. 220.192, F.S.; providing additional definitions for purposes of the tax credit for investment in renewable energy technologies; amending s. 220.193, F.S.; extending the dates for which certain renewable energy production tax credits are available; deleting an expired provision; amending s. 570.074, F.S.; renaming the Office of Water Coordination as the “Office of Energy and Water”; adding certain energy policy to the jurisdiction of the office; repealing s. 570.954, F.S., relating to a requirement that the Department Agriculture and Consumer Services coordinate with and solicit expertise of the state energy office within the Department of Environmental Protection when developing and implementing the farm-to-fuel initiative; providing an effective date.

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

By Senator Altman—

SB 1812—A bill to be entitled An act relating to temporary certificates for physicians practicing in areas of critical need; amending ss. 458.315 and 459.0076, F.S.; naming the temporary certificates issued to physicians who practice in areas of critical need after Rear Admiral LeRoy Collins, Jr.; providing an effective date.

—was referred to the Committees on Health Regulation; Military Affairs, Space, and Domestic Security; and Budget.

By Senator Diaz de la Portilla—

SB 1814—A bill to be entitled An act relating to school athletics; providing legislative findings concerning concussions and head injuries; creating s. 1006.163, F.S.; requiring school boards to work with the Florida High School Athletic Association to develop guidelines and other pertinent information and forms to inform and educate coaches, youth athletes, and athletes’ parents or guardians of the nature and risk of concussions and head injuries; requiring that a youth athlete who is suspected of sustaining a concussion or head injury in a practice or game be removed from competition; allowing an athlete removed from competition to return after evaluation and clearance by a medical professional meeting specified requirements; providing that a volunteer medical professional who authorizes a youth athlete to return to competition is not liable for civil damages resulting from any act or omission; providing an exception; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; and Budget.

By Senator Fasano—

SB 1816—A bill to be entitled An act relating to surplus lines insurance; amending s. 626.931, F.S.; requiring a surplus lines agent to file quarterly on or before a specified time an affidavit stating that all surplus lines insurance transacted during the preceding quarter has been submitted to the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; requiring the premium tax due on a surplus lines policy to be computed on the gross premium under certain circumstances; amending s. 626.9325, F.S.; revising payment dates for the service fee; requiring the service fee on a surplus lines policy to be computed on the gross premium under certain circumstances; creating s. 626.9362, F.S.; authorizing the Department of Financial Services and the Office of Insurance Regulation to enter into a specified type of agreement with other states pursuant to federal law for the collection and allocation of certain nonadmitted insurance taxes; providing terms that may be included in the agreement; requiring the Florida Surplus Lines Service Office to implement an agreement entered into by the department and the Office of Insurance Regulation; providing for application; amending s. 626.938, F.S.; requiring certain insureds or insurers engaging in specified insurance transactions with a foreign or alien insurer to compute the premium tax and service fees based on the gross premium under certain circumstances; requiring such insureds or insurers to pay the applicable premium tax to the department and the service fee to the Florida Surplus Lines Service Office on or before a specified time; providing an effective date.

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

By Senator Bennett—

SB 1818—A bill to be entitled An act relating to the Florida Development Finance Corporation Act of 1993; amending s. 288.9602, F.S.; revising the findings and declarations of necessity of the act to emphasize the importance of the economic activities in counties and municipalities to the economy of this state; providing that the purposes of the act may be accomplished by legislation fully implementing a constitutional provision to allow local governments to issue revenue bonds to finance or refinance the cost of certain capital projects; providing that the purposes of the act may be accomplished by legislation authorizing new and innovative means for the investment of public trust funds; providing an effective date.

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

By Senator Hays—

SB 1820—A bill to be entitled An act relating to enterprise zones; amending ss. 290.0055, 290.0058, and 290.0065, F.S.; revising criteria for the designation of enterprise zones; deleting pervasive poverty from such criteria; revising the maximum number of enterprise zones authorized; amending s. 290.0057, F.S.; revising requirements for the contents of enterprise zone strategic plans; creating s. 290.0076, F.S.; authorizing Lake County to apply to the Office of Tourism, Trade, and Economic Development for designation of an enterprise zone; providing requirements; requiring the office to establish an effective date for the designated enterprise zone; reenacting s. 290.016, F.S., relating to the scheduled repeal of the Florida Enterprise Zone Act; amending s. 163.2514, F.S.; revising definition of the term “urban infill and redevelopment area” for purposes of the Growth Policy Act to conform; amending s. 288.0659, F.S.; revising the evaluation criteria for award of grants under the Local Government Distressed Area Matching Grant Program to conform; amending s. 212.08, F.S.; revising the maximum tax refunds for building materials and business property used in an enterprise zone; deleting provisions for tax refunds based upon a certain percentage of employees residing in an enterprise zone; revising definition of the term “business property” to revise an exemption from the tax refunds for such property used in an enterprise zone; amending ss. 212.096, 220.03, 220.181, and 220.182, F.S.; revising and defining terms; revising the enterprise zone jobs credits against the sales and use tax and corporate income tax, and the enterprise zone property tax credit, to include credit for part-time employment; deleting provisions for tax credits based upon employment of persons residing in enterprise zones; deleting obsolete provisions and conforming provisions; amending ss.

193.077, 193.085, 212.06, 220.02, 220.183, 220.193, 288.1045, 288.106, 290.00677, and 624.5105, F.S.; conforming provisions; providing for application; providing an effective date.

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

By Senator Benacquisto—

SB 1822—A bill to be entitled An act relating to school choice; amending s. 1002.38, F.S.; revising legislative intent and eligibility requirements for participation in the Opportunity Scholarship Program; deleting provisions that authorize an opportunity scholarship for attendance at a private school; requiring that an opportunity scholarship remain in force until the student graduates from high school; revising school district obligations and deleting provisions relating to private schools to conform to changes made by the act; amending ss. 1001.42 and 1002.20, F.S.; conforming provisions to changes made by the act; deleting an obsolete provision relating to the John M. McKay Scholarships for Students with Disabilities Program; providing an effective date.

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

By Senator Hays—

SB 1824—A bill to be entitled An act relating to regulated professions and occupations; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to release certain digital images to the Department of Business and Professional Regulation to identify certain persons; amending s. 455.213, F.S.; authorizing the Department of Business and Professional Regulation to grant waivers of renewal fees under certain circumstances; amending s. 455.271, F.S.; revising continuing education requirements for license reactivations; amending s. 475.42, F.S.; revising violations and penalties for real estate professionals; amending s. 475.626, F.S.; revising violations and penalties for appraisers; amending s. 477.0212, F.S.; revising continuing education requirements for cosmetology license reactivations; amending s. 477.0265, F.S.; revising prohibited acts for cosmetologists; amending s. 481.217, F.S.; revising continuing education requirements for license reactivation of architect or interior design licenses; amending s. 481.315, F.S.; revising continuing education requirements for landscape architect license reactivations; amending s. 489.116, F.S.; revising continuing education requirements for contractor license reactivations; amending s. 489.519, F.S.; revising continuing education requirements for electrical and alarm system contractor license reactivations; amending s. 10, chapter 2010-84, Laws of Florida, extending the effective date of provisions relating to the discipline of appraisal management companies; providing effective dates.

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

By Senator Hays—

SB 1826—A bill to be entitled An act relating to workers' compensation; repealing s. 627.092, F.S., relating to the Workers' Compensation Administrator, to abolish the position; amending s. 627.312, F.S.; deleting an obsolete transitional requirement for certain policies of the Florida Workers' Compensation Joint Underwriting Association; providing an effective date.

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

By Senator Richter—

SB 1828—A bill to be entitled An act relating to credit counseling services; amending s. 817.801, F.S.; defining the terms “debt management plan” and “debt settlement plan”; amending s. 817.802, F.S.; conforming a cross-reference; creating s. 817.8035, F.S.; requiring that debt management and credit counseling services be provided pursuant to a debt management or debt settlement plan; requiring the credit counseling agency to make certain disclosures to the debtor before the debtor

consents to payment; prohibiting the agency from making certain misrepresentations to the debtor; providing certain conditions that the agency must meet before receiving payment; providing that the debtor may withdraw any account funds placed with the agency at any time without penalty; amending s. 817.805, F.S.; authorizing the agency to hold funds in order to allow the funds to accumulate; providing an effective date.

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

By Senator Wise—

SB 1830—A bill to be entitled An act relating to the high school career diploma; creating s. 1003.4287, F.S.; providing requirements for the high school career diploma; requiring a student and the student's parent to agree in writing to the requirements of the career diploma track; specifying the 24 credits that must be successfully completed to receive a career diploma; requiring an intensive reading course or remediation in mathematics for a student who does not meet certain academic standards; providing strategies to enable an exceptional student to meet graduation requirements for a career diploma; requiring district school board standards for graduation and policies to assist students in meeting the requirements; requiring rules for test accommodations and modifications of procedures for students with disabilities; providing for the award of a certificate of completion to a student who is unable to meet certain standards; providing conditions for the waiver of assessment requirements for a career diploma for a student with a disability; authorizing the State Board of Education to adopt rules; amending ss. 1002.45, 1003.413, 1003.428, 1003.438, 1003.493, and 1008.22, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

By Senator Wise—

SB 1832—A bill to be entitled An act relating to the Voluntary Pre-kindergarten Program; amending s. 1002.69, F.S.; authorizing nonpublic schools to administer the statewide kindergarten screening to kindergarten students who were enrolled in the Voluntary Prekindergarten Program; requiring the Department of Education to include the percentage of students who meet all state readiness measures in its provider rating methodology; removing a limitation on the minimum kindergarten readiness rate for private and public prekindergarten providers; amending s. 1002.73, F.S.; requiring the department to adopt procedures for annually reporting the percentage of students who meet all state readiness measures; providing an effective date.

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

By Senator Diaz de la Portilla—

SB 1834—A bill to be entitled An act relating to expunction of criminal history records; amending s. 943.0585, F.S.; allowing a candidate for admission to The Florida Bar to lawfully deny or fail to acknowledge arrests covered by an expunged record; conforming cross-references; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Governmental Oversight and Accountability; and Budget.

By Senator Diaz de la Portilla—

SB 1836—A bill to be entitled An act relating to captive insurance; amending s. 628.901, F.S.; providing definitions; amending s. 628.905, F.S.; expanding the kinds of insurance for which a captive insurer may seek licensure; limiting the risks that certain captive insurers may insure; specifying requirements and conditions relating to a captive insurer's authority to conduct business; requiring that before licensure certain captive insurers must file or submit to the Commissioner of Insurance Regulation specified information, documents, and statements;

requiring a captive insurance company to file specific evidence with the commissioner relating to the financial condition and quality of management and operations of the company; requiring an applicant-sponsored captive insurer to file with the commissioner a business plan, certain statements, sample contracts, and certain evidence relating to expenses; requiring a captive insurance company to pay certain fees and costs relating to an application for licensure and renewal; authorizing initial licensure until a date certain and requiring annual renewal thereafter on such date; authorizing a foreign or alien captive insurance company to become a domestic captive insurance company by complying with specified requirements; authorizing the commissioner to waive any requirements for public hearings relating to the redomestication of an alien captive insurance company; amending s. 628.907, F.S.; revising capitalization and security requirements for specified captive insurance companies; requiring capital of specified captive insurance companies to be held in certain forms; requiring contributions to captive insurance companies that are nonprofit corporations to be in a certain form; authorizing the commission to issue a captive insurance company license conditioned upon certain evidence relating to possession of specified capital; authorizing revocation of a conditional license under certain circumstances; authorizing the commissioner to prescribe certain additional capital and net asset requirements; requiring such additional requirements relating to capital and net assets to be held in specified forms; requiring certain security of a branch captive insurance company to be trust funded by specified types of assets made payable to certain policyholders and insurers; providing limitations on the payment of dividends by a captive insurance company; prohibiting distributions by a captive insurance company that is a nonprofit corporation without commissioner approval; requiring certain irrevocable letters of credit to meet certain standards; creating s. 628.908, F.S.; prohibiting the issuance of a license to specified captive insurance companies unless such companies possess and maintain certain levels of unimpaired surplus; requiring unimpaired surplus to be in specified forms; authorizing a sponsored captive insurance company that does not assume risk to maintain unimpaired surplus in certain securities approved by the commissioner; requiring a captive insurance company that is organized as a reciprocal insurer to maintain a specified amount of unimpaired surplus; authorizing the commissioner to condition issuance of a captive insurance company license upon the provision of certain evidence relating to the possession of a minimum amount of unimpaired surplus; authorizing revocation of a conditional license under certain circumstances; authorizing the commissioner to require additional surplus in specified forms; requiring dividends or distributions of capital or surplus to meet certain conditions and be approved by the commissioner; requiring certain letters of credit to meet certain standards; amending s. 628.909, F.S.; providing for applicability of certain statutory provisions to specified captive insurers; creating s. 628.910, F.S.; providing requirements, options, and conditions relating to how a pure captive insurance company or a sponsored captive insurance company may be incorporated or organized as a business; amending s. 628.911, F.S.; providing reporting requirements for specified captive insurance companies and captive reinsurance companies; creating s. 628.912, F.S.; authorizing a sponsored captive insurance company and a captive reinsurance company to discount specified losses subject to certain conditions; amending s. 628.913, F.S.; authorizing a captive reinsurance company to apply to the commission for licensure to write reinsurance covering property and casualty insurance or reinsurance contracts; authorizing the commissioner to allow a captive reinsurance company to write reinsurance contracts covering risks in any state; specifying that a captive reinsurance company is subject to specified requirements and must meet specified conditions to conduct business in this state; creating s. 628.914, F.S.; specifying requirements and conditions relating to the capitalization or maintenance of reserves by a captive reinsurance company; creating s. 628.9141, F.S.; specifying requirements and conditions relating to the incorporation of a captive reinsurance company; creating s. 628.9142, F.S.; providing for the effect on reserves of certain actions taken by a captive insurance company relating to providing reinsurance for specified risks; creating s. 628.9143, F.S.; requiring a captive reinsurance company to annually pay a specified tax amount; prohibiting any other taxation of a captive reinsurance company other than an occupation tax and certain ad valorem taxes; subjecting a captive reinsurance company to sanctions for failures relating to the payment of taxes; creating s. 628.918, F.S.; requiring a specified percentage of a captive reinsurance company's assets to be managed by an asset manager domiciled in this state; creating s. 628.919, F.S.; authorizing the Financial Services Commission to adopt rules establishing certain standards for control of an unaffiliated business by a parent or affiliated

company relating to coverage by a pure captive insurance company; creating s. 628.920, F.S.; providing for the conversion of certain stock, mutual corporations, or limited liability companies into reciprocal insurers; requiring a specified plan for such conversions or mergers; specifying requirements and conditions for the approval of a conversion or merger plan by the commissioner; creating s. 628.921, F.S.; providing requirements and conditions relating to the formation of a sponsored captive insurance company and the establishment of protected cells; creating s. 628.922, F.S.; providing requirements and conditions applicable to a sponsor of a sponsored captive insurance company; creating s. 628.923, F.S.; authorizing specified entities to be participants in sponsored captive insurance companies under certain circumstances; creating s. 628.924, F.S.; requiring that a licensed captive insurance company must be considered for issuance of a certificate of authority as an insurer under certain circumstances; providing an effective date.

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

By Senator Wise—

SB 1838—A bill to be entitled An act relating to assisted living facilities; creating the Florida Assisted Living Quality Improvement Initiative Pilot Project; providing purpose; requiring the Agency for Health Care Administration to create pilot projects in area offices; authorizing licensed assisted living facilities to enroll in the pilot project; authorizing the agency to provide, or execute contracts with private providers to provide, consultative services; requiring a facility to provide notice to the agency of enrollment in the project; establishing quality improvement teams; providing composition and duties of a quality improvement team; providing conditions for termination of a quality improvement agreement with a facility; providing for termination of a quality enrollment team by the agency and resumption of inspections by the agency under certain circumstances; providing procedures for investigating and monitoring complaints; requiring the agency to develop an assessment tool to evaluate the project; requiring the agency to report to the Governor and Legislature; providing that reports and documents of the quality improvement team may not be used in certain tort actions and are exempt from discovery; providing for the expiration of the project; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Budget.

By Senator Altman—

SB 1840—A bill to be entitled An act relating to motor vehicles; providing a short title; creating s. 316.3035, F.S.; prohibiting a person younger than 18 years of age from operating a motor vehicle while using a wireless communications device or telephone; providing exceptions; providing for enforcement as a secondary action; providing a penalty; amending s. 318.14, F.S.; providing procedures for a citation issued following a violation of certain restrictions, to conform to changes made by the act; amending s. 318.1451, F.S.; requiring that the course content of driver improvement schools include awareness training about using certain electronic devices while driving; authorizing the Department of Highway Safety and Motor Vehicles to update school content requirements; amending s. 320.02, F.S.; providing for a voluntary check-off on motor vehicle registration forms to make a contribution to the Auto Club South Traffic Safety Foundation, Inc.; amending s. 322.0261, F.S.; requiring course content of driver improvement schools to include awareness training about using certain electronic devices while driving; authorizing the department to update school content requirements; amending s. 322.08, F.S.; providing for a voluntary check-off on driver's license application forms to make a contribution to the Auto Club South Traffic Safety Foundation, Inc.; amending s. 322.095, F.S.; requiring traffic law and substance abuse education program content to include awareness of using certain electronic devices while driving; authorizing the department to update program content requirements; amending s. 322.16, F.S.; restricting the number of passengers under the age of 18 permitted in a vehicle operated by a person under the age of 18 unless accompanied by a driver at least 21 years of age; providing exceptions; providing for secondary enforcement; providing penalties; providing for applicability; amending s. 322.1615, F.S.; requiring the parent or guardian of certain minors to attest that they have a specified number of

hours of driving experience in order to apply for a Class E driver's license; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Hays—

SB 1842—A bill to be entitled An act relating to water management district budgets; amending s. 373.536, F.S.; requiring budget review and approval by the Executive Office of the Governor; requiring that the governing board give notice to the Executive Office of the Governor within 30 days after unanticipated and unallocated funds are applied during a disaster or emergency; prohibiting the district from using other means to enact a proposal rejected by the Governor; requiring that funds be withheld from a water management district that fails to comply with the review requirements; requiring an accounting of the source and balance of unobligated funds or net cash balance on hand; amending s. 373.503, F.S.; limiting the amount water management districts may levy for ad valorem taxes; providing for future expiration; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Budget.

By Senator Gaetz—

SB 1844—A bill to be entitled An act relating to career and professional academies; amending s. 1003.491, F.S.; revising provisions relating to the Florida Career and Professional Education Act; replacing references to local workforce boards with regional workforce boards; requiring that economic development agencies collaborate with each district school board, regional workforce boards, and postsecondary institutions to develop a strategic 5-year plan that addresses local and regional workforce demands; requiring that the strategic plan include access to courses offered through virtual education providers and a review of career and professional academy courses; requiring that the strategic plan be reviewed, updated, and jointly approved; amending s. 1003.492, F.S.; revising provisions relating to industry-certified career education programs to conform to changes made by the act; requiring that rules adopted by the State Board of Education include an approval process for determining the funding weights of industry certifications; requiring that the performance factors for students participating in industry-certified career education programs include awards of post-secondary credit and state scholarships amending s. 1003.493, F.S.; revising provisions relating to career and professional academies to conform to changes made by the act; requiring that career and professional academies discontinue enrollment of students for the following year if the passage rate on the industry certification exam falls below 50 percent; amending s. 1011.62, F.S.; revising provisions relating to the calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs; requiring that the value of full-time equivalent membership be determined by weights adopted by the State Board of Education; amending s. 1012.39, F.S.; requiring that each district school board establish qualifications for nondegreed teachers of career and technical education courses for program clusters recognized in the state; authorizing district school boards to establish alternative qualifications for certain teachers; creating s. 1003.4935, F.S.; requiring that each district school board, in collaboration with regional workforce boards, economic development agencies, and state-approved post-secondary institutions, include a component in the strategic 5-year plan to implement a career and professional academy in at least one middle school in each district; providing requirements for the middle school career and professional academies; requiring that the Department of Education collect and report student achievement data for middle school career academy students; amending s. 1008.34, F.S.; conforming provisions relating to the designation of school grades to changes made by the act; providing an effective date.

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

Senate Bills 1846-1994—Not referenced.

By the Committee on Education Pre-K - 12—

SB 1996—A bill to be entitled An act relating to the student assessment program for public schools; amending s. 1008.22, F.S.; deleting a provision requiring that certain middle school students who earned high school credit in Algebra I take the Algebra I end-of-course assessment during the 2010-2011 school year; providing an effective date.

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

By the Committee on Budget Subcommittee on Finance and Tax—

SB 1998—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2011 version of the Internal Revenue Code; amending s. 220.13, F.S.; specifying the treatment by this state of certain depreciation and expensing of assets that are allowed for federal income tax purposes; providing for retroactive application; providing an effective date.

—was referred to the Committee on Budget.

BILLS REFERRED TO SUBCOMMITTEE

March 11, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Rules Subcommittee on Ethics and Elections which will report to this standing committee within 60 days: SJR 1672, SJR 1688, SB 1690, SB 1692, and SB 1700.

Senator John Thrasher, Chair
Committee on Rules

March 11, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Finance and Tax which will report to this standing committee within 60 days: CS for SB 382 and CS for SB 478.

Senator JD Alexander, Chair
Committee on Budget

March 14, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Budget Subcommittee on Finance and Tax which will report to this standing committee within 60 days: SB 1998.

Senator JD Alexander, Chair
Committee on Budget

March 14, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Criminal and Civil Justice Appropriations which will report to this standing committee within 60 days: CS for SB 170, CS for SB 618, and CS for SB 822.

Senator JD Alexander, Chair
Committee on Budget

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Budget; Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Community Affairs; and Senators Gaetz, Montford, and Evers—

CS for CS for CS for SB 248—A bill to be entitled An act relating to economic recovery from the Deepwater Horizon disaster; amending s. 14.2015, F.S.; defining the term "Disproportionally Affected County";

creating a process for the Office of Tourism, Trade, and Economic Development to waive any or all job or wage eligibility requirements under certain circumstances when in the best interest of the public; amending s. 220.191, F.S.; waiving the requirement that a facility located in a Disproportionally Affected County be in a high-impact sector in order to qualify for the capital investment tax credit; amending s. 288.106, F.S.; creating a process for the Office of Tourism, Trade, and Economic Development to waive wage or local financial support eligibility requirements; providing a special incentive under the tax refund program for a limited time for a qualified target industry business that relocates from another state to a Disproportionally Affected County; creating s. 252.363, F.S.; tolling and extending the expiration dates of certain building permits or other authorizations following the declaration of a state of emergency by the Governor; providing exceptions; providing for the laws, administrative rules, and ordinances in effect when the permit was issued to apply to activities described in a permit or other authorization; providing an exception; amending s. 253.02, F.S.; requiring the Board of Trustees of the Internal Improvement Trust Fund to recommend to the Legislature whether existing multistate compacts for mutual aid should be modified or if a new multistate compact is necessary to address the Deepwater Horizon event or similar future incidents; requiring that the Board of Trustees of the Internal Improvement Trust Fund appoint members to the Commission on Oil Spill Response Coordination; providing for the designation of the chair of the commission by the Governor; requiring the commission to prepare a report for review and approval by the board of trustees; specifying the subject matter of the report; providing for future expiration; defining the term "Disproportionally Affected County"; providing an appropriation to the Office of Tourism, Trade, and Economic Development to contract with Florida's Great Northwest, Inc., in order to develop and implement an economic development program for a Disproportionally Affected County; specifying a preference for a Disproportionally Affected County or municipalities within a Disproportionally Affected County which provide for expedited or combined permitting for certain purposes; providing for the appropriation to be placed in reserve by the Executive Office of the Governor for release as authorized by law or the Legislative Budget Commission; defining the term "Disproportionally Affected County"; providing for the deposit of funds received by entities involved in the Deepwater Horizon oil spill into applicable state trust funds; specifying permissible uses of such funds; designating the Department of Environmental Protection as the lead agency for expending funds for environmental restoration; designating the Office of Tourism, Trade, and Economic Development as the lead agency for funds designated for economic incentives and diversification efforts; authorizing the holder of a lease of sovereignty submerged lands to apply to the Department of Environmental Protection for the payment or the reimbursement of lease fees for the period of the state of emergency for the Deepwater Horizon oil spill; specifying conditions for eligibility; requiring an application to the Department of Environmental Protection; requiring the Chief Financial Officer to use the full extent of the law to recover payments from the responsible party or other independently administered claims process; providing a short title for certain sections of the act; providing an effective date.

By the Committee on Military Affairs, Space, and Domestic Security; and Senators Fasano and Gaetz—

CS for SB 368—A bill to be entitled An act relating to driver's license fees for disabled veterans; amending s. 322.21, F.S.; providing that disabled veterans who meet certain qualifications are entitled to a specified reduction in driver's license fees; reorganizing provisions; providing an effective date.

By the Committee on Budget Subcommittee on Finance and Tax; and Senator Bogdanoff—

CS for SB 382—A bill to be entitled An act relating to property taxation; amending s. 197.502, F.S.; revising provisions relating to applications for tax deeds; providing payment requirements; authorizing the tax collector to charge a fee to cover the costs to the tax collector for electronic tax deed programs or services; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Jones and Latvala—

CS for SB 392—A bill to be entitled An act relating to commercial parasailing; amending s. 327.02, F.S.; defining terms; creating s. 327.375, F.S.; requiring the owner of a vessel engaged in commercial parasailing to obtain and carry an insurance policy; providing minimum coverage requirements for the insurance policy; providing requirements

for proof of insurance; specifying the insurance information that must be provided to each rider; providing for the launch and recovery of riders from a towing vessel; requiring a person engaged in operating a vessel for commercial parasailing to have certain licenses; requiring certain equipment; prohibiting commercial parasailing in certain areas, under certain weather conditions, and during certain hours; requiring a safety briefing for passengers and parasail riders; providing penalties; amending ss. 320.08, 327.391, 328.17, 342.07, 713.78, and 715.07, F.S.; conforming cross-references to changes made by the act; providing an effective date.

By the Committees on Budget Subcommittee on General Government Appropriations; and Banking and Insurance; and Senators Richter and Hays—

CS for CS for SB 408—A bill to be entitled An act relating to property and casualty insurance; amending s. 215.555, F.S.; revising the definition of "losses," relating to the Florida Hurricane Catastrophe Fund, to exclude certain losses; providing applicability; amending s. 624.407, F.S.; revising the amount of surplus funds required for domestic insurers applying for a certificate of authority after a certain date; amending s. 624.408, F.S.; revising the minimum surplus that must be maintained by certain insurers; authorizing the Office of Insurance Regulation to reduce the surplus requirement under specified circumstances; amending s. 624.4095, F.S.; excluding certain premiums for federal multiple-peril crop insurance from calculations for an insurer's gross writing ratio; requiring insurers to disclose the gross written premiums for federal multiple-peril crop insurance in a financial statement; amending s. 624.424, F.S.; revising the frequency that an insurer may use the same accountant or partner to prepare an annual audited financial report; amending s. 626.854, F.S.; providing limitations on the amount of compensation that may be received by a public adjuster for a reopened or supplemental claim; providing statements that may be considered deceptive or misleading if made in any public adjuster's advertisement or solicitation; providing a definition for the term "written advertisement"; requiring that a disclaimer be included in any public adjuster's written advertisement; providing requirements for such disclaimer; requiring certain persons who act on behalf of an insurer to provide notice to the insurer, claimant, public adjuster, or legal representative for an onsite inspection of the insured property; authorizing the insured or claimant to deny access to the property if notice is not provided; requiring the public adjuster to ensure prompt notice of certain property loss claims; providing that an insurer be allowed to interview the insured directly about the loss claim; prohibiting the insurer from obstructing or preventing the public adjuster from communicating with the insured; requiring that the insurer communicate with the public adjuster in an effort to reach an agreement as to the scope of the covered loss under the insurance policy; prohibiting a public adjuster from restricting or preventing persons acting on behalf of the insured from having reasonable access to the insured or the insured's property; prohibiting a public adjuster from restricting or preventing the insured's adjuster from having reasonable access to or inspecting the insured's property; authorizing the insured's adjuster to be present for the inspection; prohibiting a licensed contractor or subcontractor from adjusting a claim on behalf of an insured if such contractor or subcontractor is not a licensed public adjuster; providing an exception; amending s. 626.8651, F.S.; requiring that a public adjuster apprentice complete a minimum number of hours of continuing education to qualify for licensure; amending s. 626.8796, F.S.; providing requirements for a public adjuster contract; creating s. 626.70132, F.S.; requiring that notice of a claim, supplemental claim, or reopened claim be given to the insurer within a specified period after a windstorm or hurricane occurs; providing a definition for the terms "supplemental claim" or "reopened claim"; providing applicability; repealing s. 624.0613(4), F.S., relating to the requirement that the consumer advocate for the Chief Financial Officer prepare an annual report card for each personal residential property insurer; amending s. 627.062, F.S.; requiring that the office issue an approval rather than a notice of intent to approve following its approval of a file and use filing; authorizing the office to disapprove a rate filing because the coverage is inadequate or the insurer charges a higher premium due to certain discriminatory factors; deleting an obsolete provision; prohibiting the Office of Insurance Regulation from, directly or indirectly, impeding the right of an insurer to acquire policyholders, advertise or appoint agents, or regulate agent commissions; revising the information that must be included in a rate filing relating to certain reinsurance or financing products; deleting a provision that prohibited an insurer from making certain rate filings within a certain period of time after a rate increase; deleting a provision prohibiting an insurer from filing for a rate increase within 6 months after it makes certain rate filings; deleting obsolete provisions relating to legislation enacted during the 2003 Special Session D of the Legislature; amending s. 627.0629, F.S.; providing legislative intent that insurers provide consumers with accurate pricing signals for alterations in order to

minimize losses, but that mitigation discounts not result in a loss of income for the insurer; requiring rate filings for residential property insurance to include actuarially reasonable debits that provide proper pricing; providing for an increase in base rates if mitigation discounts exceed the aggregate reduction in expected losses; deleting obsolete provisions; deleting a requirement that the Office of Insurance Regulation propose a method for establishing discounts, debits, credits, and other rate differentials for hurricane mitigation by a certain date; requiring the Financial Services Commission to adopt rules relating to such debits by a certain date; deleting a provision that prohibits an insurer from including an expense or profit load in the cost of reinsurance to replace the Temporary Increase in Coverage Limits; conforming provisions to changes made by the act; amending s. 627.351, F.S.; renaming the "high-risk account" as the "coastal account"; revising the conditions under which the Citizens policyholder surcharge may be imposed; providing that members of the Citizens Property Insurance Corporation Board of Governors are not prohibited from practicing in a certain profession if not prohibited by law or ordinance; prohibiting board members from voting on certain measures; deleting a requirement that the board reduce the boundaries of certain high-risk areas eligible for wind-only coverages under certain circumstances; amending s. 627.3511, F.S.; conforming provisions to changes made by the act; amending s. 627.4133, F.S.; revising the requirements for providing an insured with notice of nonrenewal, cancellation, or termination of personal lines or commercial residential property insurance; authorizing an insurer to cancel policies after 45 days' notice if the Office of Insurance Regulation determines that the cancellation of policies is necessary to protect the interests of the public or policyholders; authorizing the Office of Insurance Regulation to place an insurer under administrative supervision or appoint a receiver upon the consent of the insurer under certain circumstances; creating s. 627.43141, F.S.; providing definitions; requiring the delivery of a "Notice of Change in Policy Terms" under certain circumstances; specifying requirements for such notice; specifying actions constituting proof of notice; authorizing policy renewals to contain a change in policy terms; providing that receipt of payment by an insurer is deemed acceptance of new policy terms by an insured; providing that the original policy remains in effect until the occurrence of specified events if an insurer fails to provide notice; providing intent; amending s. 627.7011, F.S.; requiring the insurer to pay the actual cash value of an insured loss for a dwelling, less any applicable deductible; requiring a policyholder to enter into a contract for the performance of building and structural repairs unless waived by the insurer; restricting insurers and contractors from requiring advance payments for repairs and expenses; authorizing an insurer to limit the initial payment for personal property to the actual cash value of the property to be replaced and to require the insured to provide receipts for purchases; requiring the insurer to provide notice of this process in the insurance contract; prohibiting an insurer from requiring the insured to advance payment; amending s. 627.70131, F.S.; specifying application of certain time periods to initial or supplemental property insurance claim notices and payments; providing legislative findings with respect to 2005 statutory changes relating to sinkhole insurance coverage and statutory changes in this act; amending s. 627.706, F.S.; authorizing an insurer to limit coverage for catastrophic ground cover collapse to the principal building and to have discretion to provide additional coverage; allowing the deductible to include costs relating to an investigation of whether sinkhole activity is present; revising definitions; defining the term "structural damage"; providing an insurer with discretion to provide a policyholder with an opportunity to purchase an endorsement to sinkhole coverage; placing a 2-year statute of repose on claims for sinkhole coverage; amending s. 627.7061, F.S.; conforming provisions to changes made by the act; repealing s. 627.7065, F.S., relating to the establishment of a sinkhole database; amending s. 627.707, F.S.; revising provisions relating to the investigation of sinkholes by insurers; deleting a requirement that the insurer provide a policyholder with a statement regarding testing for sinkhole activity; providing a time limitation for demanding sinkhole testing by a policyholder and entering into a contract for repairs; requiring all repairs to be completed within a certain time; providing exceptions; providing a criminal penalty on a policyholder for accepting rebates from persons performing repairs; amending s. 627.7073, F.S.; revising provisions relating to inspection reports; providing that the presumption that the report is correct shifts the burden of proof; revising the reports that an insurer must file with the clerk of the court; requiring the policyholder to file certain reports as a precondition to accepting payment; amending s. 627.7074, F.S.; revising provisions relating to neutral evaluation; requiring evaluation in order to make certain determinations; requiring that the neutral evaluator be allowed access to structures being evaluated; providing grounds for disqualifying an evaluator; allowing the Department of Financial Services to appoint an evaluator if the parties cannot come to agreement; revising the timeframes for scheduling a neutral evaluation conference; authorizing an evaluator to enlist another evaluator or other professionals; providing a time certain for issuing a report; providing that certain information is confidential; revising provisions relating to com-

pliance with the evaluator's recommendations; providing that the evaluator is an agent of the department for the purposes of immunity from suit; requiring the department to adopt rules; amending s. 627.712, F.S.; conforming provisions to changes made by the act; providing effective dates.

By the Committee on Military Affairs, Space, and Domestic Security; and Senator Bennett—

CS for SB 450—A bill to be entitled An act relating to emergency management; creating s. 252.515, F.S.; providing a short title; providing immunity from civil liability for providers of temporary housing and aid to emergency first responders and their immediate family members following a declared emergency; providing definitions; providing non-applicability; authorizing specified registration with a county emergency management agency as a provider of housing and aid for emergency first responders; providing an effective date.

By the Committee on Budget Subcommittee on Finance and Tax; and Senator Thrasher—

CS for SB 478—A bill to be entitled An act relating to property taxation; amending s. 95.051, F.S.; tolling the expiration period of a tax certificate and the statute of limitations relating to proceedings involving tax lien certificates or tax deeds during the period of an intervening bankruptcy; amending ss. 197.102, 197.122, 197.123, 197.162, 197.172, 197.182, 197.222, 197.2301, 197.322, 197.332, 197.343, 197.344, 197.3635, 197.373, 197.402, 197.403, 197.413, 197.414, 197.4155, 197.416, 197.417, 197.432, 197.4325, 197.442, 197.443, 197.462, 197.472, 197.473, 197.482, 197.492, 197.582, and 197.602, F.S.; revising, updating, and consolidating provisions of ch. 197, F.S., relating to definitions, tax collectors, lien of taxes, returns and assessments, unpaid or omitted taxes, discounts, interest rates, Department of Revenue responsibilities, tax bills, judicial sales, prepayment of taxes, assessment rolls, duties of tax collectors, tax notices, delinquent taxes, lienholders, special assessments, non-ad valorem assessments, tax payments, distribution of taxes, advertisements of property with delinquent taxes, attachment, delinquent personal property taxes, sales of property, tax certificates, tax deeds, tax sales, and proceedings involving the validity of a tax deed; amending s. 197.502, F.S.; revising provisions relating to applications for tax deeds; providing payment requirements; authorizing the tax collector to charge a fee to cover the costs to the tax collector for electronic tax deed programs or services; amending s. 197.542, F.S.; revising the minimum deposit after becoming the highest bidder for a tax deed; requiring a clerk to readvertise the sale of a tax deed if a previous buyer failed to make full payment for the tax deed; creating s. 197.146, F.S.; authorizing tax collectors to issue certificates of correction to tax rolls and outstanding delinquent taxes for uncollectable personal property accounts; requiring the tax collector to notify the property appraiser; providing construction; creating ss. 197.2421 and 197.2423, F.S., transferring, renumbering, and amending ss. 197.253, 197.303, and 197.3071, F.S., and amending ss. 197.243, 197.252, 197.254, 197.262, 197.263, 197.272, 197.282, 197.292, 197.301, and 197.312, F.S.; revising, updating, and consolidating provisions of ch. 197, F.S., relating to deferral of tax payments for real property, homestead property, recreational and commercial working waterfront property, and affordable rental property; creating s. 197.4725, F.S.; providing authorization and requirements for purchase of county-held tax certificates; specifying required amounts to be paid; providing for fees; providing for electronic services; amending s. 192.0105, F.S.; providing that the right to a discount for the early payment of taxes does not apply to certain partial payments of taxes; clarifying a taxpayer's right to redeem real property and tax certificates; clarifying that a property owner may not be contacted by the holder of a tax certificate for 2 years following the date the certificate is issued; providing that s. 197.122, F.S., applies in certain circumstances; providing for the obligation of the property owner to obtain certain information; correcting cross-references; amending ss. 194.011, 194.013, 196.011, and 197.374, F.S.; conforming cross-references; creating s. 197.603, F.S.; providing legislative intent; repealing s. 197.202, F.S., relating to destruction of 20-year-old tax receipts; repealing s. 197.242, F.S., relating to a short title; repealing ss. 197.304, 197.3041, 197.3042, 197.3043, 197.3044, 197.3045, 197.3046, 197.3047, 197.307, 197.3072, 197.3073, 197.3074, 197.3075, 197.3076, 197.3077, 197.3078, and 197.3079, F.S., relating to deferrals of tax payments; providing an effective date.

By the Committee on Judiciary; and Senator Hays—

CS for SB 594—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; requiring that a claim in a wrongful

death case be presented to the Department of Financial Services within 2 years after the claim accrues; providing that failure of the Department of Financial Services or the appropriate agency to make final disposition of a claim for wrongful death within 90 days after it is filed is deemed to be a final denial of the claim; tolling the statute of limitations for the period of time taken by the Department of Financial Services or other agency to deny a medical malpractice or wrongful death claim; providing that actions for wrongful death against the state or one of its agencies or subdivisions must be brought within the period applicable to actions brought against other defendants; providing for the application of the act to causes of action accruing on or after the effective date; providing an effective date.

By the Committees on Judiciary; and Commerce and Tourism; and Senators Detert and Gaetz—

CS for CS for SB 728—A bill to be entitled An act relating to unemployment compensation; amending s. 213.053, F.S.; increasing the number of employer payroll service providers who qualify for access to unemployment tax information by filing a memorandum of understanding; amending s. 443.031, F.S.; revising provisions relating to statutory construction; amending s. 443.036, F.S.; revising the definitions for “available for work,” “earned income,” “misconduct,” and “unemployment”; adding a definition for “initial skills review”; amending s. 443.091, F.S.; revising requirements for making continued claims for benefits; requiring that an individual claiming benefits report certain information and participate in an initial skills review; providing an exception; specifying criteria for determining an applicant’s availability for work; amending s. 443.101, F.S.; clarifying “good cause” for voluntarily leaving employment; specifying acts that are “gross misconduct” for purposes of discharging an employee and disqualifying him or her for benefits; revising the criteria for determining suitable work to reduce the number of weeks a person may receive benefits before having to accept a job that pays a certain amount; disqualifying a person for benefits due to the receipt of severance pay; revising provisions relating to the effect of criminal acts on eligibility for benefits; disqualifying an individual for benefits for any week he or she is incarcerated; amending s. 443.111, F.S.; revising the manner in which benefits are payable; eliminating payment by mail; providing an exception; conforming provisions to changes made by the act; amending s. 443.115, F.S.; conforming cross-references; reviving, readopting, and amending s. 443.117, F.S., relating to temporary extended benefits; providing for retroactive application; providing for applicability relating to extended benefits for certain weeks and for periods of high unemployment; providing for applicability; amending s. 443.1216, F.S.; providing that employee leasing companies may make a one-time election to report leased employees under the respective unemployment account of each leasing company client; providing procedures and application for such election; conforming a cross-reference; amending s. 443.141, F.S.; providing an employer payment schedule for 2012, 2013, and 2014 contributions; requiring an employer to pay a fee for paying contributions on a quarterly schedule; providing penalties, interest, and fees on delinquent contributions; amending s. 443.151, F.S.; requiring claims to be submitted by electronic means; conforming cross-references; specifying the allowable forms of evidence in an appeal hearing; specifying the judicial venue for filing a notice of appeal; providing for repayment of benefits in cases of agency error; amending s. 443.171, F.S.; specifying that evidence of mailing an agency document creates a rebuttable presumption; providing that the act fulfills an important state interest; providing effective dates.

By the Committee on Judiciary; and Senator Bogdanoff—

CS for SB 822—A bill to be entitled An act relating to expert testimony; amending s. 90.702, F.S.; providing that a witness qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion as to the facts at issue in a case under certain circumstances; requiring the courts of this state to interpret and apply the principles of expert testimony in conformity with specified United States Supreme Court decisions; amending s. 90.704, F.S.; providing that facts or data that are otherwise inadmissible in evidence may not be disclosed to the jury by the proponent of the opinion or inference unless the court determines that the probative value of the facts or data in assisting the jury to evaluate the expert’s opinion substantially outweighs the prejudicial effect of the facts or data; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Bennett—

CS for SB 960—A bill to be entitled An act relating to liquefied petroleum gas; amending s. 527.06, F.S.; prohibiting the Department of Agriculture and Consumer Services and other state agencies from requiring compliance with certain national standards for liquefied petroleum gas tanks unless the department or agencies require compliance with a specified edition of the national standards; providing for future expiration of such requirements; amending s. 527.21, F.S.; revising the term “propane” for purposes of the Florida Propane Gas Education, Safety, and Research Act, to incorporate changes to certain national standards in a reference thereto; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Dean—

CS for SB 968—A bill to be entitled An act relating to boating safety; amending s. 327.395, F.S.; providing an exemption from the requirement that certain persons must possess a boating safety identification card while operating a motor vessel of a specified horsepower or greater; amending s. 327.54, F.S.; requiring liveries to require that a person present a valid boater safety identification card or provide proof that the person passed the boating education safety course or examination; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Ring—

CS for SB 1130—A bill to be entitled An act relating to retirement; amending ss. 110.123, 112.0801, 112.363, and 112.65, F.S.; conforming provisions to changes made by the act; amending s. 121.011, F.S.; requiring employee and employer contributions to the retirement system by a certain date; placing an cap on the amount of employee contributions; amending s. 121.021, F.S.; redefining the terms “system,” “prior service,” “compensation,” “average final compensation,” “benefit,” “vested,” and “payee”; amending s. 121.051, F.S.; conforming provisions to changes made by the act; amending s. 121.0515, F.S.; providing that special risk employee contributions be used, if applicable, when purchasing credit for past service; conforming a cross-reference; amending s. 121.052, F.S., relating to the membership class of elected officers; conforming provisions to changes made by the act; providing for a refund of contributions under certain circumstances for an officer who leaves office; prohibiting such refund if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; conforming a cross-reference; amending s. 121.053, F.S.; conforming provisions to changes made by the act; amending s. 121.055, F.S., relating to the Senior Management Service Class; conforming provisions to changes made by the act; prohibiting such refund if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; requiring employee and employer contributions for members in the Senior Management Service Optional Annuity Program after a certain date; limiting the payment of benefits before a member’s termination of employment; amending s. 121.071, F.S.; requiring employee and employer contributions to the retirement system beginning on a certain date; providing for a refund of contributions under certain circumstances following termination of employment; prohibiting such refund if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; requiring repayment plus interest of an invalid refund; amending s. 121.081, F.S.; providing requirements for contributions for prior service performed on or after a certain date; amending s. 121.091, F.S.; conforming a cross-reference; delaying the refund or payment of accumulated employee contributions if a member’s employment is terminated for any reason other than death or retirement; requiring repayment plus interest of an invalid refund; prohibiting such refund if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; conforming provisions to changes made by the act; amending s. 121.1001, F.S.; conforming provisions to changes made by the act; amending s. 121.121, F.S., relating to the purchase of creditable service following an authorized leave of absence; requiring that service credit be purchased at the employee and employer contribution rates in effect during the leave of absence; reducing the interest rate on benefits payable under the Deferred Retirement Option Program for employees hired after a certain date; amending s. 121.122, F.S.; providing for re-

newed membership in the retirement system for retirees who are re-employed after a certain date; specifying requirements and limitations; amending s. 121.125, F.S.; conforming provisions to changes made by the act; amending s. 121.35, F.S., relating to the optional retirement program for the State University System; conforming provisions to changes made by the act; requiring employee and employer contributions for members participating in the optional retirement program after a certain date; deleting certain requirements governing employer contributions to conform to changes made by the act; conforming cross-references; amending s. 121.355, F.S.; conforming provisions to changes made by the act; amending s. 121.4501, F.S.; changing the name of the Public Employee Optional Retirement Program to the Florida Retirement System Investment Plan; limiting the option of enrolling in the State Retirement System's defined benefit program or defined contribution program to public employees employed before a certain date; requiring certain public employees employed on or after a certain date to enroll in the investment plan; providing exceptions; requiring that plan members make contributions to the plan based on the employee's membership class; revising definitions; deleting obsolete provisions relating to the 2002 optional transfer of public employees from the pension plan to the investment plan; providing for past employees who reenter the system; providing for contribution adjustments as a result of errors or corrections; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; providing for a retiree to retain his or her prior plan choice following a return to employment; limiting certain refunds of contributions which exceed the amount that would have accrued had the member remained in the pension plan; providing certain requirements and limitations with respect to contributions; clarifying that employee and employer contributions are earmarked for specified purposes; providing duties of the third-party administrator; providing that a member is vested immediately with respect to employee contributions paid by the employee; providing for the forfeiture of nonvested employer contributions and service credit based on years of service; amending s. 121.4502, F.S.; conforming provisions to changes made by the act; amending s. 121.4503, F.S.; providing for the deposit of employee contributions into the Florida Retirement System Contributions Clearing Trust Fund; amending s. 121.571, F.S.; conforming provisions to changes made by the act; providing requirements for submitting employee contributions; amending s. 121.591, F.S.; providing for the forfeiture of nonvested accumulations upon payment of certain vested benefits; providing that the distribution payment method selected by the member or beneficiary is irrevocable at the time of distribution; prohibiting a distribution of employee contributions if a qualified domestic relations order is filed against the member's account; providing for the distribution of an employee's contributions if the employee dies before being vested; providing for the establishment of a death benefits program in the Florida Retirement System Trust Fund and the payment of benefits if the employee dies in the line of duty; conforming provisions to changes made by the act; amending ss. 121.5911 and 121.70, F.S.; conforming provisions to changes made by the act; amending s. 121.71, F.S.; providing for employee contributions to be deducted from the employee's monthly salary, beginning on a specified date, and treated as employer contributions under certain provisions of federal law; clarifying that an employee may not receive such contributions directly; providing that employee contributions are not required if the Florida Retirement System reaches a certain level of funding; placing a cap based on the amount of gross compensation on the amount of employee contributions; specifying the required employer retirement contribution rates for each membership class and subclass of the system in order to address unfunded actuarial liabilities of the system; requiring an assessment to be imposed if the employee contributions remitted are less than the amount required; providing for the employer to receive a credit for excess contributions remitted; conforming cross-references; amending s. 121.72, F.S.; revising certain requirements governing allocations to optional retirement program member accounts; conforming cross-references; amending s. 121.73, F.S., relating to disability coverage for members of the optional retirement program; conforming provisions to changes made by the act; amending ss. 121.74, 121.75, and 121.77, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 121.78, F.S.; revising certain requirements for administering the payment and distribution of contributions; requiring that certain fees be imposed for delinquent payment; providing that an employer is responsible for recovering any refund provided to an employee in error; revising the terms of an authorized waiver of delinquency; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; amending s. 1012.875, F.S.; requiring employee and employer contributions for members of the State Community College System Optional Retirement Program on a certain date; conforming cross-references; providing that the act fulfills an important state interest; providing a directive to the Division of Statutory Revision; requiring the State Board of Administration and the Department of Management Services to request a private letter ruling from the United States Internal Revenue

Service regarding this act; authorizing state universities to develop and implement health benefit programs for their employees if the costs of such programs do not exceed current state expenditures; providing effective dates.

By the Committee on Transportation; and Senator Latvala—

CS for SB 1150—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 20.24, F.S.; specifying that the executive director of the department serves at the pleasure of the Governor and Cabinet; creating a Division of Motorist Services within the department; eliminating the Division of Driver Licenses and the Division of Motor Vehicles; amending s. 261.03, F.S.; conforming cross-references; amending s. 288.816, F.S., relating to Consul Corps license plates; conforming a reference; amending s. 316.1905, F.S.; providing that certain traffic citations may not be issued or prosecuted unless a law enforcement officer used an electrical, mechanical, or other speed-calculating device that has been tested and approved; providing an exception; amending s. 316.1933, F.S.; authorizing a health care provider to notify a law enforcement agency after detecting the presence of a controlled substance in the blood of a person injured in a motor vehicle crash; amending s. 316.1957, F.S., relating to parking violations; conforming a reference; amending s. 316.2085, F.S.; requiring that license tags for mopeds and motorcycles be affixed so that the letters and numbers are legible from the rear; specifying that the tags may be displayed horizontally or vertically to the ground so that the numbers and letters read from left to right or from top to bottom; amending ss. 316.2122, 316.2124, 316.21265, 316.3026, and 316.550, F.S., relating to the operation of low-speed vehicles, motorized disability access vehicles, and all-terrain or utility vehicles, the unlawful operation of motor carriers, and special permits, respectively; conforming cross-references; amending s. 316.545, F.S.; providing for the regulation of apportionable vehicles; amending s. 316.646, F.S.; authorizing the department to suspend the registrations and driving privilege of a person convicted of failing to maintain the required security while operating a private passenger motor vehicle; amending s. 317.0003, F.S., relating to off-highway vehicles; conforming a cross-reference; amending s. 317.0016, F.S.; eliminating a requirement that the department provide expedited service for certificates of repossession; amending s. 318.14, F.S.; clarifying provisions authorizing a person cited for a noncriminal traffic infraction to elect to attend a driver improvement course or enter a plea of nolo contendere; amending s. 318.15, F.S., relating to the suspension of driving privileges; conforming a reference; amending s. 319.14, F.S.; prohibiting a person from knowingly offering for sale, selling, or exchanging certain vehicles unless the department has stamped in a conspicuous place on the certificate of title words stating that the vehicle is a custom vehicle or street rod vehicle; defining the terms "custom vehicle" and "street rod"; amending s. 319.225, F.S.; revising the requirements for the transfer and reassignment forms for vehicles; requiring that a dealer selling a vehicle out of state mail a copy of the power of attorney form to the department; providing for the electronic transfer of a vehicle title; amending s. 319.23, F.S.; providing for the application for a certificate of title, corrected certificate, or assignment or reassignment to be filed from the consummation of the sale of a mobile home; authorizing the department to accept a bond if the applicant for a certificate of title is unable to provide a title that assigns the prior owner's interest in the motor vehicle; providing requirements for the bond and the affidavit; providing for future expiration of the bond; amending s. 319.28, F.S.; eliminating certain requirements that a lienholder obtain a certificate of repossession following repossession of a vehicle or mobile home; amending s. 319.323, F.S., relating to title offices for expedited service; conforming provisions to changes made by the act; amending s. 319.40, F.S.; authorizing the department to issue electronic certificates of title and use electronic mail addresses for purposes of notification; amending s. 320.01, F.S.; revising the definition of the term "motor vehicle" to include special mobile equipment; deleting an obsolete definition; revising the gross vehicle weight for purposes of defining the terms "apportionable vehicle" and "commercial motor vehicle"; amending s. 320.02, F.S.; providing that an active-duty military member is exempt from the requirement to provide an address on an application for vehicle registration; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to End Hunger in Florida; requiring that the department retain certain records for a specified period; amending s. 320.023, F.S.; authorizing the department to retain certain proceeds derived from the voluntary contributions program to cover certain specified costs to the department; amending s. 320.03, F.S., relating to the International Registration Plan; conforming provisions to changes made by the act; amending s. 320.05, F.S.; deleting a provision requiring that the department provide a procedures manual for a fee; clarifying that the creation and maintenance of records by the Division of Motorist Services is not a law enforcement function of agency recordkeeping; amending s. 320.06, F.S.; authorizing the department to

conduct a pilot program to evaluate alternative license plate technologies for use on government-owned motor vehicles; specifying that all license plates issued by the department are the property of the state; amending s. 320.061, F.S.; providing that it is a noncriminal traffic infraction to alter a temporary license plate; amending s. 320.071, F.S.; providing for the renewal of registration for an apportionable vehicle that is registered under the International Registration Plan; amending s. 320.0715, F.S.; clarifying provisions requiring the registration of apportionable vehicles under the International Registration Plan; amending s. 320.08, F.S., relating to license taxes; conforming cross-references; amending s. 320.0847, F.S., relating to license plates for mini trucks and low-speed vehicles; conforming cross-references; amending s. 320.0848, F.S.; revising the requirements for the deposit of fee proceeds from temporary disabled parking permits; amending s. 320.275, F.S., relating to the Automobile Dealers Industry Advisory Board; conforming provisions to the elimination of the Division of Motor Vehicles within the department; amending s. 320.771, F.S.; specifying circumstances under which certain dealers may apply for a certificate of title to a recreational vehicle using a manufacturer's statement of origin; amending s. 320.95, F.S.; authorizing the department to use electronic mail addresses for the purpose of providing license renewal notices; amending s. 321.02, F.S.; designating the director of the Division of Highway Patrol of the department as the Colonel of the Florida Highway Patrol; amending s. 322.02, F.S.; providing for a director of the Division of Motorist Services; amending s. 322.04, F.S.; revising provisions exempting a nonresident from the requirement to obtain a driver's license under certain circumstances; amending s. 322.051, F.S.; revising requirements by which an applicant for an identification card may prove nonimmigrant classification; clarifying the validity of an identification card based on specified documents; providing for the department to waive the fees for issuing or renewing an identification card to persons who present good cause for such waiver; amending s. 322.058, F.S.; conforming a cross-reference; amending s. 322.065, F.S.; revising the period of expiration that constitutes the offense of driving with an expired driver's license; amending s. 322.07, F.S.; clarifying the qualifications for obtaining a temporary commercial instruction permit; amending s. 322.08, F.S.; revising requirements by which an applicant for a driver's license may prove nonimmigrant classification; clarifying the validity of a license based on specified documents; authorizing the department to use electronic mail addresses for the purposes of providing license renewal notices; amending s. 322.081, F.S.; authorizing the department to retain certain proceeds derived from the voluntary contributions made on driver's license applications to cover certain specified costs to the department; amending s. 322.12, F.S.; deleting provisions requiring a separate examination for applicants for a license to operate a motorcycle; requiring that the motorcycle safety course for a first-time applicant include a final examination; requiring that completion of the course be indicated on the license; amending s. 322.121, F.S.; clarifying provisions authorizing the automatic extension of a license for members of the Armed Forces or their dependents while serving on active duty outside the state; amending s. 322.14, F.S.; deleting a requirement that applicants for specified licenses appear in person for issuance of a color photographic or digital imaged driver's license; creating s. 322.1415, F.S.; requiring the Department of Highway Safety and Motor Vehicles to issue a specialty driver's license or identification card to qualified applicants; specifying that, at a minimum, the specialty driver's licenses and identification cards must be available for certain state and independent universities and professional sports teams and all of the branches of the United States military; requiring that the design of each specialty driver's license and identification card be approved by the department; amending s. 322.20, F.S., relating to department records; conforming provisions to changes made by the act; amending s. 322.202, F.S.; clarifying that the Division of Motorist Services is not a law enforcement agency; amending s. 322.21, F.S.; providing for the distribution of funds collected from the specialty driver's license and identification card fees; conforming provisions to changes made by the act; authorizing a driver to renew his or her driver's license during a specified period before the license expiration date; amending s. 322.53, F.S.; revising provisions exempting certain farmers and drivers who operate straight trucks from the requirement to obtain a commercial driver's license; amending s. 322.54, F.S.; requiring that the weight of a commercial motor vehicle be based on the vehicle's actual weight under certain circumstances; repealing s. 322.58, F.S., relating to holders of chauffeur's licenses; amending s. 322.59, F.S.; requiring that the department disqualify a driver holding a commercial driver's license who fails to comply with specified federal certification requirements; amending s. 322.61, F.S.; providing that the holder of a commercial driver's license is permanently disqualified from operating a commercial motor vehicle following two violations of specified offenses committed while operating any vehicle; amending s. 322.64, F.S.; providing that a notice of disqualification from operating a commercial motor vehicle acts as a conviction for purposes of certain federal restrictions imposed for the offense of operating a commercial motor vehicle while under the influence of alcohol; deleting provisions authorizing the department to impose certain alternative restrictions for such

offense; amending s. 328.30, F.S.; authorizing the department to issue electronic certificates of title for vessels and use electronic mail addresses for purposes of providing renewal notices; amending s. 413.012, F.S., relating to a prohibition on disclosing confidential records held by the department; conforming provisions to changes made by the act; amending s. 713.78, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Governmental Oversight and Accountability;
and Senator Thrasher—

CS for SB 1970—A bill to be entitled An act relating to public records; amending s. 11.51, F.S.; creating an exemption from public-records requirements for work papers held by the Office of Program Policy Analysis and Government Accountability which relate to an authorized project or a research product; providing for retroactive application; providing a statement of public necessity; providing a contingent effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The following Executive Order was filed with the Secretary:

EXECUTIVE ORDER NUMBER 11-47 (Executive Order of Suspension)

WHEREAS, Beth Flansbaum-Talabisco, is presently serving as Mayor for the City of Tamarac; and

WHEREAS, on March 8, 2011, an affidavit to arrest was issued by the Circuit Court of the Seventeenth Judicial Circuit, in and for Broward County, Florida, alleging that Beth Flansbaum-Talabisco committed unlawful compensation, in violation of section 838.016(1), Florida Statutes; bribery, in violation of section 838.015(1), Florida Statutes; official misconduct, in violation of section 838.022, Florida Statutes; and conspiracy to commit unlawful compensation, in violation of sections 777.04(3) and 838.016, Florida Statutes, which resulted in a warrant being issued and her arrest; and

WHEREAS, a violation of section 838.016, Florida Statutes, constitutes a felony in the second degree; a violation of section 838.15, Florida Statutes, constitutes a felony in the second degree; a violation of section 838.022, Florida Statutes, constitutes a felony in the third degree; and a violation of section 777.04(3), Florida Statutes, constitutes a felony in the third degree;

WHEREAS, section 112.51, Florida Statutes, provides that the Governor may suspend from office any elected municipal officer who is arrested for a felony; and

WHEREAS, it is in the best interest of the residents of the City of Tamarac and the citizens of the State of Florida that Beth Flansbaum-Talabisco be immediately suspended from the public office which she now holds, upon the grounds set forth in this executive order,

NOW, THEREFORE, I, Rick Scott, Governor of Florida, pursuant to Section 112.51, Florida Statutes, find as follows:

A. Beth Flansbaum-Talabisco is, and at all times material was, Mayor for the City of Tamarac, Florida.

B. The office of Mayor for the City of Tamarac, Florida is within the purview of the suspension powers of the Governor, pursuant section 112.51, Florida Statutes.

C. The attached affidavit to arrest and arrest warrant alleges that Beth Flansbaum-Talabisco committed acts in violation of the laws of the State of Florida. This suspension is predicated upon the attached affidavit to arrest and arrest warrant, which allege conduct constituting felonies and are incorporated as if fully set forth in this Executive Order.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this executive order is issued, effective today:

Section 1. Beth Flansbaum-Talabisco is suspended from the public office which she now holds, to wit: Mayor for the City of Tamarac, Florida.

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



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 9th day of March, 2011.

Rick Scott
GOVERNOR

ATTEST:

Kurt S. Browning

SECRETARY OF STATE

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Education Practices Commission	
Appointee: Hale, Susan, Homosassa	09/30/2012
Governor's Mansion Commission	
Appointee: Aurell, Jane C., Tallahassee	09/30/2013

Referred to the Rules Subcommittee on Ethics and Elections.

Office and Appointment

For Term Ending

Board of Trustees, Florida A & M University	
Appointee: McWilliams, Spurgeon W., Tallahassee	01/06/2016
Board of Trustees, Florida State University	
Appointee: Burr, Edward E., Jacksonville Beach	01/06/2016
Board of Trustees, Florida International University	
Appointee: Kahn, Sidney Lawrence III, Coral Gables	01/06/2016
Board of Trustees, University of South Florida	
Appointee: Saco, Louis S., Lakeland	01/06/2016

Referred to the Committee on Higher Education; and Rules Subcommittee on Ethics and Elections.

CO-INTRODUCERS

Senators Bennett—SB 472, CS for SJR 958, SB 1724; Detert—SB 1088; Evers—CS for SJR 958; Gaetz—SB 1782; Garcia—SB 302, SB 556; Hays—CS for SB 142, CS for CS for SB 736; Latvala—SB 392; Richter—CS for SJR 958; Sobel—SB 796; Storms—SB 874

Senator Negron withdrew as introducer of SB 466.

Senator Brayton was recorded as introducer of SB 466.

SENATE PAGES

March 14-18, 2011

Courtney Atwater, North Palm Beach; Dylan Brandenburg, North Palm Beach; AJ Brown, Doral; Brooke Cantwell, North Palm Beach; Tori Goins, Wellington; Harrison Gottlieb, Hollywood; Jordan Lulich, Sebastian; Karly Marcy, Daytona Beach; Dominique McCloud, Miami; Tucker O'Neill, Ocala; Sophia Perenich, Trinity; Zaria Rucker, Daytona; Ashley Tringas, Gulf Breeze; Brad Webster, Winter Haven



Journal of the Senate

Number 5—Regular Session

Tuesday, March 15, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 10:00 a.m.
A quorum present—40:

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

PRAYER

The following prayer was offered by Chief Bobby Johns Bearheart, Perdido Bay Tribe of Lower Muscogee Creek Indians, Pensacola:

God grant these devoted legislators, and the adjoining house, the strength of the eagle's wings, the faith and courage to fly to new heights, and the wisdom to rely on his spirit to carry them through the challenges they are charged with.

Almighty God, He-sa-ke-tv-me-see, Master Giver and Taker of Breath, illuminate their path as they seek justice for the people with dignity. Hear our prayer and evermore. Amen.

PLEDGE

Senate Pages Tucker O'Neill of Ocala; Brad Webster of Winter Haven; Dylan Brandenburg of North Palm Beach; Jordan Lulich of Sebastian; and Dominique McCloud of Miami, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Steven Kailes of Jacksonville, sponsored by Senator Wise, as doctor of the day. Dr. Kailes specializes in Emergency Medicine.

BILLS ON THIRD READING

CS for SJR 958—A joint resolution proposing an amendment to Section 1 of Article VII and the creation of Section 19 of Article VII and Section 32 of Article XII of the State Constitution to replace the existing state revenue limitation with a new state revenue limitation based on inflation and population changes.

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

That the following amendment to Section 1 of Article VII and the creation of Section 19 of Article VII and Section 32 of Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 1. Taxation; appropriations; state expenses; ~~state revenue limitation.~~—

(a) No tax shall be levied except in pursuance of law. No state ad valorem taxes shall be levied upon real estate or tangible personal property. All other forms of taxation shall be preempted to the state except as provided by general law.

(b) Motor vehicles, boats, airplanes, trailers, trailer coaches and mobile homes, as defined by law, shall be subject to a license tax for their operation in the amounts and for the purposes prescribed by law, but shall not be subject to ad valorem taxes.

(c) No money shall be drawn from the treasury except in pursuance of appropriation made by law.

(d) Provision shall be made by law for raising sufficient revenue to defray the expenses of the state for each fiscal period.

~~(e) Except as provided herein, state revenues collected for any fiscal year shall be limited to state revenues allowed under this subsection for the prior fiscal year plus an adjustment for growth. As used in this subsection, "growth" means an amount equal to the average annual rate of growth in Florida personal income over the most recent twenty quarters times the state revenues allowed under this subsection for the prior fiscal year. For the 1995-1996 fiscal year, the state revenues allowed under this subsection for the prior fiscal year shall equal the state revenues collected for the 1994-1995 fiscal year. Florida personal income shall be determined by the legislature, from information available from the United States Department of Commerce or its successor on the first day of February prior to the beginning of the fiscal year. State revenues collected for any fiscal year in excess of this limitation shall be transferred to the budget stabilization fund until the fund reaches the maximum balance specified in Section 19(g) of Article III, and thereafter shall be refunded to taxpayers as provided by general law. State revenues allowed under this subsection for any fiscal year may be increased by a two-thirds vote of the membership of each house of the legislature in a separate bill that contains no other subject and that sets forth the dollar amount by which the state revenues allowed will be increased. The vote may not be taken less than seventy-two hours after the third reading of the bill. For purposes of this subsection, "state revenues"~~

~~means taxes, fees, licenses, and charges for services imposed by the legislature on individuals, businesses, or agencies outside state government. However, "state revenues" does not include: revenues that are necessary to meet the requirements set forth in documents authorizing the issuance of bonds by the state; revenues that are used to provide matching funds for the federal Medicaid program with the exception of the revenues used to support the Public Medical Assistance Trust Fund or its successor program and with the exception of state matching funds used to fund elective expansions made after July 1, 1994; proceeds from the state lottery returned as prizes; receipts of the Florida Hurricane Catastrophe Fund; balances carried forward from prior fiscal years; taxes, licenses, fees, and charges for services imposed by local, regional, or school district governing bodies; or revenue from taxes, licenses, fees, and charges for services required to be imposed by any amendment or revision to this constitution after July 1, 1994. An adjustment to the revenue limitation shall be made by general law to reflect the fiscal impact of transfers of responsibility for the funding of governmental functions between the state and other levels of government. The legislature shall, by general law, prescribe procedures necessary to administer this subsection.~~

SECTION 19. State revenue limitation.—

(a) STATE REVENUE LIMITATION.—Except as provided in this section, state revenues collected in any fiscal year are limited as follows:

(1) For the 2014-2015 fiscal year, state revenues are limited to an amount equal to the state revenues collected during the 2013-2014 fiscal year multiplied by the sum of the adjustment for growth plus four one-hundredths.

(2) For the 2015-2016 fiscal year, state revenues are limited to an amount equal to the state revenue limitation for fiscal year 2014-2015 multiplied by the sum of the adjustment for growth plus three one-hundredths.

(3) For the 2016-2017 fiscal year, state revenues are limited to an amount equal to the state revenue limitation for fiscal year 2015-2016 multiplied by the sum of the adjustment for growth plus two one-hundredths.

(4) For the 2017-2018 fiscal year, state revenues are limited to an amount equal to the state revenue limitation for fiscal year 2016-2017 multiplied by the sum of the adjustment for growth plus one one-hundredth.

(5) For the 2018-2019 fiscal year and thereafter, state revenues are limited to an amount equal to the state revenue limitation for the previous fiscal year multiplied by the adjustment for growth.

(6) The adjustment for growth for a fiscal year shall be determined by March 1 preceding the fiscal year using the latest information available. Once the adjustment for growth is determined for a fiscal year, it may not be changed based on revisions to the information used to make the determination.

(b) REVENUES IN EXCESS OF THE LIMITATION.—State revenues collected in any fiscal year in excess of the revenue limitation shall be transferred to the budget stabilization fund until the fund reaches the maximum balance specified in Section 19(g) of Article III, and thereafter shall be used for the support and maintenance of public schools by reducing the minimum financial effort required from school districts for participation in a state-funded education finance program, or, if the minimum financial effort is no longer required, returned to taxpayers as provided by general law.

(c) AUTHORITY OF THE LEGISLATURE TO INCREASE THE REVENUE LIMITATION.—

(1) The state revenue limitation for any fiscal year may be increased by a two-thirds vote of the membership of each house of the legislature. Unless otherwise provided by the bill increasing the revenue limitation,

the increased revenue limitation enacted under this paragraph shall be used to determine the revenue limitation for future fiscal years.

(2) The state revenue limitation for any one fiscal year may be increased by a three-fifths vote of the membership of each house of the legislature. Increases to the revenue limitation enacted under this paragraph must be disregarded when determining the revenue limitation in subsequent fiscal years.

(3) A bill increasing the revenue limitation may not contain any other subject and must set forth the dollar amount by which the state revenue limitation will be increased. The vote may not be taken less than seventy-two hours after the third reading in either house of the legislature of the bill in the form that will be presented to the governor.

(d) AUTHORITY OF THE ELECTORS TO INCREASE THE REVENUE LIMITATION.—The legislature may propose an increase in the state revenue limitation pursuant to a concurrent resolution enacted by a three-fifths vote of the membership of each house. The proposed increase shall be submitted to the electors at the next general election held more than ninety days after the resolution is filed with the custodian of state records. However, the legislature may submit the proposed increase at an earlier special election held more than ninety days after it is filed with the custodian of state records pursuant to a law enacted by the affirmative vote of three-fourths of the membership of each house of the legislature. The resolution must set forth the dollar amount by which the state revenue limitation will be increased. Unless otherwise provided in the resolution, the increased revenue limitation shall be used to determine the revenue limitation for future fiscal years. The proposed increase shall take effect if it is approved by a vote of at least 60 percent of the electors voting on the matter.

(e) REVENUE LIMIT ADJUSTMENT BY THE LEGISLATURE.—The legislature shall provide by general law for adjustments to the state revenue limitation to reflect:

(1) The fiscal impact of transfers of responsibility for the funding of governmental functions between the state and other levels of government occurring after May 6, 2011; or

(2) The fiscal impact of a new federal mandate.

(f) GENERAL LAW IMPLEMENTATION.—The legislature shall, by general law, prescribe procedures necessary to administer this section.

(g) DEFINITIONS.—As used in this section, the term:

(1) "Adjustment for growth" means an amount equal to the average for the previous five years of the product of the inflation factor and the population factor.

(2) "Inflation factor" means an amount equal to one plus the percent change in the calendar year annual average of the Consumer Price Index. The term "Consumer Price Index" means the Consumer Price Index for All Urban Consumers, U.S. city average (not seasonally adjusted, current base for all items), as published by the United States Department of Labor. In the event the index ceases to exist, the legislature shall determine the successor index by general law.

(3) "Population factor" means an amount equal to one plus the percent change in population of the state as of April 1 compared to April 1 of the prior year. For purposes of calculating the annual rate of change in population, the state's official population estimates shall be used.

(4) "State revenues" means taxes, fees, licenses, fines, and charges for services imposed by the legislature on individuals, businesses, or agencies outside state government. However, the term "state revenues" does not include: revenues that are necessary to meet the requirements set forth in documents authorizing the issuance of bonds by the state for bonds issued before July 1, 2012; revenues that are used to provide matching funds for the federal Medicaid program with the exception of the revenues used to support the Public Medical Assistance Trust Fund or its successor program and with the exception of state matching funds used to fund optional expansions made after July 1, 1994; proceeds from the state lottery returned as prizes; receipts of the Florida Hurricane Catastrophe Fund

and Citizens Property Insurance Corporation; receipts of public universities and colleges; balances carried forward from prior fiscal years; taxes, fees, licenses, fines, and charges for services imposed by local, regional, or school district governing bodies; or revenue from taxes, fees, licenses, fines, and charges for services authorized by any amendment or revision to this constitution after May 6, 2011.

ARTICLE XII

SCHEDULE

SECTION 32. State revenue limitation.—The amendment to Section 1 and the creation of Section 19 of Article VII, revising the state revenue limitation, and this section take effect upon approval by the electors and apply beginning in the 2014-2015 state fiscal year.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

ARTICLE VII, SECTIONS 1 and 19

ARTICLE XII, SECTION 32

CONSTITUTIONAL AMENDMENT

STATE GOVERNMENT REVENUE LIMITATION.—This proposed amendment to the State Constitution replaces the existing state revenue limitation based on Florida personal income growth with a new state revenue limitation based on inflation and population changes. Under the amendment, state revenues, as defined in the amendment, collected in excess of the revenue limitation must be deposited into the budget stabilization fund until the fund reaches its maximum balance, and thereafter shall be used for the support and maintenance of public schools by reducing the minimum financial effort required from school districts for participation in a state-funded education finance program, or, if the minimum financial effort is no longer required, returned to the taxpayers. The Legislature may increase the state revenue limitation through a bill approved by a super majority vote of each house of the Legislature. The Legislature may also submit a proposed increase in the state revenue limitation to the voters. The Legislature must implement this proposed amendment by general law. The amendment will take effect upon approval by the electors and will first apply to the 2014-2015 state fiscal year.

—was read the third time in full.

On motion by Senator Bogdanoff, CS for SJR 958 was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—27

Table with 3 columns: Mr. President, Fasano, Montford, Alexander, Flores, Negron, Altman, Gaetz, Norman, Benacquisto, Garcia, Oelrich, Bennett, Gardiner, Richter, Bogdanoff, Hays, Simmons, Dean, Jones, Storms, Diaz de la Portilla, Latvala, Thrasher, Evers, Lynn, Wise

Nays—13

Table with 3 columns: Braynon, Joyner, Siplin, Bullard, Margolis, Smith, Detert, Rich, Sobel, Dockery, Ring, Hill, Sachs

SPECIAL GUESTS

Senator Rich recognized former Senator Ron Silver and his daughter, Elaine Hollander, and granddaughter, Kayla, who were present in the gallery.

TRUST FUND BILL CALENDAR

SB 1038—A bill to be entitled An act relating to trust funds; creating s. 17.67, F.S.; creating the Federal Grants Trust Fund within the Department of Financial Services; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title. On motions by Senator Hays, by two-thirds vote SB 1038 was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Mr. President, Fasano, Negron, Alexander, Flores, Norman, Altman, Gaetz, Oelrich, Benacquisto, Garcia, Rich, Bennett, Gardiner, Richter, Bogdanoff, Hays, Ring, Braynon, Hill, Sachs, Bullard, Jones, Siplin, Dean, Joyner, Smith, Detert, Latvala, Sobel, Diaz de la Portilla, Lynn, Storms, Dockery, Margolis, Thrasher, Evers, Montford, Wise

Nays—None

Vote after roll call:

Yea—Simmons

SB 1040—A bill to be entitled An act relating to trust funds; amending s. 455.116, F.S.; providing a statutory reference for the trust fund created by the act; creating s. 499.0031, F.S.; creating the Florida Drug, Device, and Cosmetic Trust Fund within the Department of Business and Professional Regulation; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title. On motions by Senator Hays, by two-thirds vote SB 1040 was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Mr. President, Flores, Norman, Alexander, Gaetz, Oelrich, Altman, Garcia, Rich, Benacquisto, Gardiner, Richter, Bennett, Hays, Ring, Bogdanoff, Hill, Sachs, Braynon, Jones, Simmons, Bullard, Joyner, Siplin, Dean, Latvala, Smith, Diaz de la Portilla, Lynn, Sobel, Dockery, Margolis, Storms, Evers, Montford, Thrasher, Fasano, Negron, Wise

Nays—None

Vote after roll call:

Yea—Detert

SB 1030—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of Financial Services; providing for the disposition of balances in and revenues of such

trust funds; prescribing procedures for the termination of such trust funds; providing an effective date.

—was read the second time by title. On motions by Senator Hays, by two-thirds vote **SB 1030** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

SB 1044—A bill to be entitled An act relating to trust funds; terminating the International Registration Clearing Trust Fund within the Department of Highway Safety and Motor Vehicles; providing for the disposition of balances in and revenues of the trust fund; prescribing procedures for terminating the trust fund; repealing s. 2(4)(a), ch. 2004-235, Laws of Florida, relating to an exemption from termination provided for the trust fund; providing an effective date.

—was read the second time by title. On motions by Senator Gaetz, by two-thirds vote **SB 1044** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

SB 1012—A bill to be entitled An act relating to trust funds; re-creating the State Attorneys Revenue Trust Fund within the Justice Administrative Commission without modification; repealing s. 27.367(2), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Fasano, by two-thirds vote **SB 1012** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Altman	Bennett
Alexander	Benacquisto	Bogdanoff

Braynon	Hays	Richter
Bullard	Hill	Ring
Dean	Jones	Sachs
Detert	Joyner	Simmons
Diaz de la Portilla	Latvala	Siplin
Dockery	Lynn	Smith
Evers	Margolis	Sobel
Fasano	Montford	Storms
Flores	Negron	Thrasher
Gaetz	Norman	Wise
Garcia	Oelrich	
Gardiner	Rich	

Nays—None

SB 1014—A bill to be entitled An act relating to trust funds; re-creating the Public Defenders Revenue Trust Fund within the Justice Administrative Commission without modification; repealing s. 27.61(2), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Fasano, by two-thirds vote **SB 1014** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

SB 1016—A bill to be entitled An act relating to trust funds; re-creating the Indigent Civil Defense Trust Fund within the Justice Administrative Commission without modification; repealing s. 27.5111(2), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Fasano, by two-thirds vote **SB 1016** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Rich
Bennett	Gardiner	Richter
Bogdanoff	Hays	Ring
Braynon	Hill	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher

Wise

Nays—None

SB 1018—A bill to be entitled An act relating to trust funds; re-creating the State Courts Revenue Trust Fund within the state courts system without modification; repealing s. 29.22(2), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Fasano, by two-thirds vote **SB 1018** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

SB 1020—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Legal Affairs without modification; repealing s. 20.112(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Fasano, by two-thirds vote **SB 1020** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

SB 1022—A bill to be entitled An act relating to trust funds; re-creating the Operating Trust Fund within the Department of Legal Affairs without modification; repealing s. 20.111(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Fasano, by two-thirds vote **SB 1022** was read the third time by title, passed by the

required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

SB 1024—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Juvenile Justice without modification; repealing s. 20.3161(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Fasano, by two-thirds vote **SB 1024** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

SB 1026—A bill to be entitled An act relating to trust funds; re-creating the Operating Trust Fund within the Department of Education without modification; repealing s. 1001.281(4), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Simmons, by two-thirds vote **SB 1026** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Flores
Alexander	Dean	Gaetz
Altman	Detert	Garcia
Benacquisto	Diaz de la Portilla	Gardiner
Bennett	Dockery	Hays
Bogdanoff	Evers	Hill
Braynon	Fasano	Jones

Joyner	Oelrich	Smith
Latvala	Rich	Sobel
Lynn	Richter	Storms
Margolis	Ring	Thrasher
Montford	Sachs	Wise
Negron	Simmons	
Norman	Siplin	

Nays—None

SB 1028—A bill to be entitled An act relating to trust funds; re-creating the Administrative Trust Fund within the Department of Education without modification; repealing s. 1001.282(4), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Simmons, by two-thirds vote **SB 1028** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

SB 1032—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Environmental Protection without modification; repealing s. 20.25501(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Hays, by two-thirds vote **SB 1032** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

SB 1034—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Revenue without modification; repealing s. 215.197(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Hays, by two-thirds vote **SB 1034** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

SB 1036—A bill to be entitled An act relating to trust funds; re-creating and renaming the Operations Trust Fund within the Department of Revenue; repealing s. 215.198(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Hays, by two-thirds vote **SB 1036** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

SB 1042—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; repealing s. 20.241(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Gaetz, by two-thirds vote **SB 1042** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

SPECIAL ORDER CALENDAR

On motion by Senator Richter—

CS for SB 142—A bill to be entitled An act relating to negligence; amending s. 768.81, F.S.; defining the terms “negligence action” and “products liability action”; requiring the trier of fact to consider the fault of all persons who contributed to an accident when apportioning damages in a products liability action alleging an additional or enhanced injury; providing legislative intent to overrule a judicial opinion; providing a legislative finding that fault should be apportioned among all responsible persons in a products liability action; providing for retroactive application of the act; providing a legislative finding that the retroactive application of the act does not impair vested rights; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Simmons, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (506090) (with title amendment)—Delete lines 73-77 and insert: *received by a claimant in an accident were enhanced by a defective product, the trier of fact shall consider the fault of all persons who contributed to the accident when apportioning fault between or among them. The jury shall be appropriately instructed by the trial judge on the apportionment of fault in products liability actions where there are allegations that the injuries received by the claimant in an accident were enhanced by a defective product. The rules of evidence apply to these actions.*

And the title is amended as follows:

Delete lines 7 and 8 and insert: *in a products liability action alleging an enhanced injury; requiring the jury instructions to apportion certain fault in a products liability action; providing the rules of evidence apply; providing legislative intent to*

MOTION

On motion by Senator Simmons, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Simmons moved the following amendment:

Amendment 2 (832304) (with title amendment)—Delete lines 24-39 and insert:

(a) *“Accident” means the events and actions that relate to the incident as well as those events and actions that relate to the alleged defect or injuries, including enhanced injuries.*

(b) *“Economic damages” means past lost income and future lost income reduced to present value; medical and funeral expenses; lost support and services; replacement value of lost personal property; loss of appraised fair market value of real property; costs of construction repairs, including labor, overhead, and profit; and any other economic loss that which would not have occurred but for the injury giving rise to the cause of action.*

(c) *“Negligence action” means, without limitation, a civil action for damages based upon a theory of negligence; strict liability; products liability; or professional malpractice, whether couched in terms of contract, tort, or breach of warranty and like theories. The substance of an action, not conclusory terms used by a party, determines whether an action is a negligence action.*

(d) *“Products liability action” means a civil action based*

And the title is amended as follows:

Delete line 3 and insert: F.S.; defining the terms “accident,” “negligence action,” and

MOTION

On motion by Senator Richter, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Richter moved the following amendment to **Amendment 2** which was adopted:

Amendment 2A (113628)—Delete lines 17-19 and insert: *action for damages based upon a theory of negligence, strict liability, products liability, professional malpractice whether couched in terms of contract or tort, or breach of*

Amendment 2 as amended was adopted.

Pursuant to Rule 4.19, **CS for SB 142** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for SM 214** was deferred.

On motion by Senator Alexander, by unanimous consent—

SB 298—A bill to be entitled An act relating to municipal governing body meetings; creating s. 166.0213, F.S.; authorizing the governing bodies of certain municipalities to hold meetings within specified boundaries; providing an effective date.

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

Pursuant to Rule 4.19, **SB 298** was placed on the calendar of Bills on Third Reading.

CS for SM 214—A memorial to the Congress of the United States, urging Congress to support the tax-relief provisions of H.R. 5699 and S. 3934, initiated in the 111th Congress, or similar legislation, relating to the Deepwater Horizon Oil Spill of 2010.

WHEREAS, on April 20, 2010, an explosion occurred on the Deepwater Horizon oil drilling platform, allowing millions of gallons of crude oil to contaminate the waters of the Gulf of Mexico and the beaches and coastline of Florida, and

WHEREAS, the oil spill forced the closure of many areas of the Gulf of Mexico to commercial fishing, creating financial hardship for Floridians engaged in fishing and the related industries of seafood processing, seafood packaging, and the wholesale and retail sales of seafood, and

WHEREAS, the oil spill forced the closure of many miles of pristine, white, sandy public beaches in Florida, depositing tar balls and oily sheen on the beaches and threatening tidal marshes and bays elsewhere in Florida, and

WHEREAS, closure of the beaches and Gulf waters created financial hardships for the state’s hospitality industry, particularly in Northwest

Florida, during its most profitable time of the year, NOW, THEREFORE,

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

That certain provisions of H.R. 5699 and S. 3934, initiated in the 111th Congress, or similar legislation, which address tax relief for affected businesses and individuals and which would be most beneficial to Floridians should be approved by Congress. These provisions are: exempting from federal taxation as income any insurance payouts arising from the oil spill and payments for damages attributable to the oil spill under s. 1002 of the Oil Pollution Act of 1990, 33 U.S.C. 2702, which were reinvested in the Oil Spill Recovery Zone; recognizing any taxpayer who has a qualified oil-spill loss as eligible to use the federal 5-year net operating loss carryback for federal tax purposes; exempting from federal taxation the housing stipends paid to persons who are employed in the cleanup efforts, and awarding a tax credit to employers who paid the stipends; awarding an Employee Retention Tax Credit to qualified employers in the affected Gulf Coast area; waiving the tax penalty on early withdrawals of certain retirement plans if the proceeds are used as specified; relaxing the cap on federal deductions for charitable contributions dedicated to the cleanup efforts; and awarding a Work Opportunity Tax Credit for the hiring of qualified recovery zone employees.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Gaetz, **CS for SM 214** was adopted and certified to the House.

SM 216—A memorial to the Congress of the United States, urging Congress to exempt from federal income tax payments made to victims of the Deepwater Horizon oil disaster and to extend the net operating loss carryback period from 2 years to 5 years.

WHEREAS, there was an explosion at the Deepwater Horizon oil rig the night of April 20, 2010, and

WHEREAS, the explosion caused hundreds of millions of gallons of oil to spill into the Gulf of Mexico and wash up on the coastlines of the five Gulf Coast states, and

WHEREAS, this man-made disaster has spoiled Florida's coastline and waterways and devastated its fishing and tourism industries, and

WHEREAS, this man-made disaster has directly resulted in the loss of jobs and business for Floridians, and

WHEREAS, in June 2010, a preliminary study by the University of Central Florida predicted job losses of 195,000 and spending losses of \$10.9 billion if Florida's 23 counties along the Gulf Coast lose 50 percent of their tourism and leisure jobs and spending, and

WHEREAS, that preliminary study also predicted job losses of 39,000 and spending losses of \$2 billion if those same counties lose 10 percent of their tourism and leisure jobs and spending, and

WHEREAS, under the Oil Pollution Act of 1990 and other applicable laws, BP has been designated as a responsible party and is accountable for processing and paying all costs and applicable damages incurred by individuals, businesses, the state, and local governments as a result of the disaster, and

WHEREAS, in late August, a neutral fund administrator took over claims for costs and damages incurred as a result of the oil discharges due to the Deepwater Horizon oil disaster through the Gulf Coast Claims Facility, to be paid from an escrow account to which BP has agreed to contribute \$20 billion over a 4-year period, and

WHEREAS, the Gulf Coast Claims Facility evaluates claims for removal and clean-up costs, damage to real or personal property, lost earnings or profits, loss of subsistence use of natural resources, or physical injury or death, and

WHEREAS, the Internal Revenue Service has determined that claims paid for lost wages, income, and profits, as well as claims paid for certain property damage, are subject to federal income tax, NOW, THEREFORE,

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

That the Legislature requests the United States Congress to enact legislation that:

(1) Exempts from federal income tax those claim payments made to individuals and businesses as a result of the Deepwater Horizon oil disaster for:

- (a) Lost wages, income, and profits; and
- (b) Property damage.

(2) Allows fishing- and tourism-related businesses to carry back their net operating losses from the oil disaster for an additional 3 taxable years.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Gaetz, **SM 216** was adopted and certified to the House.

SM 218—A memorial to the Congress of the United States, urging Congress to dedicate penalties collected from parties responsible for the Deepwater Horizon oil disaster to repairing the environmental and economic damage caused by the disaster.

WHEREAS, on the night of April 20, 2010, there was an explosion at the Deepwater Horizon oil rig which caused at least 170 million gallons of oil to spill into the Gulf of Mexico over the course of several months and wash up onto the coastlines of the five Gulf states, and

WHEREAS, this man-made disaster spoiled portions of Florida's coastline and waterways and devastated its fishing and tourism industries, and

WHEREAS, this man-made disaster has directly resulted in the loss of jobs and business for Floridians, and

WHEREAS, a preliminary study by the University of Central Florida predicted job losses of 195,000 and spending losses of \$10.9 billion if Florida's 23 counties along the Gulf Coast lose 50 percent of their tourism and leisure jobs and spending, and

WHEREAS, that preliminary study also predicted job losses of 39,000 and spending losses of \$2 billion if those same counties lose 10 percent of their tourism and leisure jobs and spending, and

WHEREAS, despite clean-up efforts, oil remains buried in the sand on the Gulf states' coastlines and in the waters offshore, and

WHEREAS, the amount of oil remaining in the Gulf waters is still unknown and some researchers have discovered oil below the sea's surface, including on the ocean floor, and

WHEREAS, although seafood caught off of Florida's coast is safe to eat and approximately 90 percent of the fishing closures in federal waters have been lifted, the long-term effect on the Gulf's sea life is still unknown, and

WHEREAS, under current law, any civil penalties recovered pursuant to the Clean Water Act must be deposited into the Oil Spill Liability Trust Fund to be used for clean-up and response efforts for future oil spills, and

WHEREAS, United States Secretary of the Navy, Ray Mabus, recommended that Congress dedicate a significant portion of any civil penalties recovered under the Clean Water Act to providing assistance

for the region where the damage from the disaster occurred, NOW, THEREFORE,

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

That the Legislature requests the United States Congress to enact legislation that permits any civil penalties recovered under the Clean Water Act due to the Deepwater Horizon oil disaster to be distributed in the following manner:

- (1) Deposited into a newly created Gulf Coast Recovery Fund, which is managed by a Gulf Coast Recovery Council and used to provide assistance for long-term environmental and economic recovery in the Gulf;
- (2) Directed to the five Gulf states to enable each state to pursue its own recovery efforts; and
- (3) Deposited into the Oil Spill Liability Trust Fund for future recovery efforts.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Gaetz, **SM 218** was adopted and certified to the House.

SM 220—A memorial to the Congress of the United States, urging Congress to enact a law providing unemployment assistance for individuals who become unemployed as a result of an oil spill.

WHEREAS, there was an explosion at the Deepwater Horizon oil rig the night of April 20, 2010, and

WHEREAS, the explosion caused hundreds of millions of gallons of oil to spill into the Gulf of Mexico and wash up on the coastlines of the five Gulf states, and

WHEREAS, this man-made disaster has spoiled Florida’s coastline and waterways and devastated its fishing and tourism industries, and

WHEREAS, this man-made disaster has directly resulted in the loss of jobs for Floridians, and

WHEREAS, many of these individuals were self-employed or independent contractors, and as such do not qualify for unemployment compensation benefits, and

WHEREAS, the federal Disaster Unemployment Assistance Program benefits individuals who become unemployed only as a direct result of a disaster declared by the President of the United States pursuant to the Robert T. Stafford Disaster Relief and Emergency Act of 1974, and assistance paid under the act may be invoked only for natural disasters, NOW, THEREFORE,

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

That the Legislature requests the United States Congress to enact legislation that creates an Oil Spill Unemployment Assistance Program to provide income assistance to individuals who are unemployed as a result of a spill of national significance and who are not entitled to any other unemployment compensation, the cost of which shall be borne by responsible parties under the Oil Pollution Act.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Gaetz, **SM 220** was adopted and certified to the House.

On motion by Senator Gaetz—

CS for CS for CS for SB 248—A bill to be entitled An act relating to economic recovery from the Deepwater Horizon disaster; amending s. 14.2015, F.S.; defining the term “Disproportionally Affected County”; creating a process for the Office of Tourism, Trade, and Economic Development to waive any or all job or wage eligibility requirements under certain circumstances when in the best interest of the public; amending s. 220.191, F.S.; waiving the requirement that a facility located in a Disproportionally Affected County be in a high-impact sector in order to qualify for the capital investment tax credit; amending s. 288.106, F.S.; creating a process for the Office of Tourism, Trade, and Economic Development to waive wage or local financial support eligibility requirements; providing a special incentive under the tax refund program for a limited time for a qualified target industry business that relocates from another state to a Disproportionally Affected County; creating s. 252.363, F.S.; tolling and extending the expiration dates of certain building permits or other authorizations following the declaration of a state of emergency by the Governor; providing exceptions; providing for the laws, administrative rules, and ordinances in effect when the permit was issued to apply to activities described in a permit or other authorization; providing an exception; amending s. 253.02, F.S.; requiring the Board of Trustees of the Internal Improvement Trust Fund to recommend to the Legislature whether existing multistate compacts for mutual aid should be modified or if a new multistate compact is necessary to address the Deepwater Horizon event or similar future incidents; requiring that the Board of Trustees of the Internal Improvement Trust Fund appoint members to the Commission on Oil Spill Response Coordination; providing for the designation of the chair of the commission by the Governor; requiring the commission to prepare a report for review and approval by the board of trustees; specifying the subject matter of the report; providing for future expiration; defining the term “Disproportionally Affected County”; providing an appropriation to the Office of Tourism, Trade, and Economic Development to contract with Florida’s Great Northwest, Inc., in order to develop and implement an economic development program for a Disproportionally Affected County; specifying a preference for a Disproportionally Affected County or municipalities within a Disproportionally Affected County which provide for expedited or combined permitting for certain purposes; providing for the appropriation to be placed in reserve by the Executive Office of the Governor for release as authorized by law or the Legislative Budget Commission; defining the term “Disproportionally Affected County”; providing for the deposit of funds received by entities involved in the Deepwater Horizon oil spill into applicable state trust funds; specifying permissible uses of such funds; designating the Department of Environmental Protection as the lead agency for expending funds for environmental restoration; designating the Office of Tourism, Trade, and Economic Development as the lead agency for funds designated for economic incentives and diversification efforts; authorizing the holder of a lease of sovereignty submerged lands to apply to the Department of Environmental Protection for the payment or the reimbursement of lease fees for the period of the state of emergency for the Deepwater Horizon oil spill; specifying conditions for eligibility; requiring an application to the Department of Environmental Protection; requiring the Chief Financial Officer to use the full extent of the law to recover payments from the responsible party or other independently administered claims process; providing a short title for certain sections of the act; providing an effective date.

—was read the second time by title.

SENATOR FASANO PRESIDING

THE PRESIDENT PRESIDING

Pursuant to Rule 4.19, **CS for CS for CS for SB 248** was placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Bennett, by two-thirds vote **SB 136** and **SB 640** were withdrawn from the committees of reference and further consideration.

On motion by Senator Sachs, by two-thirds vote **SB 802** was withdrawn from the committees of reference and further consideration.

On motion by Senator Thrasher, by two-thirds vote **SB 1846** was withdrawn from further consideration.

On motion by Senator Thrasher, by two-thirds vote **SB 1322** was withdrawn from the Committee on Governmental Oversight and Accountability and referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; and Budget; **SB 1360** was withdrawn from the Committee on Commerce and Tourism and referred to the Committees on Banking and Insurance; Regulated Industries; and Budget; **SJR 1672** was withdrawn from the Committee on Rules Subcommittee on Ethics and Elections and referred to the Committees on Judiciary; Rules Subcommittee on Ethics and Elections; Rules; and Budget; **SB 1750** was withdrawn from the Committees on Health Regulation; and Criminal Justice and referred to the Committees on Banking and Insurance; and Budget; and **SB 1758** was withdrawn from the Committee on Health Regulation and referred to the Committees on Agriculture; Community Affairs; and Budget.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Trust Fund Bill Calendar for Tuesday, March 15, 2011: SB 1038, SB 1040, SB 1030, SB 1044, SB 1012, SB 1014, SB 1016, SB 1018, SB 1020, SB 1022, SB 1024, SB 1026, SB 1028, SB 1032, SB 1034, SB 1036, SB 1042.

Respectfully submitted,
John Thrasher, Chair

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Tuesday, March 15, 2011: CS for SM 214, SM 216, SM 218, SM 220, CS for CS for SB 248, SB 298.

Respectfully submitted,
John Thrasher, Chair

The Committee on Health Regulation recommends the following pass: SB 1414

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 138; SB 586; SB 912

The Committee on Community Affairs recommends the following pass: SB 510; SB 634; SB 638

The Committee on Criminal Justice recommends the following pass: SB 118; CS for SB 246

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 636

The Committee on Health Regulation recommends the following pass: SB 446

The Committee on Judiciary recommends the following pass: CS for SB 400

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

The Committee on Judiciary recommends the following pass: SM 954

The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Communications, Energy, and Public Utilities recommends the following pass: SB 1164

The Committee on Community Affairs recommends the following pass: SB 994 with 1 amendment

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

The Committee on Health Regulation recommends the following pass: SB 1226

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

The Committee on Communications, Energy, and Public Utilities recommends the following pass: SB 770; SB 772

The bills were referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 1192

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

The Committee on Health Regulation recommends the following pass: SB 626

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

The Committee on Community Affairs recommends the following pass: SB 1144

The Committee on Criminal Justice recommends the following pass: SB 240; SB 888 with 1 amendment; SB 1092

The Committee on Health Regulation recommends the following pass: SJR 1538

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

The Committee on Governmental Oversight and Accountability recommends the following pass: SM 358

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

The Committee on Judiciary recommends the following pass: CS for SB 146; SB 344

The bills were placed on the Calendar.

The Committee on Higher Education recommends a committee substitute for the following: SB 1194

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 516; SB 1412

The Committee on Community Affairs recommends a committee substitute for the following: SB 830

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1366

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1086

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

The Committee on Community Affairs recommends a committee substitute for the following: SJR 658

The Committee on Criminal Justice recommends committee substitutes for the following: SB 234; SB 438

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

The Committee on Health Regulation recommends a committee substitute for the following: SB 1228

The bill with committee substitute attached was referred to the Committee on Military Affairs, Space, and Domestic Security under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 582

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1140

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

The Committee on Judiciary recommends the following not pass: SB 262

The bill was laid on the table.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Criminal Justice; and Senators Evers, Dockery, Lynn, Hays, Norman, Negron, and Garcia—

CS for SB 234—A bill to be entitled An act relating to firearms; amending s. 790.06, F.S.; providing that a person in compliance with the terms of a concealed carry license may carry openly notwithstanding specified provisions; allowing the Division of Licensing of the Department of Agriculture and Consumer Services to take fingerprints from concealed carry license applicants; providing that concealed carry licenses shall not be prohibited from carrying or storing a firearm in a vehicle for lawful purposes; repealing s. 790.28, F.S., relating to the purchase of rifles and shotguns in contiguous states; amending s. 790.065, F.S.; providing that specified provisions do not apply to certain firearms transactions by a resident of this state which take place in another state; providing an effective date.

By the Committee on Criminal Justice; and Senator Hill—

CS for SB 438—A bill to be entitled An act relating to injunctions for protection against domestic violence, repeat violence, sexual violence, or dating violence; amending ss. 741.30 and 784.046, F.S.; subject to available funding, directing the Florida Association of Court Clerks and Comptrollers to develop an automated process by which a petitioner for an injunction for protection may request notification of service of the injunction or notice of other court actions related to the injunction; requiring that notice be given to the petitioner within a specified time; providing for the content of the notice; providing an effective date.

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

CS for SB 516—A bill to be entitled An act relating to autism; creating the Autism Spectrum Disorder Study Committee to study autism spectrum disorder in families in which English is the second language; providing for membership, meetings, and duties; prohibiting committee members from receiving compensation for their services; authorizing certain funding for publications, subject to approval of the State Surgeon General; requiring a report to the Governor and Legislature; providing for expiration of the committee; providing an effective date.

By the Committee on Community Affairs; and Senator Detert—

CS for SB 582—A bill to be entitled An act relating to local business taxes; amending s. 205.022, F.S.; defining the term “independent contractor”; creating s. 205.066, F.S.; exempting an individual engaging in or managing a business in an individual capacity as an employee from requirements related to local business taxes; specifying that an individual licensed and operating as a broker associate or sales associate is an employee; specifying that an independent contractor is not an employee; prohibiting a local governing authority from holding an exempt employee liable for the failure of a principal or employer to comply with certain obligations related to a local business tax or requiring an exempt employee to take certain actions related to a local business tax; prohibiting a local governing authority from requiring a principal or employer to provide personal or contact information for exempt individuals in order to obtain a local business tax receipt; amending s. 205.194, F.S.; requiring a person applying for or renewing a local business tax receipt to engage in or manage any business or occupation regulated by a state agency to exhibit proof of an active registration or license; providing for online renewals; deleting obsolete provisions; deleting a requirement that the Department of Business and Professional Regulation provide certain professional regulation information to local officials who issue business tax receipts; deleting a provision prohibiting a local official who issues business tax receipts from renewing a license under certain circumstances; providing an effective date.

By the Committee on Community Affairs; and Senator Fasano—

CS for SJR 658—A joint resolution proposing amendments to Sections 4 and 6 of Article VII and the creation of Sections 32 and 33 of Article XII of the State Constitution to prohibit increases in the assessed value of homestead property if the just value of the property decreases, reduce the limitation on annual assessment increases applicable to nonhomestead real property, provide an additional homestead exemption for owners of homestead property who have not owned homestead property for a specified time before purchase of the current homestead property, and application and limitations with respect thereto, and provide effective dates.

By the Committee on Community Affairs; and Senators Thrasher and Gaetz—

CS for SB 830—A bill to be entitled An act relating to labor and employment; amending s. 110.114, F.S.; prohibiting a state agency from deducting from employee wages the dues, uniform assessments, fines, penalties, or special assessments of an employee organization or contributions made for purposes of political activity; amending s. 112.171, F.S.; prohibiting a county, municipality, or other local governmental entity from deducting from employee wages the dues, uniform assess-

ments, fines, penalties, or special assessments of an employee organization or contributions made for purposes of political activity; creating s. 447.18, F.S.; prohibiting labor organizations from collecting dues, assessments, fines, or penalties without written authorization; providing for a refund to employees who have not given a written authorization in certain situations; requiring that the labor organization provide notice of such contributions and expenditures; prohibiting a labor organization from requiring an employee to authorize the collection of funds for political contributions and expenditures as a condition of membership in the organization; amending s. 447.303, F.S.; prohibiting a public employer from deducting or collecting from employee wages the dues, uniform assessments, fines, penalties, or special assessments of an employee organization; amending s. 447.507, F.S., relating to violation of the strike prohibition; conforming provisions to changes made by the act; providing for severability; providing for prospective application; providing an effective date.

By the Committee on Criminal Justice; and Senator Hill—

CS for SB 1086—A bill to be entitled An act relating to the restraint of incarcerated pregnant women; providing a short title; defining terms; prohibiting use of restraints on a prisoner known to be pregnant during labor, delivery, and postpartum recovery unless a corrections official makes an individualized determination that the prisoner presents an extraordinary circumstance requiring restraints; providing that a doctor, nurse, or other health care professional treating the prisoner may request that restraints not be used, in which case the corrections officer or other official accompanying the prisoner shall remove all restraints; requiring that any restraint applied must be done in the least restrictive manner necessary; requiring the corrections official to make written findings within 10 days as to the extraordinary circumstance that dictated the use of restraints; restricting the use of waist, wrist, or leg and ankle restraints during the third trimester of pregnancy or when requested by a doctor, nurse, or other health care professional treating the prisoner; providing that the use of restraints at any time after it is known that a prisoner is pregnant must be by the least restrictive manner necessary in order to mitigate the possibility of adverse clinical consequences; requiring that the findings be kept on file by the correctional institution or detention facility for at least 5 years and be made available for public inspection under certain circumstances; authorizing any woman who is restrained in violation of the act to file a complaint within a specified period; providing that these remedies do not prevent a woman harmed from filing a complaint under any other relevant provision of federal or state law; directing the Department of Corrections and the Department of Juvenile Justice to adopt rules; requiring correctional institutions and detention facilities to inform female prisoners of the rules upon admission, include the policies and practices in the prisoner handbook, and post the policies and practices in the correctional institution or detention facility; requiring the Secretary of Corrections, the Secretary of Juvenile Justice, and county and municipal corrections officials to annually file written reports with the Executive Office of the Governor detailing each incident of restraint in violation of law or as an authorized exception; providing an effective date.

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

CS for SB 1140—A bill to be entitled An act relating to child care facilities; providing a short title; amending s. 402.305, F.S.; requiring vehicles used by child care facilities and large family child care homes to be equipped with an alarm system that prompts the driver to inspect the vehicle for children before exiting the vehicle; requiring the Department of Children and Family Services to adopt rules and maintain a list of approved alarm systems; providing an effective date.

By the Committee on Higher Education; and Senator Oelrich—

CS for SB 1194—A bill to be entitled An act relating to postsecondary education; amending s. 1004.68, F.S.; deleting provisions relating to the use of test scores for assessment of college-level communication and computation skills; amending s. 1007.01, F.S.; providing legislative intent and requirements relating to articulation; requiring the establishment of the Articulation Coordinating Committee and providing its responsibilities; amending s. 1007.25, F.S.; deleting provisions relating to the CLAST and authorized examinations that demonstrate mastery of

certain academic competencies; revising degree requirements; amending ss. 1007.264 and 1007.265, F.S.; deleting provisions that exclude students with intellectual disabilities from eligibility for substitute requirements for admission to or graduation from a public postsecondary educational institution; amending s. 1008.30, F.S.; revising requirements of the common placement testing program; requiring access to approved remedial instruction; requiring rules for remediation opportunities, retesting, and academic competencies; requiring that students be advised of academic requirements, financial aid eligibility, and certain costs; amending s. 1008.345, F.S.; deleting Department of Education duties relating to tests and assessment procedures that measure student achievement of college-level communication and computation skills; amending s. 1008.38, F.S.; revising and conforming provisions relating to the articulation process; amending s. 1009.534, F.S.; revising provisions relating to approval of community service work for eligibility for the Florida Academic Scholars award; amending ss. 1001.64 and 1011.30, F.S.; removing provisions requiring that a budget of a community college be transmitted to the Department of Education for approval; amending ss. 467.009 and 1012.56, F.S.; deleting provisions relating to the CLAST; repealing s. 6 of chapter 2006-58, Laws of Florida; abrogating the repeal of s. 1004.226, F.S., which created the 21st Century World Class Scholars Program; providing an effective date.

By the Committee on Health Regulation; and Senator Altman—

CS for SB 1228—A bill to be entitled An act relating to temporary certificates and licenses for certain health care practitioners; amending s. 456.024, F.S.; providing for issuance of a temporary license to specified health care practitioners who are spouses of active duty members of the Armed Forces under certain circumstances; providing for criminal history checks; providing fees; providing for expiration of a temporary license; requiring a person who is issued a temporary license to be subject to certain general licensing requirements; amending ss. 458.315 and 459.0076, F.S.; naming the temporary certificates issued to physicians who practice in areas of critical need after Rear Admiral LeRoy Collins, Jr.; providing an effective date.

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

CS for SB 1366—A bill to be entitled An act relating to administrative monitoring of providers of child welfare services, mental health services, and substance abuse services; amending s. 402.7306, F.S.; requiring the Department of Children and Family Services, the Department of Health, the Agency for Persons with Disabilities, the Agency for Health Care Administration, community-based care lead agencies, managing entities, and their contracted monitoring agents to adopt certain revised policies for the administrative monitoring of providers of child welfare services, mental health services, and substance abuse services; conforming provisions to changes made by the act; providing an effective date.

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

CS for SB 1412—A bill to be entitled An act relating to the Department of Children and Family Services; amending s. 20.04, F.S.; changing the name of the department to the Department of Children and Families; authorizing the department to establish circuits and regions headed by circuit administrators and regional directors; amending s. 20.19, F.S.; revising provisions relating to the establishment of the department; providing for operating units known as circuits and regions based on judicial circuits; deleting provisions relating to the program directors for mental health and substance abuse, the service districts, the membership of community alliances, and the prototype region; amending ss. 20.43, 39.01, and 394.78, F.S.; conforming cross-references; repealing s. 402.35, F.S., relating to the application of Department of Management Services' rules; amending s. 420.622, F.S.; deleting the requirement for the Governor to appoint an executive director to the State Office on Homelessness; providing for legislation to conform the Florida Statutes to changes made by the act; providing an effective date.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of March 10 and March 14 were corrected and approved.

CO-INTRODUCERS

Senators Braynon—CS for SB 146; Bullard—CS for SB 146; Fasano—SB 1184; Flores—SB 1110; Gaetz—SB 1590, SB 1872; Hill—CS for SB 146; Jones—SCR 286; Joyner—CS for SB 146, CS for SB 400; Latvala—CS for SB 650, SB 832; Negron—SB 130, SB 508; Siplin—CS for SB 146; Sobel—SB 626; Thrasher—SB 1524

Senator Hays withdrew as introducer of SB 1830. Senator Wise was recorded as introducer of SB 1830.

Senator Braynon withdrew as introducer of SB 2026. Senator Sachs was recorded as introducer of SB 2026.

RECESS

On motion by Senator Thrasher, the Senate recessed at 11:52 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, March 16 or upon call of the President.



Journal of the Senate

Number 6—Regular Session

Wednesday, March 16, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 10:00 a.m.
A quorum present—40:

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

PRAYER

The following prayer was offered by Monsignor Thomas Skindeleski, St. Vincent Ferrer Church, Delray Beach:

Blessed are you, mighty God of the universe. You have made us in your image and likeness, with great love and care. You are wonderful, and are the consolation of many hearts. We thank you for the many blessings and gifts you have poured forth on us in this great state of Florida.

Today, we call upon you once again, as we begin this legislative session. We seek your aid in using our collective wisdom as we deliberate the issues that truly affect the lives of our people. Grant us your wisdom to use wisely the talents with which you have blessed us. Open our minds to better understand the needs of those who have chosen us to serve them. Teach us how to craft laws that will better the lives of millions of people who are counting on our efforts to serve them well.

Let justice and peace be foremost in our minds as we endeavor to legislate in ways that will benefit the lives of our people. Direct our efforts to preserve the life and liberty of the most vulnerable members of our society.

Help us to be respectful in our attitudes toward each other, to be diligent in our work, courteous in our speech, and humbly aware of your presence when we debate those issues that affect our people. Encourage us in our struggle to be examples of integrity, honesty and trust. Guard our minds and hearts from the power of any evildoers, especially those who would tempt us to stray from your direction.

Watch over and protect us and our families from all harm, especially when we are apart. And as we pray for ourselves and our families, we ask you to look after the men and women of our state who are serving abroad in our armed forces. Return them safely as soon as possible to their loved ones.

Grant us a sense of serious purpose in our work, so that we may not take our responsibilities lightly; but, balance it with a sense of humor, so that we may not take ourselves too seriously.

Finally, gracious God, look upon the poor with compassion and mercy, and give them an abundance of your blessings in their time of need. May all of our actions reflect your goodness to us, and may we, in turn, reflect it toward those who have need of that goodness. All of this, we ask of you, mighty God, who guides and governs all of us. Amen.

PLEDGE

Senate Pages Zaria Rucker of Daytona; Tori Goins of Wellington; Sophia Perench of Trinity; Courtney Atwater, daughter of former Senate President and Chief Financial Officer Jeff Atwater, and Brooke Cantwell of North Palm Beach; led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Joel Stern of Cocoa Beach, who he sponsored, as doctor of the day. Dr. Stern specializes in Emergency Medicine.

ADOPTION OF RESOLUTIONS

On motion by Senator Joyner—

By Senator Joyner—

SR 1496—A resolution recognizing Alpha Kappa Alpha Sorority, Inc.

WHEREAS, Alpha Kappa Alpha Sorority, Inc., was founded at Howard University in Washington, D.C., in 1908, and

WHEREAS, this Greek letter organization is the first sorority established by African American college women, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., is an international organization that has over 260,000 members in more than 900 chapters in the United States, the Bahamas, Bermuda, Great Britain, Germany, Korea, and the Virgin Islands, and

WHEREAS, many of these chapters are located in communities and on college and university campuses in Florida, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., is committed to community service and has made numerous contributions to the educational, civic, and social lives of Floridians, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., continues its support of the international program, "Empowering our Communities with Global Leadership through Timeless Service," and

WHEREAS, bound by its humanitarianism and credo of service that extends to all mankind, Alpha Kappa Alpha Sorority, Inc., is playing a role in the relief efforts for the citizens of Haiti in the wake of the recent catastrophic earthquake, and

WHEREAS, Marsha Lewis-Brown is the Centennial South Atlantic Regional Director of this great sisterhood and leads members of the sorority in Florida, Georgia, and South Carolina, and

WHEREAS, Representative Mia Jones and Representative Geraldine Thompson are members of Alpha Kappa Alpha Sorority, Inc., and

WHEREAS, members of the Alpha Kappa Alpha Sorority, Inc., in Florida contribute thousands of volunteer hours implementing service programs in their respective communities, NOW, THEREFORE,

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

That the members of the Florida Senate recognize the commitment of members of Alpha Kappa Alpha Sorority, Inc., to worldwide service and express special appreciation for their service in Florida.

—was introduced out of order and read by title. On motion by Senator Joyner, **SR 1496** was read the second time in full and adopted.

SPECIAL GUESTS

Senator Altman recognized the following guests who were present in the gallery: Kathryn P. “Kay” Hire, Captain, U.S. Navy, a NASA Astronaut; and Charles Moss Duke, Jr., Brigadier General, USAF, Retired, a former NASA Astronaut.

Senator Oelrich recognized his granddaughter, Ashley, and the other students of the Archer Junior City Commission who were present in the chamber.

BILLS ON THIRD READING

CS for SB 142—A bill to be entitled An act relating to negligence; amending s. 768.81, F.S.; defining the terms “accident,” “negligence action,” and “products liability action”; requiring the trier of fact to consider the fault of all persons who contributed to an accident when apportioning damages in a products liability action alleging an enhanced injury; requiring the jury instructions to apportion certain fault in a products liability action; providing the rules of evidence apply; providing legislative intent to overrule a judicial opinion; providing a legislative finding that fault should be apportioned among all responsible persons in a products liability action; providing for retroactive application of the act; providing a legislative finding that the retroactive application of the act does not impair vested rights; providing an effective date.

—as amended March 15 was read the third time by title.

On motion by Senator Richter, **CS for SB 142** as amended was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Benacquisto	Gaetz	Oelrich
Bennett	Garcia	Richter
Bogdanoff	Gardiner	Simmons
Dean	Hays	Storms
Detert	Jones	Thrasher
Diaz de la Portilla	Latvala	Wise
Dockery	Lynn	
Evers	Montford	

Nays—12

Altman	Joyner	Sachs
Braynon	Margolis	Siplin
Bullard	Rich	Smith
Hill	Ring	Sobel

CS for CS for CS for SB 248—A bill to be entitled An act relating to economic recovery from the Deepwater Horizon disaster; amending s. 14.2015, F.S.; defining the term “Disproportionally Affected County”;

creating a process for the Office of Tourism, Trade, and Economic Development to waive any or all job or wage eligibility requirements under certain circumstances when in the best interest of the public; amending s. 220.191, F.S.; waiving the requirement that a facility located in a Disproportionally Affected County be in a high-impact sector in order to qualify for the capital investment tax credit; amending s. 288.106, F.S.; creating a process for the Office of Tourism, Trade, and Economic Development to waive wage or local financial support eligibility requirements; providing a special incentive under the tax refund program for a limited time for a qualified target industry business that relocates from another state to a Disproportionally Affected County; creating s. 252.363, F.S.; tolling and extending the expiration dates of certain building permits or other authorizations following the declaration of a state of emergency by the Governor; providing exceptions; providing for the laws, administrative rules, and ordinances in effect when the permit was issued to apply to activities described in a permit or other authorization; providing an exception; amending s. 253.02, F.S.; requiring the Board of Trustees of the Internal Improvement Trust Fund to recommend to the Legislature whether existing multistate compacts for mutual aid should be modified or if a new multistate compact is necessary to address the Deepwater Horizon event or similar future incidents; requiring that the Board of Trustees of the Internal Improvement Trust Fund appoint members to the Commission on Oil Spill Response Coordination; providing for the designation of the chair of the commission by the Governor; requiring the commission to prepare a report for review and approval by the board of trustees; specifying the subject matter of the report; providing for future expiration; defining the term “Disproportionally Affected County”; providing an appropriation to the Office of Tourism, Trade, and Economic Development to contract with Florida’s Great Northwest, Inc., in order to develop and implement an economic development program for a Disproportionally Affected County; specifying a preference for a Disproportionally Affected County or municipalities within a Disproportionally Affected County which provide for expedited or combined permitting for certain purposes; providing for the appropriation to be placed in reserve by the Executive Office of the Governor for release as authorized by law or the Legislative Budget Commission; defining the term “Disproportionally Affected County”; providing for the deposit of funds received by entities involved in the Deepwater Horizon oil spill into applicable state trust funds; specifying permissible uses of such funds; designating the Department of Environmental Protection as the lead agency for expending funds for environmental restoration; designating the Office of Tourism, Trade, and Economic Development as the lead agency for funds designated for economic incentives and diversification efforts; authorizing the holder of a lease of sovereignty submerged lands to apply to the Department of Environmental Protection for the payment or the reimbursement of lease fees for the period of the state of emergency for the Deepwater Horizon oil spill; specifying conditions for eligibility; requiring an application to the Department of Environmental Protection; requiring the Chief Financial Officer to use the full extent of the law to recover payments from the responsible party or other independently administered claims process; providing a short title for certain sections of the act; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for CS for CS for SB 248** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

SB 298—A bill to be entitled An act relating to municipal governing body meetings; creating s. 166.0213, F.S.; authorizing the governing bodies of certain municipalities to hold meetings within specified boundaries; providing an effective date.

—was read the third time by title.

On motion by Senator Alexander, **SB 298** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Bogdanoff, by two-thirds vote **SB 1758** and **SB 1780** were withdrawn from the committees of reference and further consideration.

REPORTS OF COMMITTEES

The Committee on Budget Subcommittee on Health and Human Services Appropriations recommends the following pass: CS for SB 94

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

The Committee on Budget recommends the following pass: CS for SB 84; SB 172; SB 174; SB 176; SB 228; SB 238; CS for SB 444; CS for SB 478; SM 484

The Committee on Rules recommends the following pass: SB 410; SB 418; SB 462

The bills were placed on the Calendar.

The Committee on Judiciary recommends a committee substitute for the following: SB 670

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1292

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

The Committee on Judiciary recommends a committee substitute for the following: SB 930

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 606

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

The Committee on Health Regulation recommends a committee substitute for the following: SB 818

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

The Committee on Health Regulation recommends a committee substitute for the following: CS for SB 204

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Health Regulation; and Criminal Justice; and Senators Wise and Dockery—

CS for CS for SB 204—A bill to be entitled An act relating to controlled substances; amending s. 893.02, F.S.; defining the term “homologue” for purposes of the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 893.03, F.S.; including certain hallucinogenic substances on the list of controlled substances in Schedule I; amending s. 893.13, F.S.; providing that it is a misdemeanor of the first degree to be in possession of not more than a specified amount of certain hallucinogenic substances; providing an exception for the powdered form of such substances; reenacting ss. 893.13(1), (2), (4), and (5), 893.135(1)(l), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties regarding controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

By the Committee on Agriculture; and Senator Evers—

CS for SB 606—A bill to be entitled An act relating to fertilizer; amending s. 403.9336, F.S.; deleting legislative findings relating to the implementation by local governments of certain fertilizer management practices; amending s. 403.9337, F.S.; deleting authority for certain counties and municipalities to adopt fertilizer management practices more stringent than standards of a specified model ordinance; amending ss. 570.07 and 576.181, F.S.; requiring the Department of Agriculture and Consumer Services to regulate the sale, composition, formulation, packaging, use, application, and distribution of fertilizer; preempting such regulation of fertilizer to the state and the department; specifying that such regulation of fertilizer by counties, municipalities, and other political subdivisions is void; authorizing local governments to provide enforcement of the provisions of the model ordinance; providing an effective date.

By the Committee on Judiciary; and Senator Joyner—

CS for SB 670—A bill to be entitled An act relating to powers of attorney; providing directives to the Division of Statutory Revision; creating s. 709.2101, F.S.; providing a short title; creating s. 709.2102, F.S.; providing definitions; creating s. 709.2103, F.S.; providing applicability; providing exceptions; creating s. 709.2104, F.S.; providing for a durable power of attorney; creating s. 709.2105, F.S.; specifying the qualifications for an agent; providing requirements for the execution of a power of attorney; creating s. 709.2106, F.S.; providing for the validity of

powers of attorney created by a certain date or in another jurisdiction; providing for the validity of a military power of attorney; providing for the validity of a photocopy or electronic copy of a power of attorney; creating s. 709.2107, F.S.; providing for the meaning and effectiveness of a power of attorney; creating s. 709.2108, F.S.; specifying when a power of attorney is effective; providing limitations with respect to a future power of attorney; creating s. 709.2109, F.S.; providing for the termination or suspension of a power of attorney or an agent's authority; creating s. 709.2110, F.S.; providing for the revocation of a power of attorney; creating s. 709.2111, F.S.; providing for the designation of co-agents and successor agents; specifying the responsibility of a successor agent for a predecessor agent; authorizing a co-agent to delegate certain banking transaction to a co-agent; creating s. 709.2112, F.S.; providing for the reimbursement and compensation of agents; creating s. 709.2113, F.S.; providing for the agent's acceptance of appointment; creating s. 709.2114, F.S.; providing for an agent's duties; limiting an agent's liability, absent a breach of duty; requiring that an agent make certain disclosures upon order of a court, upon the death of the principal, or under certain other circumstances; creating s. 709.2115, F.S.; providing for the exoneration of an agent; providing exceptions; creating s. 709.2116, F.S.; providing for judicial relief; authorizing the award of attorney's fees and costs; providing for a judicial challenge to an agent's exercise of power based on a conflict of interest; specifying the burden of proof required to overcome that challenge; creating s. 709.2117, F.S.; providing for an agent's liability; creating s. 709.2118, F.S.; providing for an agent's resignation; creating s. 709.2119, F.S.; providing for the acceptance of and reliance upon a power of attorney; authorizing a third party to require an affidavit; providing for the validity of acts taken on behalf of a principal who is reported as missing by a branch of the United States Armed Forces; providing a restriction on the conveyance of homestead property held by such a principal; creating s. 709.2120, F.S.; providing for liability if a third person refuses to accept a power of attorney under certain circumstances; providing for an award of damages and attorney's fees and costs; creating s. 709.2121, F.S.; requiring that notice of certain events be provided to an agent or other third person; specifying the form of the notice and when it is effective; creating s. 709.2201, F.S.; providing for the authority of an agent; providing limitations; providing that an agent's authority extends to property later acquired by the principal; creating s. 709.2202, F.S.; specifying that certain authority requires separate signed enumeration; restricting the amount of certain gifts made by an agent; specifying certain acts that do not require specific authority if the agent is authorized to conduct banking transactions; limiting the application of such provision; creating s. 709.2208, F.S.; providing for authority to conduct banking and security transactions; creating s. 709.2301, F.S.; specifying the role of common law; creating s. 709.2302, F.S.; providing for the preemption of laws relating to financial institutions; creating s. 709.2303, F.S.; providing for the recognition of other remedies; creating s. 709.2401, F.S.; specifying the relationship of the act to federal law regulating electronic signatures; creating s. 709.2402, F.S.; providing for powers of attorney executed before the effective date of the act; amending s. 736.0602, F.S.; conforming a cross-reference; repealing s. 709.01, F.S., relating to the authority of an agent when the principal is dead; repealing s. 709.015, F.S., relating to the authority of an agent when the principal is missing; repealing s. 709.08, F.S., relating to durable powers of attorney; repealing s. 709.11, F.S., relating to a deployment-contingent power of attorney; providing an effective date.

By the Committee on Health Regulation; and Senator Fasano—

CS for SB 818—A bill to be entitled An act relating to controlled substances; amending s. 400.9905, F.S.; redefining the terms “clinic” and “portable equipment provider” within the Health Care Clinic Act; amending s. 456.013, F.S.; authorizing certain health care practitioners to complete a continuing education course relating to the prescription drug monitoring program; providing requirements for the course; requiring the Department of Health or a board that is authorized to exercise regulatory or rulemaking functions within the department to approve the course offered through a facility licensed under ch. 395, F.S., under certain circumstances; providing for application of the course requirements; requiring a board or the Department of Health to adopt rules; amending s. 458.305, F.S.; defining the term “dispensing physician” as it relates to the practice of medicine in this state; prohibiting certain persons from using titles or displaying signs that would lead the public to believe that they engage in the dispensing of controlled substances; prohibiting certain persons, firms, or corporations from using a

trade name, sign, letter, or advertisement that implies that the persons, firms, or corporations are licensed or registered to dispense prescription drugs; prohibiting certain persons, firms, or corporations from holding themselves out to the public as licensed or registered to dispense controlled substances; providing penalties; amending s. 458.3191, F.S.; revising the information in the physician survey that is submitted by persons who apply for licensure renewal as a physician under ch. 458 or ch. 459, F.S.; amending s. 458.3192, F.S.; requiring the Department of Health to provide nonidentifying information to the prescription drug monitoring program's Implementation and Oversight Task Force regarding the number of physicians that are registered with the prescription drug monitoring program and that use the database from the program in their practice; amending s. 458.3265, F.S.; revising the list of entities that are not required to register as a pain-management clinic; deleting certain requirements for a physician to practice medicine in a pain-management clinic; requiring a physician, an advanced registered nurse practitioner, or a physician assistant to perform an appropriate medical examination of a patient on the same day that the physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic; requiring a physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third degree for any person to register or attempt to register a pain-management clinic through misrepresentation or fraud; amending s. 458.327, F.S.; providing additional penalties; amending s. 458.331, F.S.; providing additional grounds for disciplinary action by the Board of Medicine; amending s. 459.003, F.S.; defining the term “dispensing physician” as it relates to the practice of osteopathic medicine in this state; amending s. 459.013, F.S.; providing additional penalties; amending s. 459.0137, F.S.; providing an exemption from the requirement that all privately owned pain-management clinics, facilities, or offices that advertise in any medium for any type of pain-management services, or employ an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the Department of Health; requiring a physician, an advanced registered nurse practitioner, or a physician assistant to perform an appropriate medical examination of a patient on the same day that the physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic; requiring an osteopathic physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third degree for a licensee or other person who serves as the designated physician of a pain-management clinic to register a pain-management clinic through misrepresentation or fraud; amending s. 459.015, F.S.; providing additional grounds for disciplinary action by the Board of Osteopathic Medicine; amending s. 465.015, F.S.; prohibiting certain persons from knowingly failing to report to the local county sheriff's office the commission of a felony involving a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge under certain conditions; providing penalties; providing requirements for reporting the commission of a felony that involves a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge; providing that a pharmacist, pharmacy intern, or other person employed by or at a pharmacy is not subject to disciplinary action for reporting; amending s. 465.0276, F.S.; requiring a practitioner to register as a dispensing practitioner in order to dispense controlled substances; amending s. 766.101, F.S.; conforming a cross-reference; amending s. 810.02, F.S.; redefining the offense of burglary to include the theft of a controlled substance within a structure or conveyance; amending s. 812.014, F.S.; redefining the offense of theft to include the theft of a controlled substance; creating s. 893.021, F.S.; providing conditions in which a drug is considered adulterated; providing that a physician is not prevented from directing or prescribing a change to the recognized manufactured recommendations for use of any controlled substance for a patient under certain circumstances; requiring a prescribing physician to indicate on the original prescription any deviation of the recognized manufacturer's recommended use of a controlled substance; requiring a pharmacist or physician to indicate such deviation on the label of the prescription upon dispensing; amending s. 893.04, F.S.; revising the required information that must appear on the face of a prescription or written record of a controlled substance before it is dispensed by a pharmacist; amending s. 893.055, F.S.; requiring that the prescription drug monitoring program comply with the minimum requirements of the National All Schedules Prescription Electronic Reporting Act; requiring the Department of Health to establish a method to allow corrections to the database of the

prescription drug monitoring program; requiring the number of refills ordered and whether the drug was dispensed as a refill or a first-time request to be included in the database of the prescription drug monitoring program; revising the number of days in which a dispensed controlled substance must be reported to the department through the prescription drug monitoring program; revising the list of acts of dispensing or administering which are exempt from reporting; requiring a pharmacy, prescriber, practitioner, or dispenser to register with the department by submitting a registering document in order to have access to certain information in the prescription drug monitoring program's database; requiring the department to approve the registering document before granting access to information in the prescription drug monitoring program's database; requiring criminal background screening for those persons who have direct access to the prescription drug monitoring program's database; authorizing the Attorney General to obtain confidential and exempt information for Medicaid fraud cases and Medicaid investigations; requiring certain documentation to be provided to the program manager in order to release confidential and exempt information from the prescription drug monitoring program's database to a patient, legal guardian, or a designated health care surrogate; authorizing the Agency for Health Care Administration to obtain confidential and exempt information from the prescription drug monitoring program's database for Medicaid fraud cases and Medicaid investigations involving controlled substances; deleting a provision requiring that administrative costs of the prescription drug monitoring program be funded through federal grants and private sources; requiring the State Surgeon General to enter into reciprocal agreements for the sharing of information in the prescription drug monitoring program with other states that have a similar prescription drug monitoring program; requiring the State Surgeon General to annually review a reciprocal agreement to determine its compatibility; providing requirements for compatibility; prohibiting the sharing of certain information; amending s. 893.0551, F.S.; authorizing the Department of Health to disclose certain confidential and exempt information in the prescription drug monitoring program's database under certain circumstances involving reciprocal agreements with other states; prohibiting the sharing of information from the prescription drug monitoring program's database which is not for the purpose that is statutorily authorized or according to the State Surgeon General's determination of compatibility; amending s. 893.07, F.S.; requiring that a person report to the local sheriff's office the theft or loss of a controlled substance within a specified time; providing penalties; providing legislative intent; amending s. 893.13, F.S.; prohibiting a person from obtaining or attempting to obtain from a practitioner a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohibiting a health care provider from providing a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohibiting a person from adulterating a controlled substance for certain use without authorization by a prescribing physician; authorizing a law enforcement officer to seize as evidence the adulteration or off-label use of a prescribed controlled substance; providing that such adulterated or off-label use of the controlled substance may be returned to its owner only under certain conditions; providing penalties; prohibiting a prescribing practitioner from writing a prescription for a controlled substance and authorizing or directing the adulteration of the dispensed form of the controlled substance for the purpose of ingestion by means not medically necessary; amending s. 893.138, F.S.; providing circumstances in which a pain-management clinic may be declared a public nuisance; providing definitions; requiring the Board of Pharmacy to create a list of opioid analgesic drugs; providing requirements for the list of opioid analgesic drugs; prohibiting a pharmacist from interchanging or substituting an opioid analgesic drug, brand, or generic for an opioid analgesic drug incorporating a tamper-

resistance technology unless certain requirements are met; providing an effective date.

By the Committee on Judiciary; and Senators Lynn and Rich—

CS for SB 930—A bill to be entitled An act relating to the protection of volunteers; amending s. 768.1355, F.S.; clarifying that in order to fall under the protection of the Florida Volunteer Protection Act, a person performing a service for a nonprofit organization may not receive compensation from the nonprofit organization for that service, regardless of whether the person is receiving compensation from another source; providing an exception; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Alexander—

CS for SB 1292—A bill to be entitled An act relating to the Chief Financial Officer; creating s. 215.89, F.S.; providing definitions; requiring governmental and statutorily created entities to maintain their financial data in accordance with the requirements of the Chief Financial Officer, the Board of Governors, or the State Board of Education, or pursuant to ch. 1010, F.S., by a certain date; requiring the Chief Financial Officer to adopt charts of accounts that meet certain requirements by a certain date; requiring a review and update of the charts of accounts; requiring the Chief Financial Officer to adopt certain procedures relating to the charts of accounts; providing a declaration of important state interest; providing an effective date.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 736, SB 916, SB 924, SB 944, SB 946 and SB 1204.

Robert L. "Bob" Ward, Clerk

The bills contained in the foregoing messages were ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 15 was corrected and approved.

CO-INTRODUCERS

Senators Alexander—CS for SB 1130; Dean—SB 664; Dockery—SB 472; Latvala—SB 86; Lynn—SB 1174; Montford—SB 730

RECESS

On motion by Senator Thrasher, the Senate recessed at 10:58 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Wednesday, March 23 or upon call of the President.



Journal of the Senate

Number 7—Regular Session

Tuesday, March 22, 2011

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REPORTS OF COMMITTEES

The Committee on Banking and Insurance recommends the following pass: CS for SB 740; SB 1252; SB 1330

The Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations recommends the following pass: CS for SB 618

The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations recommends the following pass: CS for SB 782

The Committee on Community Affairs recommends the following pass: SB 814 with 1 amendment; CS for SB 858; CS for SB 968; SB 1142; SB 1210

The Committee on Criminal Justice recommends the following pass: SB 608; SB 1060; SB 1494

The Committee on Education Pre-K - 12 recommends the following pass: SB 1466; SB 1996

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 762

The Committee on Judiciary recommends the following pass: SB 702

The Special Master on Claim Bills recommends the following pass: SB 326 with 1 amendment

The Committee on Transportation recommends the following pass: SB 464

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

The Committee on Education Pre-K - 12 recommends the following pass: SB 534

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SJR 592

The Committee on Transportation recommends the following pass: SB 196 with 1 amendment

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

The Committee on Community Affairs recommends the following pass: SB 1234

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

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 1062

The bill was referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Commerce and Tourism recommends the following pass: SB 798 with 1 amendment

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 502

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 704

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

The Committee on Education Pre-K - 12 recommends the following pass: SB 1000

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

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 826; SB 894

The bills were referred to the Committee on Higher Education under the original reference.

The Committee on Banking and Insurance recommends the following pass: SM 1344

The Committee on Commerce and Tourism recommends the following pass: SB 1152

The Committee on Community Affairs recommends the following pass: SB 1098

The Committee on Criminal Justice recommends the following pass: SB 844 with 1 amendment

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

The Committee on Community Affairs recommends the following pass: SB 468

The Committee on Judiciary recommends the following pass: SB 1650

The bills contained in the foregoing reports were referred to the Committee on Military Affairs, Space, and Domestic Security under the original reference.

The Committee on Budget recommends the following pass: CS for CS for SB 408 with 2 amendments; CS for SB 782

The Committee on Community Affairs recommends the following pass: CS for SB 650

The Committee on Judiciary recommends the following pass: SB 652

The Committee on Rules Subcommittee on Ethics and Elections recommends the following pass: SB 1504

The Special Master on Claim Bills recommends the following pass: SB 16; SB 22; SB 34 with 1 amendment; SB 46 with 1 amendment; SB 70 with 1 amendment; SB 306; SB 324 with 1 amendment; SB 342 with 1 amendment

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

The Committee on Budget recommends the following pass: CS for SB 94; CS for CS for SB 170; CS for SB 618

The Committee on Judiciary recommends the following pass: SB 1100

The bills were placed on the Calendar.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1332

The Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations recommends a committee substitute for the following: CS for SB 170

The Committee on Budget Subcommittee on Finance and Tax recommends a committee substitute for the following: SB 1998

The Committee on Commerce and Tourism recommends a committee substitute for the following: CS for SB 178

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: SB 1198

The Committee on Community Affairs recommends a committee substitute for the following: SB 1120

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1254

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: SB 1128; SB 1314; SB 1738

The Committee on Regulated Industries recommends committee substitutes for the following: CS for SB 396; SB 1594

The Committee on Transportation recommends a committee substitute for the following: SB 524

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

The Committee on Commerce and Tourism recommends committee substitutes for the following: SB 926; SB 1346

The bills with committee substitute attached were referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1426

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: SB 1524

The Committee on Community Affairs recommends a committee substitute for the following: SB 384

The Committee on Military Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 1224

The Committee on Transportation recommends a committee substitute for the following: SB 1570

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

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 796; SB 934

The Committee on Regulated Industries recommends a committee substitute for the following: SB 530

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

The Committee on Agriculture recommends a committee substitute for the following: SB 1246

The Committee on Regulated Industries recommends a committee substitute for the following: SB 812

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1430

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

The Committee on Agriculture recommends a committee substitute for the following: SB 1290

The bill with committee substitute attached was referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 866

The Committee on Military Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 520

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

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 730

The Committee on Transportation recommends a committee substitute for the following: SB 1554

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

The Committee on Community Affairs recommends committee substitutes for the following: CS for SB 402; SB 828

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1512

The bill with committee substitute attached was referred to the Committee on Military Affairs, Space, and Domestic Security under the original reference.

The Committee on Rules Subcommittee on Ethics and Elections recommends committee substitutes for the following: SB 1618; SB 1690

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 768

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

SB 1846—Withdrawn prior to introduction.

SR 1848—Not referenced.

By Senator Evers—

SB 1850—A bill to be entitled An act relating to juvenile justice; amending s. 394.492, F.S.; including children 9 years of age or younger at the time of referral for a delinquent act within the definition of those children who are eligible to receive comprehensive mental health services; amending s. 985.02, F.S.; revising legislative intent for the juvenile justice system; amending s. 985.125, F.S.; encouraging law enforcement agencies, school districts, counties, municipalities, and the Department of Juvenile Justice to establish prearrest or postarrest diversion programs and to give first-time misdemeanor offenders and offenders who are 9 years of age or younger an opportunity to participate in the programs; amending s. 985.145, F.S.; requiring a juvenile probation officer to make a referral to the appropriate shelter if the completed risk assessment instrument shows that the child is ineligible for secure detention; amending s. 985.24, F.S.; prohibiting a child alleged to have committed a delinquent act or violation of law from being placed into secure, nonsecure, or home detention care because of a misdemeanor charge of domestic violence if the child lives in a family that has a history of family violence or if the child is a victim of abuse or neglect unless the child would otherwise be subject to secure detention based on prior history; prohibiting a child 9 years of age or younger from being placed into secure detention care unless the child is charged with a capital felony, a life felony, or a felony of the first degree; amending s. 985.245, F.S.; revising the development process for the risk assessment instrument; revising factors to be considered in assessing a child's risk of re-arrest or failure to appear; amending s. 985.255, F.S.; providing that a child may be placed in home detention care or detained in secure detention care under certain circumstances; providing that a child who is charged with committing a felony offense of domestic violence and who does not meet detention criteria may nevertheless be held in secure detention care if the court makes certain specific written findings; amending s. 985.441, F.S.; authorizing a court to commit a female child adjudicated as delinquent to the department for placement in a mother-infant program designed to serve the needs of juvenile mothers or expectant juvenile mothers who are committed as delinquents; requiring the department to adopt rules to govern the operation of the mother-infant program; amending s. 985.45, F.S.; providing that whenever a child is required by the court to participate in any juvenile justice work program, the child is considered an employee of the state for the purpose

of workers' compensation; amending s. 985.632, F.S.; establishing legislative intent that the Department of Juvenile Justice collect and analyze available statistical data for the purpose of ongoing evaluation of all juvenile justice programs; redefining terms; requiring the department to use a standard methodology to annually measure, evaluate, and report program outputs and youth outcomes for each program and program group; requiring that the department submit an annual report to the appropriate committees of the Legislature and the Governor; requiring that the department notify specified parties of substantive changes to the standard methodology used in its evaluation; requiring that the department apply a program accountability measures analysis to each commitment program; deleting obsolete provisions; providing an effective date.

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

By Senator Evers—

SB 1852—A bill to be entitled An act relating to animal shelters and animal control agencies; amending s. 823.15, F.S.; clarifying legislative intent and public policy; revising provisions requiring that all dogs and cats be sterilized by a licensed veterinarian before a shelter or animal control agency relinquishes custody of the animal or that the person adopting or purchasing the pet enter into a written agreement guaranteeing that the pet will be sterilized within 30 days after the adoption or purchase of the pet or prior to sexual maturity; revising provisions requiring the shelter or animal control agency to collect a deposit from the person adopting or purchasing the pet; clarifying that the deposit is refunded if the person presents written evidence to the shelter or animal control agency from a veterinarian that the animal has been sterilized; requiring each shelter or animal control agency within a county to annually report to the designated animal control agency for that county specified information; prohibiting a shelter or animal control agency from adopting animals to the public, transferring animals to another adopting agency, or euthanizing animals for any reason if the shelter or agency fails to file the annual report within a specified time; providing an effective date.

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

By Senator Wise—

SB 1854—A bill to be entitled An act relating to required instruction in the public schools; amending s. 1003.42, F.S.; requiring that the instructional staff of a public school teach a thorough presentation and critical analysis of the scientific theory of evolution and certain governmental, legal, and civic-related principles; revising the curriculum of the character-development program required for students in kindergarten through grade 12 and requiring school districts to annually inform certain personnel of that curriculum; amending s. 1006.148, F.S.; conforming a cross-reference; providing an effective date.

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

By Senator Wise—

SB 1856—A bill to be entitled An act relating to juvenile justice; creating s. 985.326, F.S.; providing for time and location of deposition; providing procedures; providing for depositions of different categories of witnesses; providing that no deposition may be taken in certain cases; specifying factors to be considered in allowing a deposition; allowing use of deposition testimony for impeachment; allowing the use of portions of a deposition which have not been introduced as evidence in certain circumstances; authorizing sanctions for disobedience of a subpoena; providing circumstances under which a child may be physically present for a deposition; authorizing the taking of statements by law enforcement officers by telephone in certain circumstances; providing for use of such statements; providing for the appearance of a law enforcement officer for deposition without subpoena; requiring video recording of depositions of children under 16 years of age; providing for video recording of other witness depositions; amending s. 985.35, F.S.; requiring the Department of Juvenile Justice to adopt rules governing the procedures that may be

used to restrain a child upon his or her arrival at the courthouse, permitted use of a mechanical device, and the length of time a child may be placed in isolation; requiring the department to comply with the Protective Action Response policy if mechanical restraints are used; amending s. 985.483, F.S.; conforming a cross-reference; amending s. 985.664, F.S.; requiring that a juvenile justice circuit board and a juvenile justice county council be established in each judicial circuit and county, respectively; providing a purpose for each board and council; requiring the Children and Youth Cabinet to monitor the comprehensive plan of each circuit; requiring a circuit board and county council to enter into a written county or circuit interagency agreement specifying the nature and extent of contributions that each signatory agency will make in order to achieve the goals of the county or circuit plan; specifying the parties that must be included in the interagency agreement; providing for the sharing of information useful in carrying out the goals of the interagency agreement; requiring each circuit board to prepare an annual report; requiring the annual legislative budget request to reflect the needs of each board and council; providing for membership on the circuit board; requiring the Secretary of Juvenile Justice to attend quarterly meetings with the chairpersons of the county councils and circuit boards; providing for the content of the meetings; providing for reimbursement for nongovernmental members of circuit boards and county councils; requiring the department to provide legal counsel to advise boards and councils; requiring each circuit board and county council to use due diligence to encourage community participation by using community outreach outlets; amending s. 985.668 F.S.; requiring the department to encourage circuit boards and county councils to propose at least one innovation zone; amending s. 985.676, F.S.; providing that certain specified criteria be used when awarding community juvenile justice partnership grants; allowing the department to extend indefinitely the funding period of a grant under specified circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Storms—

SB 1858—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public-records requirements for specified information that identifies a woman upon whom an abortion was performed or attempted; providing for redaction; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; amending s. 119.0714, F.S.; providing that such identifying information in a criminal or civil proceeding and part of the court file is confidential and exempt from public-records requirements; providing a statement of necessity; providing an effective date.

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

By Senator Latvala—

SB 1860—A bill to be entitled An act relating to drugs, cosmetics, and certain devices; amending s. 499.01, F.S.; requiring that the Department of Health notify an applicant for an out-of-state prescription drug wholesale distributor permit of the status of its permit application within 60 days after receipt of all required documentation; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Bennett—

SB 1862—A bill to be entitled An act relating to economic development; creating s. 288.9619, F.S.; creating the Business Loan Guarantee Program; defining terms; requiring the Office of Tourism, Trade, and Economic Development to create a business loan guarantee fund to provide loans to certain businesses; providing for use of certain funds for the program; providing maximum terms and amounts of loan guarantees; providing procedures for the approval of loan guarantee applications; requiring application fees; providing procedures for the payment of loan guarantees to cover investment losses; prohibiting disbursement of moneys for investment losses under certain circumstances; providing for

use of loan repayments, interest earnings, and application fees; authorizing partnerships with financial institutions under certain circumstances; requiring the office to establish guidelines and performance measures for the program and criteria for the evaluation of funding applications; requiring the office to submit annual reports to the Governor and Legislature; providing for future repeal of the program; amending 288.1081, F.S.; revising provisions for the deposit of loan repayments from the Economic Gardening Business Loan Pilot Program; providing for use of the funds; repealing s. 288.9618, F.S., relating to programs for the development of microenterprises; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Budget.

By Senator Altman—

SB 1864—A bill to be entitled An act relating to energy conservation; amending s. 212.055, F.S.; providing for a portion of the proceeds of the local government infrastructure surtax to be used for financial assistance to homeowners who make energy efficiency improvements or install renewable energy devices; defining the terms “renewable energy devices” and “energy efficiency improvement”; providing an effective date.

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

By Senator Altman—

SB 1866—A bill to be entitled An act relating to tax refunds for businesses; repealing s. 288.1045(2)(c), F.S., relating to a provision limiting the maximum amount that a qualified defense contractor in the space flight business may receive in all fiscal years from the Economic Development Trust Fund; amending s. 288.106, F.S.; deleting provisions limiting the maximum amount of refund payments which a qualified target industry business, including those located in an enterprise zone, may receive; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Military Affairs, Space, and Domestic Security; and Budget.

By Senator Bogdanoff—

SB 1868—A bill to be entitled An act relating to public educational facilities; amending s. 1013.33, F.S.; revising provisions relating to the planning and construction of educational facilities; prohibiting a local governing body from denying a site applicant on the basis of a public school's capacity or its proposed capacity; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Community Affairs; and Budget.

By Senator Smith—

SB 1870—A bill to be entitled An act relating to live racing of animals; providing that a referendum or ordinance that requires certain businesses to conduct live racing as a prerequisite for conducting any other commercial enterprise is enforceable; providing a definition; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Budget.

By Senators Smith and Gaetz—

SB 1872—A bill to be entitled An act relating to retail sales establishments; creating s. 501.1425, F.S.; encouraging retail sales establishments to have a functioning automated external defibrillator; requiring training, maintenance, and location registration; providing immunity from liability under the Good Samaritan Act and the Cardiac Arrest Survival Act; authorizing the Department of Business and Professional Regulation to adopt rules; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Regulation; and Budget.

SB 1874—Withdrawn prior to introduction.

By Senator Sachs—

SB 1876—A bill to be entitled An act relating to expunging or sealing certain criminal history records; authorizing a person to apply to the Department of Law Enforcement for a certificate of eligibility to expunge or seal his or her criminal history record for certain specified traffic violations; providing an effective date.

—was referred to the Committees on Criminal Justice; Transportation; and Budget.

By Senator Margolis—

SB 1878—A bill to be entitled An act relating to the jurisdiction of the courts; amending s. 48.081, F.S.; authorizing a person to serve process on the Secretary of State if other representatives of a corporation cannot be served; amending s. 48.151, F.S.; requiring that process served on the Secretary of State on behalf of a defendant corporation be accompanied by a fee, an affidavit detailing other attempts to serve the corporation and known addresses of representatives of the corporation, and multiple copies of the process; requiring that the Secretary of State mail a copy of the process to representatives of the defendant corporation; requiring that the Secretary of State provide a notice of service to the plaintiff or plaintiff's attorney; requiring the Secretary of State to explain the reasons for rejecting the service of process; amending s. 48.193, F.S.; including as an additional basis for subjecting a person to the jurisdiction of the courts of this state the basis for jurisdiction provisions which state that a person submits to the jurisdiction of the courts of this state by entering into a contract that designates the law of this state as the law governing the contract and that contains a provision by which such person agrees to submit to the jurisdiction of the courts of this state; amending s. 55.502, F.S.; revising the definition of the term “foreign judgment” for purposes of the Florida Enforcement of Foreign Judgments Act; amending s. 684.0019, F.S.; clarifying that an arbitral tribunal receiving a request for an interim measure to preserve evidence in a dispute governed by the Florida International Commercial Arbitration Act need only consider to the extent appropriate the potential harm that may occur if the measure is not awarded or the possibility that the requesting party will succeed on the merits of the claim; amending s. 684.0026, F.S.; correcting a cross-reference in the Florida International Commercial Arbitration Act; amending s. 685.101, F.S.; deleting a restriction on the jurisdiction of the courts of this state to transactions bearing a substantial relation to this state; revising application dates of provisions relating to the jurisdiction of the courts; amending s. 685.102, F.S.; revising application dates of provisions relating to the jurisdiction of the courts; providing an effective date.

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

By Senator Bullard—

SB 1880—A bill to be entitled An act relating to state lotteries; creating s. 24.132, F.S.; providing for a special instant scratch-off lottery game titled Ticket for the Cure; providing for revenues to be used for the purpose of funding breast cancer research and services for certain breast cancer victims; providing restrictions for the use of funds; defining the terms “net revenue” and “research”; authorizing the Department of the Lottery to adopt rules; amending s. 24.121, F.S.; providing for revenues to be equitably apportioned to certain state universities to be used for the purpose of funding breast cancer research and services for certain breast cancer victims; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Regulation; and Budget.

By Senator Garcia—

SB 1882—A bill to be entitled An act relating to telemedicine coverage; requiring health insurers, corporations, and health maintenance organizations issuing certain health policies to provide coverage for telemedicine services; providing definitions; prohibiting the exclusion of telemedicine cost coverage solely because the services were not provided face to face; specifying conditions under which an insurer, corporation, or health maintenance organization must reimburse a telemedicine provider for certain fees and costs; authorizing provisions requiring a deductible, copayment, or coinsurance requirement for telemedicine services under certain circumstances; prohibiting the imposition of certain dollar and durational coverage limitations or copayments, coinsurance, or deductibles on telemedicine services unless imposed equally on all terms and services; providing application; providing construction; requiring a utilization review under certain circumstances; providing coverage under the state plan or a waiver for health home services provided to eligible individuals with chronic conditions; providing effective dates.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Budget.

By Senator Gaetz—

SB 1884—A bill to be entitled An act relating to consumer protection; providing definitions; prohibiting a post-transaction third-party seller from charging a consumer for a good or service sold over the Internet unless certain disclosures are made and the seller receives the informed consent of the consumer; requiring a post-transaction third-party seller to provide a simple mechanism for a consumer to cancel a purchase of a good or service and stop any recurring charges; prohibiting an initial merchant from disclosing certain account numbers of a consumer to a post-transaction third-party seller under certain circumstances; providing that a person who violates the act commits an unfair and deceptive trade practice under the Florida Deceptive and Unfair Trade Practices Act; providing an effective date.

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

By Senator Wise—

SB 1886—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; including certain hallucinogenic substances on the list of controlled substances in Schedule I; reenacting ss. 893.13(1), (2), (4), and (5), 893.135(1)(l), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties regarding controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Wise—

SB 1888—A bill to be entitled An act relating to local government revenue enhancement; amending s. 14.2015, F.S.; requiring the Office of Tourism, Trade, and Economic Development to sell naming rights for a building, facility, or other property owned by a local government or space for commercial advertising to be displayed on a building, facility, or other property owned by a local government to a private sector business or entity pursuant to an agreement with the local government; providing requirements for a contract for sale and remittance of contract revenues; creating s. 129.251, F.S.; authorizing a county to enter into an agreement with the Office of Tourism, Trade, and Economic Development for a contract for sale for county government revenue enhancement; providing for county government requirements for such naming and advertising; providing for the use of revenues; creating s. 166.276, F.S.; authorizing a municipality to enter into an agreement with the Office of Tourism, Trade, and Economic Development for a contract for sale for municipal government revenue enhancement; providing for municipal government requirements for such naming and advertising; providing for the use of revenues; providing an effective date.

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

By Senator Storms—

SB 1890—A bill to be entitled An act relating to sexual predator identifiers; amending s. 775.21, F.S.; defining the term “Internet identifier” to include an electronic mail, chat, instant messenger, social networking, or similar name used for Internet communication, but excluding date of birth, social security number, or Personal Identification Numbers; requiring that a sexual predator supply the Internet identifier used by the sexual predator rather than the instant message name upon registration as a sexual predator; clarifying provisions requiring that a sexual predator report to the sheriff of any plan to leave this state; providing that a sexual predator is not in violation of the act if he or she reports a change of address or location to the local sheriff’s office within 48 hours after the change of address or location, along with proof that he or she also promptly reported the information to the Department of Highway Safety and Motor Vehicles; creating s. 847.0141, F.S.; prohibiting a minor from intentionally or knowingly using an electronic communication device to transmit, distribute, or display a visual depiction of himself or herself which depicts nudity or for the minor to intentionally or knowingly possess a visual depiction of another minor that depicts nudity and is harmful to minors; providing an exception; providing criminal penalties; requiring a law enforcement officer to seize prohibited electronic communication devices and to take such material into his or her custody to await the sentence of the court upon the trial of the offender; amending s. 943.0435, F.S.; defining the term “Internet identifier” to include an electronic mail, chat, instant messenger, social networking, or similar name used for Internet communication, but excluding date of birth, social security number, or Personal Identification Numbers; providing that a sexual predator is not in violation of the law if he or she reports a change of address or location to the local sheriff’s office within 48 hours after the change of address or location, along with proof that he or she also promptly reported the information to the Department of Highway Safety and Motor Vehicles; requiring that a sexual offender supply the Internet identifier used by the sexual offender rather than the instant message name upon registration as a sexual offender; amending ss. 943.0437, 944.606, and 944.607, F.S.; conforming provisions to changes made by the act; providing for severability; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Bennett—

SB 1892—A bill to be entitled An act relating to health care; creating ss. 458.3175 and 459.0066, F.S.; requiring the Board of Medicine and the Board of Osteopathic Medicine to issue expert witness certificates to certain physicians licensed outside the state; providing application and certification requirements; establishing application fees; providing for validity and use of certificates; exempting physicians issued certificates from certain licensure and fee requirements; requiring the boards to adopt rules; amending ss. 458.331 and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; providing construction with respect to the doctrine of incorporation by reference; amending ss. 458.351 and 459.026, F.S.; requiring the boards to adopt within a specified period certain patient forms specifying cataract surgery risks; exempting rules adopting the patient forms from certain administrative procedures; specifying that an incident resulting from risks disclosed in the patient form is not an adverse incident; providing for the execution and admissibility of the patient forms in civil and administrative proceedings; creating a rebuttable presumption that a physician disclosed cataract surgery risks if the patient form is executed; amending s. 464.012, F.S.; expanding the scope of practice to authorize an advanced registered nurse practitioner to order, administer, monitor, and alter any drug or drug therapies that are necessary for the proper medical care and treatment of a patient under specified circumstances; requiring that the Board of Nursing adopt rules; authorizing a certified registered nurse anesthetist, while participating in the management of a patient in the postanesthesia recovery area, to order the administration of drugs that are commonly used to alleviate pain; amending s. 627.4147, F.S.; deleting a requirement that medical malpractice insurance contracts contain a clause authorizing the insurer to make and conclude certain offers within policy limits over the insured’s veto; amending s. 766.102, F.S.;

revising the burden of proof that a claimant must demonstrate in order to prove medical negligence by a health care provider; defining terms; providing that certain insurance information is not admissible as evidence in civil actions; requiring that certain expert witnesses who provide expert testimony meet certain licensure or certification requirements; establishing the burden of proof that a claimant must meet in certain damage claims against health care providers based on death or personal injury; excluding a health care provider’s failure to comply with or a breach of federal requirements from evidence in medical negligence cases in the state; amending s. 766.106, F.S.; requiring claimants for medical malpractice to execute an authorization form; allowing prospective medical malpractice defendants to interview a claimant’s treating health care provider without notice to or the presence of the claimant or the claimant’s legal representative; authorizing prospective defendants to take unsworn statements of a claimant’s health care provider; creating s. 766.1065, F.S.; requiring that presuit notice for medical negligence claims be accompanied by an authorization for release of protected health information; providing requirements for the form of such authorization; amending s. 766.206, F.S.; requiring dismissal of a medical malpractice claim if such authorization is not completed in good faith; amending s. 768.0981, F.S.; limiting the liability of hospitals related to certain medical negligence claims; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Latvala—

SB 1894—A bill to be entitled An act relating to stimulating small business growth; authorizing a tax credit of a specified amount for application against the corporate income tax for certain corporations engaging in contractual business relationships with certain small businesses; specifying eligibility requirements; providing limitations on the use of the tax credit; authorizing the Office of Tourism, Trade, and Economic Development and the Department of Revenue to adopt rules; providing an effective date.

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

By Senator Evers—

SB 1896—A bill to be entitled An act relating to enforcement of laws; providing a short title; creating ch. 820, F.S., entitled “Illegal Immigration”; creating ss. 820.01, 820.02, 820.03, 820.04, 820.05, 820.06, 820.07, 820.08, 820.09, and 820.10, F.S.; providing legislative findings and intent; providing for construction and implementation of provisions; prohibiting state or local government policies that limit or restrict the enforcement of federal immigration laws to less than the full extent permitted by federal law; requiring that a law enforcement officer determine a person’s immigration status when there is reasonable suspicion that the person is an alien who is unlawfully present in the United States; requiring the transfer of a person unlawfully present in the United States to the custody of the appropriate United States agency when the person is convicted of an offense; authorizing a law enforcement agency to transport an alien who is unlawfully present to a federal facility; authorizing warrantless arrests of certain persons; authorizing an official or agency of this state or a political subdivision of this state to send, receive, or maintain information relating to the immigration status of any person or to exchange that information with another governmental entity for certain purposes; providing for individual actions to challenge a governmental policy that limits or restricts the enforcement of federal immigration laws; providing for costs, attorney’s fees, and civil penalties; requiring the court to deposit the civil penalties into a certain account within the Department of Law Enforcement Operating Trust Fund; providing indemnity for law enforcement officers for certain actions; providing an exception; providing that an alien who is unlawfully present in the United States commits an illegal trespass if present in this state; providing for final determination of an alien’s immigration status; requiring that an unlawfully present alien pay the costs of incarceration and additional assessments; providing for disposition of assessments; providing criminal penalties; providing enhanced penalties for certain violations; prohibiting transporting, or providing services that facilitate transporting, into this state an individual who the person knows, or should know, is illegally entering the United States; defining terms; providing criminal penalties; prohibiting intentionally engaging

in the smuggling of human beings for profit or commercial purpose; providing criminal penalties; providing enhanced penalties for certain violations; providing that provisions relating to attempt, solicitation, and conspiracy do not apply to certain violations; authorizing a law enforcement officer to stop any person who is operating a motor vehicle if the officer has reasonable suspicion to believe the person is in violation of any noncriminal traffic law and smuggling provisions; defining terms; prohibiting an occupant of a motor vehicle from stopping to hire and pick up persons for work in certain situations; prohibiting a person looking for work from entering certain vehicles in certain situations; prohibiting a person unlawfully present in the United States from applying for work, soliciting work in a public place, or performing work; providing criminal penalties; prohibiting the transporting, moving, concealing, harboring, or shielding of aliens unlawfully present in the United States; prohibiting inducing or encouraging an alien to come to, or reside in, this state in violation of law; providing for the seizure and forfeiture of specified property; providing criminal penalties; providing enhanced penalties for certain violations; prohibiting an employer from knowingly employing unauthorized aliens; requiring the Attorney General to prepare a complaint form to be used by a person alleging a violation of the act; authorizing a complainant to file a complaint without listing a social security number or having the form notarized; providing for the investigation of complaints filed alleging violations of the act; prohibiting the Attorney General or state attorney from investigating complaints that are based solely on race, color, or national origin; requiring that a complaint form that is submitted to a state attorney be submitted to the state attorney for the county in which the alien is, or was, employed; authorizing the sheriff or local law enforcement agency to investigate a complaint; requiring that the Attorney General or state attorney verify the work authorization status with the Federal Government; prohibiting a state, county, or local official from independently making a final determination on an alien's work authorization status; prohibiting the submission of false reports of violations of the act; providing criminal penalties; requiring that the Attorney General or state attorney take specified actions if the complaint is determined not to be false and frivolous; providing for sanctions against violators of the act; prohibiting the state attorney from bringing an action against an employer if the violation occurred on or before a certain date; requiring that the court order appropriate agencies to suspend the licenses of an employer for a first violation if a specified affidavit is not filed within the specified period of time; requiring that the appropriate agencies suspend an employer's licenses upon receipt of the court order; requiring that the court send a copy of the court order to the Attorney General; requiring that the Attorney General maintain copies of certain court orders; requiring that the court consider certain factors before suspending a license; requiring that the court order appropriate agencies to permanently revoke an employer's licenses for a second or subsequent violation of the act; requiring that appropriate agencies revoke an employer's licenses upon receipt of the court order; requiring that the Attorney General maintain a certain database and make certain court orders available on the website; requiring that the court consider only the Federal Government's determination of an employee's work authorization status; creating a rebuttable presumption in favor of employers who verify the employment authorization of an employee through a specified program; providing an affirmative defense for an employer who complies with specified federal law provisions; providing requirements for an employer's defense of entrapment; prohibiting an employer from intentionally employing an alien unauthorized to be in this country; requiring that the Attorney General prepare a complaint form to be used by a person alleging a violation of the act; providing for the investigation of complaints filed alleging violations of the act; prohibiting the submission of false reports of violations of the act; providing criminal penalties; requiring specified actions if the complaint is determined not to be false and frivolous; requiring that the court expedite the action; providing for sanctions against violators of the act, including the suspension of the licenses of an employer found to have committed a violation of the act; requiring the permanent revocation of the licenses of an employer found to have committed a second or subsequent violation; requiring that the Attorney General maintain copies of certain court orders; requiring that the court consider only the Federal Government's determination of an employee's work authorization status; creating a rebuttable presumption in favor of an employer who verifies the employment authorization of an employee through a specified program; providing an affirmative defense for an employer who complies with specified federal law provisions; providing requirements for an employer's defense of entrapment; requiring an employer to verify the employment eligibility of a new employee through a specified federal program and to keep specified records; requiring an

employer who participates in an economic development incentive program from a governmental entity to register with, and participate in, a specified federal program for employment verification; providing definitions; requiring that the Attorney General periodically obtain a list of employers from this state who are registered with a specified federal employment verification program and make the list available on its website; creating s. 932.709, F.S.; providing for removal and immobilization or impoundment of vehicles under specified circumstances; providing exceptions; requiring immobilization or impoundment for a specified period in certain circumstances; providing for hearings; creating s. 943.0425, F.S.; creating the Gang and Immigration Intelligence and Enforcement Account within the Department of Law Enforcement Operating Trust Fund; providing purposes for funds; repealing s. 787.07, F.S., relating to human smuggling; providing an effective date.

—was referred to the Committees on Judiciary; Community Affairs; Criminal Justice; and Budget.

By Senator Bullard—

SB 1898—A bill to be entitled An act relating to the death penalty; amending s. 775.082, F.S.; deleting provisions providing for the death penalty for capital felonies; deleting provisions relating to the effect of a declaration by a court of last resort that the death penalty in a capital felony is unconstitutional; amending ss. 27.51 and 27.511, F.S.; deleting provisions relating to representation in death penalty cases; repealing ss. 27.7001, 27.7002, 27.701, 27.702, 27.703, 27.704, 27.705, 27.706, 27.707, 27.708, 27.7081, 27.709, 27.7091, 27.710, 27.711, and 27.715, F.S., relating to capital collateral representation; amending s. 119.071, F.S.; deleting a public-records exemption relating to capital collateral proceedings; amending ss. 775.15 and 790.161, F.S.; deleting provisions relating to the effect of a declaration by a court of last resort declaring that the death penalty in a capital felony is unconstitutional; repealing s. 913.13, F.S., relating to jurors in capital cases; repealing s. 921.137, F.S., relating to prohibiting the imposition of the death sentence upon a defendant with mental retardation; repealing s. 921.141, F.S., relating to determination of whether to impose a sentence of death or life imprisonment for a capital felony; repealing s. 921.142, F.S., relating to determination of whether to impose a sentence of death or life imprisonment for a capital drug trafficking felony; amending ss. 782.04, 794.011, and 893.135, F.S.; conforming provisions to changes made by the act; repealing ss. 922.052, 922.06, 922.07, 922.08, 922.095, 922.10, 922.105, 922.108, 922.11, 922.111, 922.12, 922.14, and 922.15, F.S., relating to issuance of warrant of execution, stay of execution of death sentence, proceedings when person under sentence of death appears to be insane, proceedings when person under sentence of death appears to be pregnant, grounds for death warrant, execution of death sentence, prohibition against reduction of death sentence as a result of determination that a method of execution is unconstitutional, sentencing orders in capital cases, regulation of execution, transfer to state prison for safekeeping before death warrant issued, return of warrant of execution issued by Governor, sentence of death unexecuted for unjustifiable reasons, and return of warrant of execution issued by Supreme Court, respectively; amending s. 924.055, F.S.; deleting provisions relating to legislative intent concerning appeals and postconviction proceedings in death penalty cases; repealing ss. 924.056 and 924.057, F.S., relating to commencement of capital postconviction actions for which sentence of death is imposed; limitations on actions; amending ss. 924.058 and 924.059, F.S.; conforming provisions to changes made by the act; amending s. 925.11, F.S.; deleting provisions relating to preservation of DNA evidence in death penalty cases; amending s. 945.10, F.S.; deleting a public-records exemption for the identity of executioners; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Ring—

SB 1900—A bill to be entitled An act relating to insurance; amending s. 628.461, F.S., relating to acquisition of controlling stock with respect to stock and mutual insurers; including prepaid limited health service organizations, health maintenance organizations, prepaid health clinics, continuing care providers, and multiple-employer welfare arrangements within the definition of "insurer"; providing that a person may not acquire a domestic stock insurer or a controlling company unless such

person has filed with the commissioner and sent to the insurer a statement containing specified information and the offer, request, invitation, agreement, or acquisition has been approved by the Commissioner of Insurance; requiring a controlling person of a domestic insurer seeking to divest its controlling interest in the domestic insurer to file notice of the proposed divestiture; requiring the filing of a preacquisition notification; providing for contents of statement; providing for alternative filing materials under specified circumstances; providing for approval or disapproval by the commissioner of any merger or acquisition of control after a public hearing; providing procedures and requirements, including notice requirements, with respect to such hearings; providing for hearings on a consolidated basis; authorizing the commissioner to retain attorneys and experts in reviewing the proposed acquisition of control; providing nonapplicability; providing that failure to file any required statement, amendment, or other material or the effectuation or attempted effectuation of an acquisition of control of, divestiture of, or merger with a domestic insurer without approval of the commissioner constitutes a violation of the section; providing for jurisdiction of courts with respect to violations and service of process; authorizing the commissioner to enter an order under specified circumstances; defining terms; providing criteria and establishing formulae for competitive standards; providing that the burden of showing prima facie evidence of violation of the competitive standard rests with the commissioner; authorizing the commissioner to issue specified orders if an acquisition violates required standards; requiring hearings; requiring an order to be accompanied by a written decision of the commissioner; authorizing penalties for violation of a cease and desist order of the commissioner; providing a fine for failure to make required filings and failure to demonstrate a good faith effort to comply with any filing requirement; specifying acquisitions and purchase of securities that are exempt from the section; providing procedures and requirements with respect to approval or disapproval of the acquisition of voting securities; amending s. 628.4615, F.S., relating to specialty insurers, the acquisition of controlling stock, ownership interest, assets, or control thereof, and the merger or consolidation of such insurers; removing prepaid limited health service organizations, health maintenance organizations, prepaid health clinics, continuing care providers, and multiple-employer welfare arrangements from the definition of the term "specialty insurer"; revising procedures and requirements with respect to the acquisition of a specialty insurer; requiring specified background information with respect to new officers, directors, trustees, partners, owners, or managers of a specialty insurer that is the subject of an acquisition; eliminating provisions relating to review of acquisition applications, prohibited material change in the operation of a specialty insurer or controlling company by an acquiring person, acquisition proceedings, approval and disapproval of acquisitions, burden of proof, validity of acquisitions, and unlawful representation of approval by the office, penalties therefor, and statute of limitations thereon; creating s. 628.800, F.S.; providing definitions with respect to part IV of ch. 628, F.S., relating to insurance holding companies; amending s. 628.801, F.S.; substantially rewording provisions relating to registration of members of an insurance holding company system; providing procedures and requirements with respect to such registration; requiring reporting of dividends and other distributions to shareholders; providing for termination of registration; providing for filing of consolidated registration statements; authorizing specified insurers to register on behalf of an affiliated insurer; providing inapplicability; providing for filing of a disclaimer of affiliation and procedures and requirements with respect thereto; requiring the filing of an annual enterprise risk report; providing that failure to timely file a registration statement or summary thereof or an enterprise risk filing constitutes a violation of the section; creating s. 628.8011, F.S.; providing procedures and requirements with respect to standards and management of an insurer within an insurance holding company system; establishing standards for transactions within an insurance holding company system; precluding specified transactions involving a domestic insurer and any person in its insurance holding company system; providing exceptions; providing for review of transactions; requiring notice with respect to specified investments; providing procedures and requirements with respect to payment of extraordinary dividends or the making of extraordinary distributions by a domestic insurer; providing requirements with respect to management of domestic insurers; providing factors to be considered in determining adequacy of an insurer's surplus; creating s. 628.8012, F.S.; providing for the establishment of and participation in a supervisory college; specifying powers of the Commissioner of Insurance with respect thereto; providing for payment of expenses of the college; creating s. 628.8013, F.S.; providing rulemaking authority of the commissioner; creating s. 628.8014, F.S.; providing re-

strictions on voting of securities; amending s. 628.802, F.S.; providing for injunctions against specified violations; substantially revising provisions relating to the voting of securities; substantially revising provisions relating to the seizure or sequestration of voting securities; amending s. 628.803, F.S.; providing a penalty for failure to file a registration statement; providing for deposit of funds derived therefrom; providing a penalty for a knowing violation, participation in, or assent to specified violative transactions or the making of investments by a director or officer of an insurance holding company system; authorizing the issuance of cease and desist orders with respect to specified transactions or contracts; providing penalties for willful violation of part IV of ch. 628, F.S., by an insurer or any director, officer, employee, or agent thereof; providing a penalty for knowingly making false statements, false reports, or false filings with the intent to deceive in the performance duties as an officer, director, or employee of an insurance holding company system; providing that a violation of ch. 628, F.S., which prevents full understanding of an enterprise risk may serve as an independent basis for disapproving dividends or distributions and for placing the insurer under an order of supervision; amending ss. 636.05, 641.255, 641.416, and 651.024, F.S.; conforming cross-references; reenacting s. 48.151(3), F.S., relating to service of process by the Chief Financial Officer on specified insurers, to incorporate the amendment to s. 628.461, F.S., in a reference thereto; reenacting s. 624.310(1)(a), F.S., relating to the definitions of "affiliated party," to incorporate the amendments to ss. 628.461 and 628.4615, F.S., in references thereto; reenacting s. 625.765, F.S., relating to exemptions from specified provisions of part IV of ch. 625, F.S., relating to domestic stock insurers and equity securities, to incorporate the amendment to s. 628.461, F.S., in a reference thereto; reenacting s. 628.705(2), F.S., relating to prohibition of stock transfers, to incorporate the amendment to s. 628.461, F.S., in a reference thereto; reenacting s. 631.051(7), F.S., relating to grounds for rehabilitation of a domestic insurer or alien insurer, to incorporate the amendments to ss. 628.461 and 628.4615, F.S., in references thereto; reenacting s. 409.912(20), F.S., relating to cost-effective purchasing of health care, to incorporate the amendment to s. 628.4615, F.S., in a reference thereto; reenacting s. 624.80(1)(b), F.S., relating to the definition of "insurer," to incorporate the amendment to s. 628.4615, F.S., in a reference thereto; reenacting s. 626.9928, F.S., relating to acquisition of interest in a viatical settlement provider, to incorporate the amendment to s. 628.4615, F.S., in a reference thereto; reenacting s. 634.252, F.S., relating to acquisition requirements with respect to motor vehicle service agreement companies, to incorporate the amendment to s. 628.4615, F.S., in a reference thereto; reenacting s. 634.3073, F.S., relating to acquisition requirements with respect to home warranty associations, to incorporate the amendment to s. 628.4615, F.S., in a reference thereto; reenacting s. 634.4085, F.S., relating to acquisition requirements with respect to service warranty associations, to incorporate the amendment to s. 628.4615, F.S., in a reference thereto; reenacting s. 636.065, F.S., relating to acquisition requirements with respect to prepaid limited health service organizations, to incorporate the amendment to s. 628.4615, F.S., in a reference thereto; reenacting s. 642.032(5), F.S., relating to provisions of general insurance law applicable to legal expense insurance corporations, to incorporate the amendment to s. 628.4615, F.S., in a reference thereto; reenacting s. 626.7492(6)(b), (8)(f), and (9)(f), F.S., relating to duties of insurers using the services of a reinsurance intermediary broker or manager, to incorporate the amendments to s. 628.801, F.S., in references thereto; reenacting s. 626.918(2)(d), F.S., relating to conditions of eligibility for surplus lines insurers, to incorporate the amendment to s. 628.801, F.S., in a reference thereto; providing an effective date.

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

By Senator Rich—

SB 1902—A bill to be entitled An act relating to independent living; amending s. 39.013, F.S.; requiring the court to exercise jurisdiction until a child is 21 years of age if the child elects to receive Foundations for Success services; retaining jurisdiction for the purpose of reviewing the child's transition and permanency plans and services; creating s. 39.605, F.S.; directing the Department of Children and Family Services to administer a system of independent living transition services to enable older children in out-of-home care to make the transition to self-sufficiency as adults; providing that the goals of independent living transition services are to assist older children in planning successful

futures that lead to independence and assist caregivers of older children in out-of-home care to teach life skills to all children in their care; providing for eligibility to receive independent living services; requiring the department to provide these children with skills for out-of-home, independent, self-sufficient living; specifying the training, support, and services the department must give to prepare a child for independent living; providing for a detailed transition plan for each child in the program; establishing educational goals; requiring all children in out-of-home care to take part in learning opportunities that result from participation in community service activities; specifying services for children living in foster care, including preindependent living services, quality parenting services, performance accountability, and early entry into the Foundations for Success program; requiring the department to adopt rules for the independent living program; creating s. 39.911, F.S.; defining terms; creating s. 39.912, F.S.; requiring the department to provide or arrange services for the Pathways to Success, Foundations for Success, and Jumpstart to Success programs; providing for portability of services between counties; providing that the Pathways to Success program is intended to help eligible students who were foster children in this state to receive the educational and vocational training needed to achieve independence; providing for a stipend that is based on a needs assessment of the young adult's educational and living needs; providing for the permissible use of the stipend; providing for the termination of the stipend; authorizing eligible children to participate in the Foundations for Success program; describing the structure and operations of the two Foundations for Success components; detailing eligibility criteria for the Foundations for Success program; requiring a review of the child's progress on the anniversary of his or her approval for Foundations for Success services; providing eligibility for the Jumpstart to Success program; providing for an appeals process for any decision relating to the three programs; directing the department to develop outcome measures; requiring the department to prepare a report for the Legislature; specifying the contents of the report; requiring the department to establish the Independent Living Services Advisory Council; providing the functions and duties of the advisory council; requiring a report; providing for the membership of the advisory council; requiring the department to provide administrative support to the advisory council; requiring a report to the Legislature by a specified date; requiring the department to enroll eligible children in the Florida Kidcare program; requiring the department to adopt rules; amending s. 409.903, F.S., conforming a cross-reference; authorizing youth receiving Road-to-Independence or transitional support services to choose to terminate their existing services or continue in their existing services until their eligibility for that benefit program expires; providing an effective date.

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

By Senator Altman—

SB 1904—A bill to be entitled An act relating to optional sector plans; amending s. 163.3245, F.S.; increasing the minimum size of geographic areas that qualify for the use of optional sector plans; revising terminology relating to such plans; deleting obsolete provisions; requiring that public notice be given for scoping meetings between the state land planning agency and the local government; revising the content required to be included in conceptual long-term overlay plans and detailed specific area plans; requiring identification of water development projects and transportation facilities to serve future development needs; authorizing a long-term conceptual overlay plan and a detailed specific area plan to be based on a planning period longer than the generally applicable planning period; providing that a long-term conceptual overlay plan is not required to demonstrate certain need; providing that a detailed specific area plan may demonstrate certain need; requiring the state land planning agency to consult with the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Fish and Wildlife Conservation Commission, and the applicable water management district in its review of certain plans; requiring a long-range transportation plan to be consistent with the long-term conceptual overlay plan; requiring certain water development projects to be incorporated into certain water supply plans; authorizing an applicant to request a consumptive use permit for a duration commensurate with the long-term conceptual overlay plan; exempting certain developments from the requirement to develop a detailed specific area plan; requiring that certain plan amendments or long-term conceptual overlay plans include a buildout date and preclude certain

changes in the development until after that date; authorizing certain development agreements between the developer and the local government; providing for the owners of property in the planning area to withdraw consent to certain plans; providing exceptions; providing for continuation of certain existing land uses; providing for certain plans in compliance before the effective date of the act to be governed by the act; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; Transportation; and Budget.

By Senator Diaz de la Portilla—

SJR 1906—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution to authorize counties and municipalities to freeze the assessed value of the homesteads of certain low-income senior citizens.

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

By Senator Smith—

SB 1908—A bill to be entitled An act relating to insurance; amending s. 501.212, F.S.; removing an exemption from regulation under the Florida Deceptive and Unfair Trade Practices Act provided for persons or activities regulated by the Office of Insurance Regulation of the Financial Services Commission; creating s. 624.156, F.S.; specifying that the business of insurance is subject to the Florida Deceptive and Unfair Trade Practices Act; amending s. 627.062, F.S.; clarifying that an affiliate of a medical malpractice insurer is subject to the provisions that govern rates for medical malpractice insurance; requiring an insurer to apply a discount or surcharge, exclusive of any other discounts, credits, or rate differentials, based on the health care provider's loss experience and disciplinary action taken by the state or the Federal Government, a health care facility, or a health care plan; prohibiting a medical malpractice liability insurer from using a rate or charging a premium unless certain conditions are met; requiring the Office of Insurance Regulation to consider, as part of the insurer's rate base, the insurer's loss adjustment expenses or defense and cost containment expenses; providing that a rate or rate change may not be justified by an insurer's loss adjustment expenses or defense and cost containment expenses in excess of the national average; deleting the requirement that a rate filing be sworn to by executive officers of an insurer; requiring a chief executive officer or chief financial officer of a medical malpractice insurer and the chief actuary of a medical malpractice insurer to certify specified information that must accompany a rate filing; providing a penalty for a signing officer who makes a false certification; providing for the disapproval of a rate filing under certain conditions; requiring the commission to adopt rules; providing legislative intent and findings; prohibiting rates for medical malpractice insurance filed with the Office of Insurance Regulation before a specified date from being based upon the loss and expense experience of more than a specified number of years; authorizing insurers to base rate filings on the loss and expense experience of a specified year and thereafter; requiring the director of the Office of Insurance Regulation to approve the insurance rates for medical malpractice before such rates are used; repealing s. 627.4147(2), F.S., relating to medical malpractice insurance contracts; amending s. 627.912, F.S.; revising the requirements for reports made to the office for any written claim or action for damages for personal injuries claimed to have been caused by error, omission, or negligence in the performance of certain insureds' professional services; requiring the office to impose a fine against an insurer, commercial self-insurance fund, medical malpractice self-insurance fund, an insurer providing professional liability insurance to a member of The Florida Bar, or a risk retention group that violates the requirements of insurer reporting; creating s. 627.41491, F.S.; requiring the Office of Insurance Regulation to publish a comparison of the rates in effect for each medical malpractice insurer, self-insurer, risk retention group, and the Florida Medical Malpractice Joint Underwriting Association; requiring the office to make the rate comparison chart available to the public on its website and to annually update the chart; amending s. 627.41495, F.S.; requiring the medical malpractice insurer or self-insurance fund to mail notice of a filing of a proposed rate change to its policyholders or members and the Office of the Consumer Advocate; providing that the consumer advocate has standing to request, intervene, or participate in a rate hearing; requiring

the office to receive into evidence any materials, information, or studies submitted by members of the public or the consumer advocate; authorizing the consumer advocate and any policyholders or members of the insurer or self-insurance fund to request a rate hearing on a proposed rate change; requiring the director of the Office of Insurance Regulation to hold such hearing; requiring the office to adopt rules to administer the act; providing an effective date.

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

By Senator Diaz de la Portilla—

SB 1910—A bill to be entitled An act relating to state and regional planning; repealing ss. 186.501-186.515, F.S., relating to the Florida Regional Planning Council Act; amending s. 120.52, F.S.; conforming a cross-reference; amending ss. 163.3175 and 163.3177, F.S., relating to comprehensive planning; removing references to the regional planning council, to conform; amending s. 163.3178, F.S.; removing a reference to a dispute resolution process, to conform; amending s. 163.3180, F.S., relating to concurrency exception areas; removing a reference, to conform; amending s. 163.3184, F.S.; removing references to the regional planning council, removing a requirement that the regional planning council provide comments for proposed comprehensive plan amendments, and removing a provision governing the regional planning councils' review of proposed plan amendments, to conform; amending s. 163.3187, F.S., relating to amendments to adopted comprehensive plans; removing a reference to the regional planning council, to conform; amending s. 163.3191, F.S.; removing a provision allowing the state land planning agency to delegate review of evaluation and appraisal reports to the appropriate regional planning council, to conform; amending s. 163.3245, F.S.; removing a provision requiring the regional planning council to conduct a scoping meeting before executing an agreement authorizing an optional sector plan and removing a reference to the regional planning council, to conform; amending s. 163.3246, F.S.; removing provisions requiring a regional planning council to coordinate an application for approval of a development order that would be exempt from regional impact review, to conform; amending s. 163.32465, F.S.; removing a reference to the regional planning council and removing a provision regarding regional planning council review and comments on regional resources or facilities or a proposed comprehensive plan amendment, to conform; amending s. 186.003, F.S.; removing the definition of the term "regional planning agency," to conform; amending s. 186.0201, F.S.; removing references to the regional planning council and substituting a municipality or county as the identified service area for purposes of planning for the siting of electric substations, to conform; amending s. 215.559, F.S.; removing a provision giving funding priority under the Hurricane Loss Mitigation Program to certain projects in regional planning council regions, to conform; amending s. 218.32, F.S., relating to annual financial reports; removing references to the regional planning council, to conform; amending s. 252.385, F.S., relating to public shelter space; removing references to the regional planning council, to conform; amending s. 258.501, F.S., relating to the management coordinating council for the Myakka River; removing references to the Tampa Bay and Southwest Florida Regional Planning Councils, to conform; amending s. 288.0656, F.S., relating to the Rural Economic Development Initiative; removing a reference to the Florida Regional Planning Council Association, to conform; amending s. 288.975, F.S., relating to military base reuse plans; removing the definition of the term "regional policy plan," to conform; amending s. 320.08058, F.S., relating to the Tampa Bay Estuary license plate; removing a reference to the Tampa Bay Regional Planning Council, to conform; amending s. 339.155, F.S.; removing a requirement that each regional planning council develop transportation goals and policies as an element of its strategic regional policy plan, to conform; amending s. 339.175, F.S., relating to metropolitan planning organizations; removing a reference to the regional planning council, to conform; amending s. 339.285, F.S.; conforming cross-references; amending s. 348.9932, F.S.; removing the executive director of the Southwest Florida Regional Planning Council from the membership of the Southwest Florida Expressway Authority and deleting a reference to the executive director, to conform; amending s. 369.303, F.S., relating to the Wekiva River Protection Act; removing the definition of the term "council," to conform; amending ss. 369.307 and 369.324, F.S.; replacing the East Central Florida Regional Planning Council with the Wekiva River Basin Commission, to conform; amending s. 373.415, F.S.; conforming cross-references; amending s. 378.411, F.S.,

relating to resource reclamation; removing a reference to the regional planning council, to conform; amending s. 380.045, F.S., relating to resource planning and management committees; removing a reference to the regional planning council, to conform; amending s. 380.06, F.S., relating to developments of regional impact; removing a requirement that a copy of the notice of proposed agency action on a conceptual review be sent to the regional planning council, to conform; amending s. 380.061, F.S.; removing references to the regional planning council and removing the requirement that the regional planning council notify a developer if a request for conversion of completeness to sufficiency is granted or denied, to conform; amending s. 380.07, F.S., relating to the Florida Land and Water Adjudicatory Commission; removing references to the regional planning council, to conform; amending ss. 403.503 and 403.50663, F.S., relating to the siting of electrical power plants; removing the definition of the term "regional planning council" and removing references to the regional planning council, to conform; amending s. 403.507, F.S.; removing the requirement that each regional planning council prepare a report that addresses the impact upon the public of a proposed electrical power plant, to conform; amending ss. 403.508, 403.5115, and 403.518, F.S., relating to public meetings and application fees; removing references to the regional planning council and conforming cross-references; amending ss. 403.522, 403.526, 403.527, and 403.5272, F.S., relating to the siting of electric transmission lines; removing the definition of the term "regional planning council"; removing the requirement that the regional planning council present a report addressing the impact upon the public of a proposed transmission line or corridor; removing references to the regional planning council, to conform; amending ss. 403.5363, 403.5365, and 403.537, F.S., relating to public meetings and application fees; removing references to the regional planning council and conforming cross-references; amending ss. 403.7225 and 403.7226, F.S.; removing a provision requiring the county to make arrangements for hazardous waste management with its regional planning council; removing references to the regional planning council, to conform; amending s. 403.723, F.S.; requiring that the county rather than the regional planning council designate areas for hazardous waste storage or treatment facilities, to conform; amending ss. 403.9403, 403.941, and 403.9411, F.S., relating to the siting of natural gas transmission pipelines; removing the definition of the term "regional planning council"; removing a provision requiring a regional planning council to present a report on the impact of a proposed natural gas pipeline; removing references to the regional planning council, to conform; amending s. 408.033, F.S.; removing a provision requiring local health councils to enter into a memorandum of agreement with each regional planning council to address health issues, to conform; amending ss. 419.001 and 985.682, F.S.; removing references to dispute resolution procedures established by regional planning councils, to conform; amending s. 1013.30, F.S., relating to university campus master plans; removing a reference to the regional planning council, to conform; amending ss. 1013.372 and 1013.74, F.S.; removing references to hurricane evacuation shelter capacity determined by the regional planning council, to conform; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senator Evers—

SB 1912—A bill to be entitled An act relating to trucking; providing a short title; defining the term "small trucking firm"; providing for the county tax collector to act as an agent of the Department of Highway Safety and Motor Vehicles for the issuance of certain commercial driver's licenses and registration tags; exempting trucks owned by small trucking firms from laws that prohibit idling; providing for a waiver from the Department of Environmental Protection exempting such firms from rules and regulations restricting truck washing; providing such firms with a tax credit for the costs of idling; providing penalties for theft from small trucking firms; creating the Trucking Regulation Workgroup to identify certain rules and regulations; providing for membership of the workgroup; directing the workgroup to make a report to the Governor and the Legislature by a certain date; authorizing the Department of Transportation to randomly inspect trucks and prohibiting the use of target lists for such inspections; providing an effective date.

—was referred to the Committees on Transportation; Environmental Preservation and Conservation; and Budget.

By Senator Evers—

SB 1914—A bill to be entitled An act relating to permitting of consumptive uses of water; amending s. 373.016, F.S.; conforming a cross-reference; amending s. 373.223, F.S.; prohibiting the governing board of a water management district or the Department of Environmental Protection from requiring a county or municipality to adopt any resolution or ordinance or require review or approval of the resolution or ordinance as a condition for a permit; limiting the requests for additional information by a district or the department after initial notification of an error or omission in a permit application; amending s. 373.227, F.S.; removing provisions that give a public water supply utility latitude in selecting a rate structure and provide limited review of the rate designed to promote efficient use of water; amending s. 373.229, F.S.; conforming a cross-reference; amending s. 373.236, F.S.; requiring permits to be granted for not less than 20 years when the conditions of issuance are met; adding the condition of at least 50 percent of alternative supplies to the requirement for granting permits for a term of at least 20 years; amending s. 373.250, F.S.; adding a legislative finding; specifying that ch. 373, F.S., does authorize a water management district to restrict the use of, or require a permit for, reclaimed water; amending ss. 373.701, 373.709, and 373.713, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

By Senator Detert—

SB 1916—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending ss. 14.26, 20.14, 213.053, 320.275, and 366.85, F.S.; renaming the Division of Consumer Services within the department as the “Division of Consumer Protection”; amending s. 493.6105, F.S.; revising the information that a person must supply in an application for licensure as a private investigator, private security service, or repossession service; deleting a requirement that certain applicants supply photographs along with an application; revising the certificates that a person applying for a class “K” firearms instructor’s license must supply along with an application for the license; making technical and grammatical changes; amending s. 493.6106, F.S.; providing that applicants for certain licenses as a private investigator, private security service or repossession service must meet certain citizenship or immigration requirements and not be prohibited by law from purchasing a firearm; making grammatical and technical changes; amending s. 493.6107, F.S.; authorizing a Class “M,” Class “G,” and Class “K” licensee or applicant to pay examination fees and license fees by personal check or, if authorized by the department, by electronic funds transfer; amending s. 493.6108, F.S.; requiring the department to investigate the mental fitness of an applicant of a Class “K” firearms instructor license; amending s. 493.6111, F.S.; providing that Class “K” firearms instructor licenses are valid for 3 years; requiring an applicant for a recovery school or security officer school to receive approval from the department before operating under a fictitious name; making technical and grammatical changes; amending s. 493.6113, F.S.; deleting a requirement that Class “A” private investigative agency licensees and Class “R” recovery agency licensees provide evidence of certain insurance coverage with an application to renew a license; requiring a Class “K” firearms instructor licensee to submit proof of certification to provide firearms instruction; amending s. 493.6115, F.S.; conforming cross-references to changes made by the act; making technical and grammatical changes; amending s. 493.6118, F.S.; authorizing the department to take disciplinary action against a Class “G” statewide firearms licensee or applicant or a Class “K” firearms instructor licensee or applicant if the person is prohibited from purchasing a firearm by law; amending s. 493.6121, F.S.; deleting a provision authorizing the department to have access to certain criminal history information of a purchaser of a firearm; amending s. 493.6202, F.S.; authorizing a Class “A,” Class “AA,” Class “MA,” Class “C,” or Class “CC” licensee or applicant to pay examination fees and license fees by personal check or, if authorized by the department, by electronic funds transfer; amending s. 493.6203, F.S.; providing that experience as a bodyguard does not qualify as experience or training for purposes of a Class “MA” or Class “C” license; requiring an initial applicant for a Class “CC” license to complete specified training courses; making technical and grammatical changes and conforming a cross-reference; amending s. 493.6302, F.S.; authorizing a Class “B,” Class “BB,” Class “MB,” Class “D,” Class “DS,” or Class “DI” licensee or applicant to pay examination fees and license fees by

personal check or, if authorized by the department, by electronic funds transfer; amending s. 493.6303, F.S.; requiring an applicant for an initial Class “D” license to complete specified training courses; making technical and grammatical changes; amending s. 493.6304, F.S.; requiring an application for a security officer school or training facility to be verified under oath; amending ss. 493.6401 and 493.6402, F.S.; renaming repositories as “recovery agents”; authorizing a Class “R,” Class “RR,” Class “MR,” Class “E,” Class “EE,” Class “RS,” or Class “RI” licensee or applicant to pay examination fees and license fees by personal check or, if authorized by the department, by electronic funds transfer; amending s. 493.6406, F.S.; requiring recovery agent schools or instructors to be licensed by the department to offer training to Class “E” licensees and applicants; amending ss. 496.404, 496.411, and 496.412, F.S.; renaming the Division of Consumer Services as the “Division of Consumer Protection”; amending s. 496.419, F.S.; deleting authorization for the department to enter an order; amending s. 501.015, F.S.; correcting a reference to a local business tax receipt; amending s. 501.017, F.S.; specifying the minimum type size for requiring certain disclosures in contracts between a consumer and a health studio; amending s. 501.145, F.S.; deleting a reference to the department in the Bedding Label Act; amending s. 501.160, F.S.; deleting authorization for the department to enforce certain prohibitions against unconscionable practices during a declared state of emergency; amending s. 501.605, F.S.; deleting a requirement that a person supply his or her social security number on an application as a commercial telephone seller; amending s. 501.607, F.S.; deleting a requirement that a person supply his or her social security number on an application as a salesperson; amending s. 539.001, F.S.; correcting a reference to a local business tax receipt; amending s. 559.805, F.S.; deleting a requirement that a seller of a business opportunity provide the social security numbers of the seller’s agents to the department; amending s. 559.904, F.S.; correcting a reference to a local business tax receipt; amending s. 570.544, F.S.; renaming the Division of Consumer Services as the “Division of Consumer Protection”; amending s. 681.102, F.S.; deleting a reference to the division in the Motor Vehicle Warranty Enforcement Act; amending ss. 681.103, 681.108, and 681.109, F.S.; transferring certain responsibilities under the Lemon Law to the department from the Division of Consumer Services; amending s. 681.1095, F.S.; transferring certain responsibilities relating to the New Motor Vehicle Arbitration Board to the department from the Division of Consumer Services; authorizing the board to send its decisions by any method providing a delivery confirmation; authorizing the department to adopt rules; amending s. 681.1096, F.S.; conforming a cross-reference to changes made by the act; amending s. 681.112, F.S.; transferring certain responsibilities relating to the Lemon Law to the department from the Division of Consumer Services; amending s. 681.117, F.S.; deleting a provision requiring the Department of Legal Affairs to contract with the Division of Consumer Services for services relating to dispute settlement procedures and the New Motor Vehicle Arbitration Board; amending s. 849.0915, F.S.; renaming the Division of Consumer Services as the “Division of Consumer Protection”; providing an effective date.

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

By Senator Margolis—

SB 1918—A bill to be entitled An act relating to legal and medical referral service advertising; providing definitions; requiring advertising from a medical or lawyer referral service related to motor vehicle accidents to comply with certain requirements regarding content; requiring advertisements or unsolicited written communications from certain legal referral services related to motor vehicle accidents to comply with the Supreme Court of Florida’s Rules Regulating The Florida Bar; requiring that published advertisements from a lawyer referral service be filed with The Florida Bar along with an affidavit meeting certain criteria; requiring advertisements or unsolicited written communications from a lawyer referral service to display certain information; requiring a referring person or entity to provide certain financial information to the person referred to a lawyer or health care provider; prohibiting a lawyer referral service to condition membership based on certain criteria; prohibiting a medical referral service from making referrals only to a medical clinic or health care provider in which it has a financial or ownership interest; providing civil and criminal penalties for violations relating to legal and medical referral advertising and relief to persons affected; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; and Budget.

By Senator Garcia—

SB 1920—A bill to be entitled An act relating to random drug testing for applicants for and recipients of state financial assistance; defining the term “state financial assistance”; prohibiting a person who applies for or receives state financial assistance and has agreed to or is subject to random drug testing from being randomly tested for drug use more than once in a 12-month period; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Children, Families, and Elder Affairs; and Health Regulation.

By Senator Garcia—

SB 1922—A bill to be entitled An act relating to health insurance; amending s. 408.910, F.S.; defining the terms “corporation’s marketplace,” “health benefit plan,” and “small employer” for purposes of the Florida Health Choices Program; redefining the term “insurer” to include health maintenance organizations; revising the types of employers who are eligible to enroll in the program; authorizing health maintenance organizations to sell health maintenance contracts under the program; requiring the Office of Insurance Regulation to approve risk-bearing products that are sold by vendors; requiring health maintenance contracts to ensure the availability of covered services and benefits to participating individuals for a specified period; requiring Florida Health Choices, Inc., to approve of certain nonrisk-bearing products; requiring the corporation to determine that making the product available through the program is in the interest of eligible individuals and eligible employers; deleting the corporation’s requirement to develop a methodology for evaluating the actuarial soundness of products offered through the program; requiring the program to provide a single, centralized market for the purchase of health insurance, health maintenance contracts, and other health services; requiring the corporation to inform individuals about other health care programs; providing that products sold as part of the program, except for certain risk-bearing products, are not subject to certain licensing requirements; requiring Florida Health Choices, Inc., to phase in the program by accomplishing certain duties regarding the program; requiring the program to provide for the operation of a toll-free hotline; requiring the program to provide for initial, open, and special enrollment periods; requiring the program to enable eligible employers to access coverage for their employees; providing that the provisions that govern the program do not preempt or supersede the authority of the Commissioner of Insurance Regulation to regulate the business of insurance; requiring all insurers and health maintenance organizations to comply with all applicable health insurance laws and orders by the commissioner; amending s. 409.821, F.S.; authorizing personal, identifying information of an applicant or enrollee in the Florida Kidcare program to be disclosed to Florida Health Choices, Inc., for purposes of administering the Florida Health Choices Program; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Budget.

By Senator Garcia—

SB 1924—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; providing certain medical schools with sovereign immunity protection while their employees and students provide services to public health trust patients at certain hospitals and health care facilities; providing an effective date.

—was referred to the Committees on Health Regulation; Higher Education; and Judiciary.

By Senator Latvala—

SB 1926—A bill to be entitled An act relating to the State Employee Bonus Initiative; creating the State Employee Bonus Initiative, an on-line state employee suggestion program for reducing the cost of state government; providing duties of the Legislative Budget Commission

relating to the program, including creating and maintaining a program website; providing program requirements; providing for a monetary award; protecting employees from certain adverse and discriminatory actions; prohibiting state agency heads and elected and appointed officials from participating in the program; requiring the commission to annually create and make available to all state agencies a poster providing certain information and meeting specified requirements; providing an effective date.

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

By Senator Latvala—

SB 1928—A bill to be entitled An act relating to distilled spirits; amending s. 565.07, F.S.; providing that certain high-proof distilled spirits may be distilled, bottled, packaged, or processed for export or sale outside the state; providing an effective date.

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

By Senator Bogdanoff—

SB 1930—A bill to be entitled An act relating to motor vehicle personal injury protection insurance; amending s. 316.066, F.S.; revising provisions relating to the contents of written reports of motor vehicle crashes; requiring short-form crash reports by a law enforcement officer to be maintained by the officer’s agency; authorizing the investigation officer to testify at trial or provide an affidavit concerning the content of the reports; amending s. 400.991, F.S.; requiring that an application for licensure as a mobile clinic include a statement regarding insurance fraud; creating s. 626.9894, F.S.; providing definitions; authorizing the Division of Insurance Fraud to establish a direct-support organization for the purpose of prosecuting, investigating, and preventing motor vehicle insurance fraud; providing requirements for the organization and the organization’s contract with the division; providing for a board of directors; authorizing the organization to use the division’s property and facilities subject to certain requirements; authorizing contributions from insurers; providing that any moneys received by the organization may be held in a separate depository account in the name of the organization; requiring the division to deposit certain proceeds into the Insurance Regulatory Trust Fund; amending s. 627.4137, F.S.; requiring a claimant’s request about insurance coverage to be appropriately served upon the disclosing entity; amending s. 627.730, F.S.; conforming a cross-reference; amending s. 627.731, F.S.; providing legislative intent with respect to the Florida Motor Vehicle No-Fault Law; amending s. 627.732, F.S.; defining the terms “claimant” and “no-fault law”; amending s. 627.736, F.S.; conforming a cross-reference; requiring certain entities providing medical services to document that they meet required criteria; revising requirements relating to the form that must be submitted by providers; requiring an entity or clinic to file a new form within a specified period after the date of a change of ownership; revising provisions relating to when payment for a benefit is due; providing that an insurer’s failure to send certain specification or explanation does not waive any ground for rejecting an invalid claim; authorizing an insurer to define “reasonable proof” in its policy and to request information for its investigation; providing that the time period for paying a claim is tolled during the investigation of a fraudulent insurance act; specifying when benefits are not payable; providing that a claimant that violates certain provisions is not entitled to any payment, regardless of whether a portion of the claim may be legitimate; authorizing an insurer to recover payments and bring a cause of action to recover payments; providing that an insurer may deny any claim based on other evidence of fraud; forbidding a physician, hospital, clinic, or other medical institution that fails to comply with certain provisions from billing the injured person or the insured; providing that an insurer has a right to conduct reasonable investigations of claims; authorizing an insurer to require a claimant to provide certain records; authorizing an insurer to deny or reduce a claim if a medical provider fails to keep adequate records; providing that an insurer’s choice of physician is not limited by the physician’s area of practice or licensing chapter; authorizing an insurer to deny benefits if an insured, claimant, or medical provider fails to comply with certain provisions; forbidding the claimant from filing suit unless the claimant complies with the act; revising the insurer’s reimbursement limitation; providing that an insurer is not required to pay a claim that the insured

did not countersign; requiring the provider to submit the statements or bills on an approved form; requiring the provider to ensure that the insured understands the services being provided; specifying requirements for furnishing the insured with notice of the amount of covered loss; deleting an obsolete provision; requiring the provider to provide copies of the patient log within a certain time if requested by the insurer; providing that failure to maintain a patient log renders the treatment unlawful and noncompensable; revising requirements relating to discovery; authorizing the insurer to conduct a physical review of the treatment location; requiring the insured and assignee to comply with certain provisions to recover benefits; requiring the provider to produce persons having the most knowledge in specified circumstances; providing that an insurer that requests an examination under oath without a reasonable basis is engaging in an unfair and deceptive trade practice; providing that failure to appear for an examination establishes a rebuttable presumption that such failure was unreasonable; authorizing an insurer to contract with a preferred provider network; authorizing an insurer to provide a premium discount to an insured who selects a preferred provider; authorizing an insurance policy to not pay for nonemergency services performed by a nonpreferred provider in specified circumstances; authorizing an insurer to contract with a health insurer in specified circumstances; revising requirements relating to demand letters in an action for benefits; specifying when a demand letter is defective; requiring a second demand letter under certain circumstances; deleting obsolete provisions; providing that a demand letter may not be used to request the production of claim documents or records from the insurer; amending ss. 324.021, 456.057, 627.7401, and 817.234, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Banking and Insurance; Criminal Justice; and Budget.

By Senator Evers—

SB 1932—A bill to be entitled An act relating to the Justice Reinvestment Commission; creating the Justice Reinvestment Commission within the Executive Office of the Governor; providing for the purpose of the commission; describing the goals of the commission; requiring the commission, within available resources, to conduct comprehensive analytical research of criminal and juvenile justice data, evaluations of relevant criminal and juvenile justice policies, and current state corrections and juvenile justice funding in order to develop practical, data-driven policy options that can increase public safety, improve offender accountability, reduce recidivism, and manage the growth of spending on correction and juvenile justice programs; detailing the specific topics that the commission is encouraged to address in its research and analysis; providing for the membership, organization, and operation of the commission; directing the members to select from among themselves the chair of the commission; authorizing the chair to appoint members to serve in subcommittees created by the commission to carry out specific duties required to complete the commission's tasks; authorizing the chair to designate ex officio members from state or local agencies to serve as technical assistance advisors to the subcommittees; requiring the commission to meet initially by a specified date and quarterly thereafter; providing that members of the commission serve without compensation, but are entitled to reimbursement for per diem and travel expenses; requiring the commission to employ an executive director who shall be appointed by the Governor; providing for the duties and responsibilities of the executive director; authorizing certain agencies to cooperate with the commission; requiring that the chair develop a technical assistance agreement with an independent public policy research institution or an educational institution to accomplish the review of the effectiveness of the juvenile justice and correctional policies; requiring the commission to submit an interim and final report of its findings and recommendations to the Governor and Legislature by specified dates; authorizing the commission to provide the Governor and Legislature with additional reports of findings and recommendations at any time it deems appropriate; providing for the abolishment of the commission on a specified date; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Accountability; and Budget.

By Senator Evers—

SB 1934—A bill to be entitled An act relating to utility right-of-way relocation; amending s. 337.403, F.S.; requiring utility owners to remove or relocate at their expense utilities that interfere with public roads or rail corridors; providing an exception if a local governmental entity acquires property where the utility was legally located prior to the acquisition; adding an exception for certain permits issued in 1972; providing for notice to utilities prior to commencement of work; requiring the initiation of removal by the utility; providing an effective date.

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

By Senator Evers—

SB 1936—A bill to be entitled An act relating to the Board of Corrections and Juvenile Justice; creating the Board of Corrections and Juvenile Justice within the Executive Office of the Governor; describing the duties and responsibilities of the board; requiring the board to conduct annual performance reviews of the Secretary of Corrections and the Secretary of Juvenile Justice; requiring the board to publish an annual report for presentation to the Governor and Legislature by a specified date; requiring the board to conduct scheduled and unscheduled inspections of facilities and to issue reports as needed; requiring the board to require the Office of Inspector General to conduct certain investigations; providing for the organization of the board; providing that the board is appointed by the Governor and subject to confirmation by the Senate; providing terms of the board; providing that the members of the board serve without compensation, but are reimbursed for per diem and travel expenses; prohibiting a member from having a contractual relationship with the Department of Corrections or the Department of Juvenile Justice; requiring that the board meet at the call of its chair or at the request of a majority of its membership; requiring the board to employ an executive director who is designated by the Governor; providing for the duties and responsibilities of the executive director; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Accountability; and Budget.

By Senator Evers—

SB 1938—A bill to be entitled An act relating to corrections; providing short titles; providing for an alternative to adjudication for alleged adult nonviolent offenders meeting specified requirements; providing requirements for alternative adjudication programs; providing requirements for phase one of the program; providing for an offender receiving a high school diploma or the equivalent; requiring successful completion of a basic training course; providing for phase two of the program; providing for job skills training; providing for phase three of the program; providing for earning money for victim restitution; providing requirements for restitution payments; providing for employment placement; providing for release and withholding of adjudication; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

SB 1940—Withdrawn prior to introduction.

By Senator Bennett—

SB 1942—A bill to be entitled An act relating to local government services; repealing s. 163.07, F.S., relating to efficiency and accountability in local government services; providing an effective date.

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

By Senator Wise—

SB 1944—A bill to be entitled An act relating to alternative credit for high school courses; repealing s. 1002.375, F.S., which requires the Commissioner of Education to implement a pilot project that allows

school districts to award alternative course credit for students enrolled in certain industry certification programs; amending s. 1011.61, F.S.; conforming provisions; providing an effective date.

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

By Senator Wise—

SB 1946—A bill to be entitled An act relating to the Financial Management Information Board; repealing 215.95, F.S., relating to the Financial Management Information Board; amending ss. 215.91, 215.92, 215.93, 215.94, 215.96, 215.985, and 216.141, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

By Senator Storms—

SB 1948—A bill to be entitled An act relating to abortions; creating s. 390.25, F.S.; creating the “Pain-capable Unborn Child Protection Act”; providing legislative findings; providing definitions; requiring a physician to determine the probable postfertilization age of an unborn child before performing or inducing an abortion or attempting to perform or induce an abortion; requiring the physician to inquire and conduct necessary medical examinations to determine the probable postfertilization age of an unborn child; providing that a physician is subject to disciplinary action for failing to determine the probable postfertilization age of an unborn child before performing or inducing an abortion or attempting to perform or induce an abortion; providing exceptions; requiring a physician who performs or induces or attempts to perform or induce an abortion to report to the Department of Health certain information; requiring the department to issue a public report providing certain statistics; providing penalties and disciplinary action; authorizing certain persons to maintain a cause of action for actual damages against a person who performed an abortion under certain conditions; providing a cause of action for injunctive relief against a person who intentionally violates the act; providing that the injunction prevent the abortion provider from performing further abortions in violation of the act; providing for attorney’s fees; prohibiting damages and attorney’s fees from being assessed against the woman upon whom an abortion was performed or attempted to be performed; providing an exception; requiring the department to adopt rules to administer the act; creating s. 92.551, F.S.; requiring that the confidential and exempt status of the identifying information regarding a woman upon whom an abortion was performed or attempted be maintained in court proceedings under certain conditions; authorizing the defendant to apply to the trial court for an order of disclosure of the confidential and exempt information for the purpose of preparing a defense; prohibiting the defendant from disclosing the woman’s identity to persons other than the defense attorney; providing a penalty for disclosing such confidential and exempt information; requiring the use of a pseudonym instead of the woman’s name in court records and proceedings; providing for a waiver of the confidential and exempt status of the identifying information; authorizing the publication or broadcast of the substance of the trial testimony in a civil proceeding or prosecution for an offense described in the act under certain conditions; providing a penalty; amending ss. 458.331 and 459.015, F.S.; revising the grounds for disciplinary action against a physician or an osteopathic physician; providing for severability; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Garcia—

SB 1950—A bill to be entitled An act relating to the authority to enforce public school improvement; repealing s. 1008.33, F.S., which establishes the authority of the State Board of Education and the Department of Education to enforce accountability requirements, categorize public schools based on student performance, and apply intervention and support strategies to improve student performance; amending ss. 1001.42, 1002.33, 1006.40, 1008.345, and 1012.2315, F.S.; conforming provisions and cross-references; providing an effective date.

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

By Senator Garcia—

SB 1952—A bill to be entitled An act relating to required instruction in the public schools; amending s. 1003.42, F.S.; revising the curriculum of the character-development program required in kindergarten through grade 12; providing an effective date.

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

By Senator Garcia—

SJR 1954—A joint resolution proposing an amendment to Section 6 of Article III of the State Constitution to authorize amendments or revisions to the home rule charter of Miami-Dade County by special law approved by a vote of the electors; providing requirements for a bill proposing such a special law.

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

By Senator Bennett—

SB 1956—A bill to be entitled An act relating to public-private partnerships; creating s. 287.05712, F.S.; establishing the Florida Public-Private Partnership Act; providing definitions; providing legislative findings and intent; providing for private entities to develop and operate public-purpose projects; requiring public entities to adopt and make publicly available specified guidelines for public-private agreements; providing requirements and procedures for procurement, consideration, and approval of projects; providing an exemption from the Consultant’s Competitive Negotiation Act and any interpretations, regulations, or guidelines of the Department of Management Services; providing requirements and procedures for interim and comprehensive agreements between private and public entities; providing for affected local governments to comment on proposed projects; providing powers and duties for private entities; providing for material default and remedies with respect to projects and agreements; providing for federal, state, and local financing; providing sovereign immunity for public entities with respect to specified project activities; providing for construction and effect of the act; establishing the Public-Private Partnership Advisory Commission; providing commission duties; providing for appointment and reimbursement of commission members; requiring the commission to submit annual reports to the Governor and the Legislature; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senator Smith—

SB 1958—A bill to be entitled An act relating to green job creation; creating s. 220.194, F.S.; providing definitions; providing definitional criteria that qualify a job for a green job corporate tax credit; providing tax credits against the corporate income tax for the creation of qualifying green jobs; specifying the amount of the tax credit for each green job created and the maximum number of jobs for which a taxpayer may claim a credit; limiting the availability of green job tax credits to a specified period of tax years; providing for carryover of the tax credit; restricting a taxpayer from taking more than one tax credit for the same job under certain circumstances; disqualifying jobs transferred from one location to another from tax credit eligibility; requiring the Agency for Workforce Innovation to establish a Green Collar Jobs Council; providing membership of the council; providing duties and responsibilities of the council; providing a definition; providing for annual reports of the council; providing an effective date.

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

By Senator Sachs—

SB 1960—A bill to be entitled An act relating to county and municipal detention facilities; amending s. 951.23, F.S.; providing a definition; conforming provisions; deleting an obsolete date; requiring each county or municipal detention facility to receive periodic state certification from the Department of Corrections; providing for remedial measures for violations; authorizing rulemaking to develop certification standards and for remedial measures; authorizing a position within the Department of Corrections; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Budget.

By Senator Garcia—

SB 1962—A bill to be entitled An act relating to revitalizing municipalities; amending s. 212.20, F.S.; providing for the transfer of certain sales tax revenues from the General Revenue Fund to the Revenue Sharing Trust Fund for Municipalities; amending s. 218.23, F.S.; providing for a distribution from the Revenue Sharing Trust Fund for Municipalities relating to an increase in sales tax collections over the preceding year to an eligible designated redevelopment agency of a sales tax increment redevelopment district; creating s. 290.017, F.S.; providing legislative intent and purpose; authorizing specified governing bodies to create a sales tax increment redevelopment district within a municipality having a specified population; providing that a designated redevelopment agency for an enterprise zone where a sales tax redevelopment district is located is eligible for specified percentage distributions of increased state sales tax collections under certain circumstances; requiring the Department of Revenue to determine the amount of increased sales tax collections to be distributed to each eligible designated redevelopment agency and to transfer the aggregate amount due to all such agencies to the Revenue Sharing Trust Fund for Municipalities for distribution; granting specified powers to a designated redevelopment agency for a sales tax increment redevelopment district for the purpose of providing financing and fostering certain public and private improvements, including issuing revenue bonds; requiring that an agreement between a designated redevelopment agency and private sponsor of a project include a requirement that a specified number of jobs be created under certain circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Senator Latvala—

SB 1964—A bill to be entitled An act relating to foreclosure proceedings; providing a short title; amending s. 45.031, F.S.; providing requirements for publication of a notice of foreclosure sale; revising requirements for a notice of sale; amending s. 50.011, F.S.; exempting publication of a notice of foreclosure sale on an Internet website from specified provisions relating to publication of legal notices; providing requirements for such notices; amending ss. 69.041 and 201.02, F.S.; conforming cross-references; amending s. 701.02, F.S.; entitling mortgagors, county clerks, and circuit courts to rely on a full or partial release, discharge, consent, joinder, subordination, satisfaction, or assignment of a mortgage in certain circumstances; amending s. 701.03, F.S.; requiring the mortgagee to provide to the mortgagor an estoppel certificate within a specified period after the date on which a request for an estoppels certificate is received from a mortgagor; providing for the content of the certificate; requiring the mortgagee to cancel the mortgage within a specified period after the mortgage is paid in full; requiring the county court clerk to cancel the mortgage of record in certain circumstances following judicial action; providing for award of attorney's fees; creating s. 702.015, F.S.; providing requirements for foreclosure of residential home loans; providing requirements for complaints; amending s. 702.035, F.S.; revising requirements for legal notices concerning foreclosure proceedings; specifying who must receive notice; providing requirements for printing and wording of notice; amending s. 702.06, F.S.; providing requirements for deficiency judgments in proceedings involving certain owner-occupied properties; precluding deficiency judgments in certain circumstances; providing for disposition of moneys remaining in the hands of a receiver of the rents and profits appointed in the action; amending s. 702.065, F.S.; revising the period in which a judgment must be entered in an uncontested proceeding; revising pro-

visions relating to determination of the amount of a reasonable attorney's fee in an uncontested proceeding without requiring a hearing; creating s. 702.11, F.S.; providing an alternative procedure to foreclosure for certain residential properties; specifying when the procedure may be used; providing for notice; providing for objections; providing for establishment of abandonment of property in certain circumstances; providing requirements for a deed in lieu of foreclosure for certain purposes; specifying when a nonhomestead property subject to a residential mortgage is deemed to have no equity for certain purposes; providing for return of excess funds following sale; providing for an election to proceed with the alternative procedure to foreclosure; providing for redemption; providing for an order for redemption or notice thereof; providing for a public sale; providing for resolution of a dispute among defendants over the right to redeem; providing for an issuance of a certification of redemption if the property is redeemed; providing for a judgment debaring and foreclosing the equity of redemption of the defendants and each of them and any person claiming by, through, or under them, and adjudging the plaintiff vested with a valid and indefeasible estate in the mortgaged premises if specified requirements are met; specifying the effect of an entry of judgment; providing an effective date.

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

By Senator Latvala—

SB 1966—A bill to be entitled An act relating to transportation; amending s. 310.002, F.S.; redefining the term "port" to include Port Citrus; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; amending s. 316.075, F.S.; providing for minimum yellow light change interval times for traffic control devices; amending s. 316.0083, F.S.; prohibiting the issuance of a traffic citation for certain traffic light violations unless the light meets specified requirements; repealing s. 316.2045, F.S., relating to obstruction of public streets, highways, and roads; creating s. 316.2046, F.S., relating to obstruction of public streets, highways, and roads; providing legislative findings; defining the term "solicit"; requiring a permit in order to obstruct the use of any public street, highway, or road when that obstruction may endanger the safe movement of vehicles or pedestrians; requiring each county or municipality to adopt a permitting process that protects public safety but does not impair the rights of free speech; providing criteria for the permitting process; limiting the cost of the permit to the amount required to administer the permitting process; prohibiting the denial of a permit due to lack of funds, as attested to by a signed affidavit; providing for jurisdiction over interstate, state, and local roads, streets, and highways for counties and municipalities; providing exceptions; providing that a violation of the act is a pedestrian violation, punishable under ch. 318, F.S.; providing for an additional fine; providing for the disposition of moneys collected; providing for enforcement by the Department of Highway Safety and Motor Vehicles and other law enforcement agencies; creating s. 316.2047, F.S., relating to panhandling; providing legislative findings; defining terms; prohibiting aggressive panhandling, panhandling under certain circumstances, and fraudulent panhandling; authorizing counties and municipalities to increase the restrictions on panhandling under certain conditions; providing that a violation of the act is a pedestrian violation, punishable under ch. 318, F.S.; providing for an additional fine; providing for the disposition of moneys collected; providing for enforcement by the Department of Highway Safety and Motor Vehicles and other law enforcement agencies; amending s. 316.302, F.S.; providing that certain restrictions on the number of consecutive hours that a commercial motor vehicle may operate do not apply to a farm labor vehicle operated during a state of emergency or during an emergency pertaining to agriculture; amending s. 334.044, F.S.; revising the types of transportation projects for which landscaping materials must be purchased; limiting the amount of funds that may be allocated for such purchases; amending s. 337.406, F.S.; removing the Department of Transportation's authority to provide exceptions to the unlawful use of the right-of-way of any state transportation facility; broadening provisions to prohibit the unlawful use of any limited access highway; removing solicitation for charitable purposes from the list of prohibited uses; removing an exception to prohibited uses provided for art festivals, parades, fairs, or other special events; removing a local government's authority to issue certain permits; authorizing counties and municipalities to regulate the use of transportation facilities within their respective jurisdictions, with the exception of limited access highways;

authorizing the Department of Transportation to regulate the use of welcome centers and rest stops; removing provisions authorizing valid peddler licensees to make sales from vehicles standing on the rights-of-way of welcome centers and rest stops; amending s. 373.413, F.S.; providing legislative intent regarding flexibility in the permitting of stormwater management systems; requiring the cost of stormwater treatment for a transportation project to be balanced with benefits to the public; absolving the Department of Transportation of responsibility for the abatement of pollutants entering its stormwater facilities from off-site sources and from updating permits for adjacent lands impacted by right-of-way acquisition; authorizing the water management districts and the department to adopt rules; amending s. 373.4137, F.S.; revising mitigation requirements for transportation projects to include other nonspecified mitigation options; providing for the release of escrowed mitigation funds under certain circumstances; providing for the exclusion of projects from a mitigation plan upon the election of one or more agencies rather than the agreement of all parties; amending s. 374.976, F.S.; conforming provisions to include Port Citrus in provisions relating to the authority of inland navigation districts; amending s. 403.021, F.S.; conforming provisions to include Port Citrus in legislative declarations relating to environmental control; amending s. 403.061, F.S.; conforming provisions to include Port Citrus in provisions relating to powers of the Department of Environmental Protection; amending s. 403.813, F.S.; conforming provisions to include Port Citrus in provisions relating to permits issued at Department of Environmental Protection district centers; amending s. 403.816, F.S.; conforming provisions to include Port Citrus in provisions relating to certain maintenance projects at deep-water ports and beach restoration projects; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Sachs—

SB 1968—A bill to be entitled An act relating to elections; amending s. 101.591, F.S.; providing circumstances under which a voting system audit is not required to be conducted; amending s. 101.62, F.S.; deleting certain required justifications for a supervisor to send an absentee ballot to an alternative address; amending s. 101.68, F.S.; increasing the number of days before an election that a county canvassing board may begin canvassing absentee ballots and processing absentee ballots when electronic tabulating equipment is used; providing an effective date.

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

SB 1970—Previously referenced.

By Senators Negron, Gaetz, Garcia, and Hays—

SB 1972—A bill to be entitled An act relating to health and human services; amending s. 393.0661, F.S.; conforming provisions to changes made by the act; amending s. 409.016, F.S.; conforming provisions to changes made by the act; creating s. 409.16713, F.S.; providing for medical assistance for children in out-of-home care and adopted children; specifying how those services will be funded under certain circumstances; providing legislative intent; providing a directive to the Division of Statutory Revision; transferring, renumbering, and amending s. 624.91, F.S.; decreasing the administrative cost and raising the minimum loss ratio for health plans; increasing compensation to the insurer or provider for dental contracts; requiring the Florida Healthy Kids Corporation to include use of the school breakfast and lunch application form in the corporation's plan for publicizing the program; conforming provisions to changes made by the act; amending ss. 409.813, 409.8132, 409.815, 409.818, 154.503, and 408.915, F.S.; conforming provisions to changes made by the act; amending s. 1006.06, F.S.; requiring school districts to collaborate with the Florida Kidcare program to use the application form for the school breakfast and lunch programs to provide information about the Florida Kidcare program and to authorize data on the application form be shared with state agencies and the Florida Healthy Kids Corporation and its agents; authorizing each school district the option to share the data electronically; requiring interagency agreements to ensure that the data exchanged is protected from unauthorized disclosure and is used only for enrollment in the Florida Kidcare program; amending s. 409.901, F.S.; revising definitions relating to Medicaid; amending s. 409.902, F.S.; revising provisions relating to the designation of the Agency for Health Care Administration

as the state Medicaid agency; specifying that eligibility and state funds for medical services apply only to citizens and certain noncitizens; providing exceptions; providing a limitation on persons nonferring assets in order to become eligible for certain services; amending s. 409.9021, F.S.; revising provisions relating to conditions for Medicaid eligibility; increasing the number of years a Medicaid applicant forfeits entitlements to the Medicaid program if he or she has committed fraud; providing for the payment of monthly premiums by Medicaid recipients; providing exemptions to the premium requirement; requiring applicants to agree to participate in certain health programs; prohibiting a recipient who has access to employer-sponsored health care from obtaining services reimbursed through the Medicaid fee-for-service system; requiring the agency to develop a process to allow the Medicaid premium that would have been received to be used to pay employer premiums; requiring that the agency allow opt-out opportunities for certain recipients; creating s. 409.9022, F.S.; specifying procedures to be implemented by a state agency if the Medicaid expenditures exceed appropriations; amending s. 409.903, F.S.; conforming provisions to changes made by the act; deleting obsolete provisions; amending s. 409.904, F.S.; conforming provisions to changes made by the act; renaming the "medically needy" program as the "Medicaid nonpoverty medical subsidy"; narrowing the subsidy to cover only certain services for a family, persons age 65 or older, or blind or disabled persons; revising the criteria for the agency's assessment of need for private duty nursing services; amending s. 409.905, F.S.; conforming provisions to changes made by the act; requiring prior authorization for home health services; amending s. 409.906, F.S.; providing for a parental fee based on family income to be assessed against the parents of children with developmental disabilities served by home and community-based waivers; prohibiting the agency from paying for certain psychotropic medications prescribed for a child; conforming provisions to changes made by the act; amending ss. 409.9062 and 409.907, F.S.; conforming provisions to changes made by the act; amending s. 409.908, F.S.; modifying the nursing home patient care per diem rate to include dental care and podiatric care; directing the agency to seek a waiver to treat a portion of the nursing home per diem as capital for self-insurance purposes; requiring primary physicians to be paid the Medicare fee-for-service rate by a certain date; deleting the requirement that the agency contract for transportation services with the community transportation system; authorizing qualified plans to contract for transportation services; deleting obsolete provisions; conforming provisions to changes made by the act; amending s. 409.9081, F.S.; revising copayments for physician visits; requiring the agency to seek a waiver to allow the increase of copayments for nonemergency services furnished in a hospital emergency department; amending s. 409.912, F.S.; requiring Medicaid-eligible children who have open child welfare cases and who reside in AHCA area 10 to be enrolled in specified capitated managed care plans; expanding the number of children eligible to receive behavioral health care services through a specialty prepaid plan; repealing provisions relating to a provider lock-in program; eliminating obsolete provisions and updating provisions; conforming cross-references; amending s. 409.915, F.S.; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 409.9301, F.S.; conforming provisions to changes made by the act; amending s. 409.9126, F.S.; conforming a cross-reference; providing a directive to the Division of Statutory Revision; creating s. 409.961, F.S.; providing for statutory construction of provisions relating to Medicaid managed care; creating s. 409.962, F.S.; providing definitions; creating s. 409.963, F.S.; establishing the Medicaid managed care program as the statewide, integrated managed care program for medical assistance and long-term care services; directing the agency to apply for and implement waivers; providing for public notice and comment; providing for a limited managed care program if waivers are not approved; creating s. 409.964, F.S.; requiring all Medicaid recipients to be enrolled in Medicaid managed care; providing exemptions; prohibiting a recipient who has access to employer-sponsored health care from enrolling in Medicaid managed care; requiring the agency to develop a process to allow the Medicaid premium that would have been received to be used to pay employer premiums; requiring that the agency allow opt-out opportunities for certain recipients; providing for voluntary enrollment; creating s. 409.965, F.S.; providing requirements for qualified plans that provide services in the Medicaid managed care program; requiring the agency to issue an invitation to negotiate; requiring the agency to compile and publish certain information; establishing regions for separate procurement of plans; establishing selection criteria for plan selection; limiting the number of plans in a region; authorizing the agency to conduct negotiations if funding is insufficient; specifying circumstances under which the agency may issue a new invitation to ne-

gotiate; providing that the Children's Medical Service Network is a qualified plan; directing the agency to assign Medicaid provider agreements for a limited time to a provider services network participating in the managed care program in a rural area; creating s. 409.966, F.S.; providing managed care plan contract requirements; establishing contract terms; providing for annual rate setting; providing for contract extension under certain circumstances; establishing access requirements; requiring the agency to establish performance standards for plans; requiring each plan to publish specified measures on the plan's website; providing for program integrity; requiring plans to provide encounter data; providing penalties for failure to submit data; requiring plans to accept electronic claims; providing for prompt payment; providing for payments to noncontract emergency providers; requiring a qualified plan to post a surety bond or establish a letter of credit or a deposit in a trust account; requiring plans to establish a grievance resolution process; requiring plan solvency; requiring guaranteed savings; providing costs and penalties for early termination of contracts or reduction in enrollment levels; requiring the agency to terminate qualified plans for noncompliance under certain circumstances; creating s. 409.967, F.S.; providing for managed care plan accountability; requiring plans to use a uniform method of accounting for medical costs; establishing a medical loss ratio; requiring that a plan pay back to the agency a specified amount in specified circumstances; authorizing plans to limit providers in networks; mandating that certain providers be offered contracts during the first year; authorizing plans to exclude certain providers in certain circumstances; requiring plans to monitor the quality and performance history of providers; requiring plans to hold primary care physicians responsible for certain activities; requiring plans to offer certain programs and procedures; requiring plans to pay primary care providers the same rate as Medicare by a certain date; providing for conflict resolution between plans and providers; creating s. 409.968, F.S.; providing for managed care plan payments on a per-member, per-month basis; requiring the agency to establish a methodology to ensure the availability of certain types of payments to specified providers; requiring the development of rate cells; requiring that the amount paid to the plans for supplemental payments or enhanced rates be reconciled to the amount required to pay providers; requiring that plans make certain payments to providers within a certain time; creating s. 409.969, F.S.; authorizing Medicaid recipients to select any plan within a region; providing for automatic enrollment of recipients by the agency in specified circumstances; providing criteria for automatic enrollment; authorizing disenrollment under certain circumstances; providing for a grievance process; defining the term "good cause" for purposes of disenrollment; requiring recipients to stay in plans for a specified time; providing for reenrollment of recipients who move out of a region; creating s. 409.970, F.S.; requiring the agency to maintain an encounter data system; providing requirements for prepaid plans to submit data in a certain format; requiring the agency to analyze the data; requiring the agency to test the data for certain purposes by a certain date; creating s. 409.971, F.S.; providing for managed care medical assistance; providing deadlines for beginning and finalizing implementation; creating s. 409.972, F.S.; establishing minimum services for the managed medical assistance; providing for optional services; authorizing plans to customize benefit packages; requiring the agency to provide certain services to hemophiliacs; creating s. 409.973, F.S.; providing for managed long-term care; providing deadlines for beginning and finalizing implementation; providing duties for the Department of Elderly Affairs relating to the program; creating s. 409.974, F.S.; providing recipient eligibility requirements for managed long-term care; listing programs for which certain recipients are eligible; specifying that an entitlement to home and community-based services is not created; creating s. 409.975, F.S.; establishing minimum services for managed long-term care; creating s. 409.976, F.S.; providing criteria for the selection of plans to provide managed long-term care; creating s. 409.977, F.S.; providing for managed long-term care plan accountability; requiring the agency to establish standards for specified providers; creating s. 409.978, F.S.; requiring that the agency operate the Comprehensive Assessment and Review for Long-Term Care Services program through an interagency agreement with the Department of Elderly Affairs; providing duties of the program; requiring the program to assign plan enrollees to a level of care; providing for the evaluation of dually eligible nursing home residents; transferring, renumbering, and amending ss. 409.91207, 409.91211, 409.9122, F.S.; conforming provisions to changes made by the act; updating provisions and deleting obsolete provisions; transferring and renumbering ss. 409.9123 and 409.9124, F.S.; amending s. 430.04, F.S.; eliminating outdated provisions; requiring the Department of Elderly Affairs to develop a transition

plan for specified elders and disabled adults receiving long-term care Medicaid services if qualified plans become available; amending s. 430.2053, F.S.; eliminating outdated provisions; providing additional duties of aging resource centers; providing an additional exception to direct services that may not be provided by an aging resource center; providing for the cessation of specified payments by the department as qualified plans become available; eliminating provisions requiring reports; amending s. 39.407, F.S.; requiring a motion by the Department of Children and Family Services to provide psychotropic medication to a child 10 years of age or younger to include a review by a child psychiatrist; providing that a court may not authorize the administration of such medication absent a finding of compelling state interest based on the review; amending s. 216.262, F.S.; providing that limitations on an agency's total number of positions does not apply to certain positions in the Department of Health; amending s. 381.06014, F.S.; redefining the term "blood establishment" and defining the term "volunteer donor"; requiring that blood establishments disclose specified information on their Internet website; providing an exception for certain hospitals; authorizing the Department of Legal Affairs to assess a civil penalty against a blood establishment that fails to disclose the information; providing that the civil penalty accrues to the state and requiring that it be deposited into the General Revenue Fund; prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as for-profit or not-for-profit organizations when determining service fees for blood or blood components; amending s. 400.023, F.S.; requiring the trial judge to conduct an evidentiary hearing to determine the sufficiency of evidence for claims against certain persons relating to a nursing home; limiting noneconomic damages in a wrongful death action against the nursing home; amending s. 400.0237, F.S.; revising provisions relating to punitive damages against a nursing home; authorizing a defendant to proffer admissible evidence to refute a claimant's proffer of evidence for punitive damages; requiring the trial judge to conduct an evidentiary hearing and the plaintiff to demonstrate that a reasonable basis exists for the recovery of punitive damages; prohibiting discovery of the defendant's financial worth until the judge approves the pleading on punitive damages; revising definitions; amending s. 408.7057, F.S.; requiring that the dispute resolution program include a hearing in specified circumstances; providing that the dispute resolution program established to resolve claims disputes between providers and health plans does not provide an independent right of recovery; requiring that the conclusions of law in the written recommendation of the resolution organization identify certain information; providing a directive to the Division of Statutory Revision; amending s. 409.1671, F.S.; modifying the amount and limits of general liability coverage, automobile coverage, and tort coverage that must be carried by eligible community lead agency providers and their subcontractors; providing that the Department of Children and Family Services is not liable for the acts or omissions of such lead agencies and that the agencies may not be required to indemnify the department; creating ss. 458.3167 and 459.0078, F.S.; providing for an expert witness certificate for allopathic and osteopathic physicians licensed in other states or Canada which authorizes such physicians to provide expert medical opinions in this state; providing application requirements and timeframes for approval or denial by the Board of Medicine and Board of Osteopathic Medicine, respectively; requiring the boards to adopt rules and set fees; providing for expiration of a certificate; amending ss. 458.331 and 459.015, F.S.; providing grounds for disciplinary action for providing misleading, deceptive, or fraudulent expert witness testimony relating to the practice of medicine and of osteopathic medicine, respectively; providing for construction with respect to the doctrine of incorporation by reference; amending s. 499.003, F.S.; redefining the term "health care entity" to clarify that a blood establishment is a health care entity that may engage in certain activities; amending s. 499.005, F.S.; clarifying provisions that prohibit the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity or donated or supplied at a reduced price to a charitable organization, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted prescription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute under a restricted prescription drug distributor permit; authorizing the Department of Health to adopt rules regarding the distribution of prescription drugs by

blood establishments; amending s. 626.9541, F.S.; authorizing insurers to offer rewards or incentives to health benefit plan members to encourage or reward participation in wellness or health improvement programs; authorizing insurers to require plan members not participating in programs to provide verification that their medical condition warrants nonparticipation; providing application; amending s. 627.4147, F.S.; deleting a requirement that a medical malpractice insurance contract include a clause authorizing an insurer to admit liability and make a settlement offer if the offer is within policy limits without the insured's permission; amending s. 766.102, F.S.; providing that a physician who is an expert witness in a medical malpractice presuit action must meet certain requirements; amending s. 766.104, F.S.; requiring a good faith demonstration in a medical malpractice case that there has been a breach of the standard of care; amending s. 766.106, F.S.; clarifying that a physician acting as an expert witness is subject to disciplinary actions; amending s. 766.1115, F.S.; conforming provisions to changes made by the act; creating s. 766.1183, F.S.; defining terms; providing for the recovery of civil damages by Medicaid recipients according to a modified standard of care; providing for recovery of certain excess judgments by act of the Legislature; requiring the Department of Children and Family Services to provide notice to program applicants; creating s. 766.1184, F.S.; defining terms; providing for the recovery of civil damages by certain recipients of primary care services at primary care clinics receiving specified low-income pool funds according to a modified standard of care; providing for recovery of certain excess judgments by act of the Legislature; providing requirements of health care providers receiving such funds in order for the liability provisions to apply; requiring notice to low-income pool recipients; amending s. 766.203, F.S.; requiring the presuit investigations conducted by the claimant and the prospective defendant in a medical malpractice action to provide grounds for a breach of the standard of care; amending s. 768.28, F.S.; revising a definition; providing that certain colleges and universities that own or operate an accredited medical school and their employees and agents providing patient services in a teaching hospital pursuant to an affiliation agreement or contract with the teaching hospital are considered agents of the hospital for the purposes of sovereign immunity; providing definitions; requiring patients of such hospitals to be provided with notice of their remedies under sovereign immunity; providing an exception; providing legislative findings and intent with respect to including certain colleges and universities and their employees and agents under sovereign immunity; providing a statement of public necessity; amending s. 1004.41, F.S.; clarifying provisions relating to references to the corporation known as Shands Teaching Hospital and Clinics, Inc.; clarifying provisions regarding the purpose of the corporation; authorizing the corporation to create corporate subsidiaries and affiliates; providing that Shands Teaching Hospital and Clinics, Inc., Shands Jacksonville Medical Center, Inc., Shands Jacksonville Healthcare, Inc., and any not-for-profit subsidiary of such entities are instrumentalities of the state for purposes of sovereign immunity; repealing s. 409.9121, F.S., relating to legislative intent concerning managed care; repealing s. 409.919, F.S., relating to rule authority; repealing s. 624.915, F.S., relating to the Florida Healthy Kids Corporation operating fund; renumbering and transferring ss. 409.942, 409.944, 409.945, 409.946, 409.953, and 409.9531, F.S., as ss. 414.29, 163.464, 163.465, 163.466, 402.81, and 402.82, F.S., respectively; amending s. 443.111, F.S.; conforming a cross-reference; directing the Agency for Health Care Administration to submit a reorganization plan to the Legislature; providing for the state's withdrawal from the Medicaid program under certain circumstances; providing for severability; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Hill—

SB 1974—A bill to be entitled An act relating to driver's license examinations; amending s. 322.12, F.S.; providing requirements for examination questions pertaining to traffic regulations relating to blind pedestrians; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Braynon—

SB 1976—A bill to be entitled An act relating to public depositories; amending s. 280.02, F.S.; revising the definition of the term "qualified

public depository"; amending s. 280.07, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

By Senator Bogdanoff—

SB 1978—A bill to be entitled An act relating to alimony; amending s. 61.08, F.S.; revising provisions relating to factors to be considered for alimony awards; revising provisions relating to awards of permanent alimony; providing applicability; providing an effective date.

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

Senate Bills 1980-1982—Not referenced.

By Senator Altman—

SB 1984—A bill to be entitled An act relating to public records and public meetings; amending s. 288.9626, F.S.; creating an exemption from public-records requirements for information relating to investments by the Institute for the Commercialization of Public Research through the Technology Seed Capital Fund; providing an exemption from public-records requirements for information held by the institute's fund management committee; creating an exemption from public-meetings requirements for those portions of meetings of the board of directors of the Technology Seed Capital Fund, the board of directors of the Institute for the Commercialization of Public Research, and the institute's fund management committee at which information is discussed which is confidential and exempt from disclosure; providing penalties; providing for future legislative review and repeal of the exemptions under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

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

Senate Resolutions 1986-1988—Not referenced.

By the Committee on Health Regulation—

SB 1990—A bill to be entitled An act relating to the ratification of rules; ratifying a specified rule for the sole and exclusive purpose of satisfying any condition on effectiveness established by s. 120.541(3), F.S., which requires ratification of any rule that meets any of the specified thresholds that may likely have an adverse impact or excessive regulatory cost; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By the Committee on Children, Families, and Elder Affairs—

SB 1992—A bill to be entitled An act relating to background screening; amending s. 430.0402, F.S.; including volunteers within the definition of the term "direct service provider" for purposes of required background screening; exempting a volunteer who meets certain criteria and a client's relative or spouse from the screening requirement; excepting certain licensed professionals and persons screened as a licensure requirement from further screening under certain circumstances; requiring direct service providers working as of a certain date to be screened within a specified period; providing a phase-in for screening direct service providers; requiring that employers of direct service providers and certain other individuals be rescreened every 5 years unless fingerprints are retained electronically by the Department of Law Enforcement; removing an offense from the list of disqualifying offenses for purposes of background screening; providing an effective date.

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

By the Committee on Children, Families, and Elder Affairs—

SB 1994—A bill to be entitled An act relating to child protection; requiring the Secretary of Children and Family Services to establish the Child Protection Response Workgroup for the purpose of developing an implementation plan for a differential response system to be used in responding to reports of child abuse or neglect; specifying the duties of the workgroup; requiring a report to the Legislature; requiring the Secretary of Children and Family Services to establish the Child Welfare Professional Advisory Council; specifying the scope of work of the council; providing for the secretary to appoint members to the council; requiring the Department of Children and Family services to provide administrative support; providing for members to be reimbursed for per diem and travel expenses to the extent resources are available; requiring an annual report to the Legislature; providing an effective date.

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

ADDITIONAL REFERENCES

By Senator Ring—

SB 16—A bill to be entitled An act for the relief of Laron S. Harris, Jr., by and through his parents, Melinda Williams and Laron S. Harris, Sr., and Melinda Williams and Laron S. Harris, Sr., individually, by the North Broward Hospital District, d/b/a Coral Springs Medical Center; providing for an appropriation to compensate them for injuries sustained as a result of the negligence of the Coral Springs Medical Center; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Rules.

By Senator Hill—

SB 22—A bill to be entitled An act for the relief of the Estate of Cesar Solomon by the Jacksonville Transportation Authority; providing for an appropriation to compensate the Estate of Cesar Solomon for Mr. Solomon's death, which was the result of negligence by a bus driver of the Jacksonville Transportation Authority; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Rules.

By Senator Dean—

SB 34—A bill to be entitled An act for the relief of Angela Isham by the City of Ft. Lauderdale; providing for an appropriation to compensate Angela Isham, individually, and as co-personal representative of the Estate of David Isham, deceased, for the death of Mr. Isham, which was due to the negligence of employees of the City of Ft. Lauderdale; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Rules.

By Senator Haridopolos—

SB 46—A bill to be entitled An act for the relief of William Dillon, who was wrongfully incarcerated for 27 years and exonerated by a court after DNA testing; providing an appropriation to compensate Mr. Dillon for his wrongful incarceration; directing the Chief Financial Officer to draw a warrant for the purchase of an annuity; providing for a waiver of certain tuition and fees; providing conditions for payment; providing that the act does not waive certain defenses or increase the state's liability; providing a limitation on the payment of fees and costs; providing that certain benefits are void upon a finding that Mr. Dillon is not innocent of the alleged crime; providing an effective date.

—was also referred to the Committee on Rules.

By Senator Negron—

SB 70—A bill to be entitled An act for the relief of Carl Abbott by the Palm Beach County School Board; providing for an appropriation to compensate Carl Abbott for injuries sustained as a result of the negligence of the Palm Beach County School District; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Rules.

By Senator Rich—

SB 306—A bill to be entitled An act for the relief of Denise Gordon Brown and David Brown by the North Broward Hospital District; providing for an appropriation to compensate Denise Gordon Brown and David Brown, parents of Darian Brown, for injuries and damages sustained by Darian Brown as result of the negligence of Broward General Medical Center; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Rules.

By Senator Flores—

SB 324—A bill to be entitled An act for the relief of James D. Feur-tado, III, by Miami-Dade County; providing for an appropriation to compensate him for injuries he sustained as a result of the negligence of an employee of Miami-Dade County; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Rules.

By Senator Norman—

SB 326—A bill to be entitled An act for the relief of Stephen and Meredith Kirby, parents and natural guardians of their daughter, Harper Kirby, by the University of South Florida; providing for an appropriation to compensate Stephen and Meredith Kirby, parents and natural guardians of Harper Kirby, for damages sustained by the negligence of an employee of the University of South Florida; providing a limitation on the payment of attorney's fees and costs; providing an effective date.

—was also referred to the Committee on Budget.

By Senator Evers—

SB 342—A bill to be entitled An act for the relief of Maricelly Lopez by the City of North Miami; providing for an appropriation to compensate Maricelly Lopez, individually and as personal representative of the Estate of Omar Miele, for the wrongful death of her son, Omar Miele, which was due to the negligence of a police officer of the City of North Miami; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Rules.

BILLS REFERRED TO SUBCOMMITTEE

March 17, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Rules Subcommittee on Ethics and Elections which will report to this standing committee within 60 days: SB 1968.

Senator John Thrasher, Chair
Committee on Rules

March 18, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Education Pre-K - 12 Appropriations which

will report to this standing committee within 60 days: SB 1466 and SB 1996.

Senator JD Alexander, Chair
Committee on Budget

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Budget Subcommittee on Criminal and Civil Justice Appropriations; and Judiciary; and Senator Bennett—

CS for CS for SB 170—A bill to be entitled An act relating to electronic filing and receipt of court documents; creating ss. 27.341 and 27.5112, F.S.; requiring each state attorney and public defender to electronically file court documents with the clerk of the court and receive court documents from the clerk of the court; defining the term “court documents”; providing legislative expectations that the state attorneys and public defenders consult with specified entities; requiring the Florida Prosecuting Attorneys Association and the Florida Public Defender Association report to the President of the Senate and the Speaker of the House of Representatives by a specified date on the progress made to use the Florida Courts E-Portal system or the clerks’ offices portals to electronically file and receive court documents; providing an effective date.

By the Committees on Commerce and Tourism; and Banking and Insurance; and Senator Oelrich—

CS for CS for SB 178—A bill to be entitled An act relating to commercial insurance rates; amending s. 627.062, F.S.; exempting certain liability and property insurance lines from specific rate standards and filing requirements; revising certain reporting and recordkeeping requirements for such exempt insurers and certain rating organizations regarding rate changes; requiring such entities to pay certain examination costs; deleting a provision that permits the Office of Insurance Regulation of the Financial Services Commission to require such insurers to provide certain information regarding rates at the insurer’s expense; requiring such entities to pay certain examination costs; amending s. 627.0651, F.S.; exempting certain commercial motor vehicle insurance from specific rate standards and filing requirements; revising certain reporting and recordkeeping requirements for such exempt insurers and certain rating organizations regarding rate changes; requiring such entities to pay certain examination costs; deleting a provision that permits the Office of Insurance Regulation of the Financial Services Commission to require such insurers to provide certain information regarding rates at the insurer’s expense; providing an effective date.

By the Committee on Community Affairs; and Senator Bogdanoff—

CS for SB 384—A bill to be entitled An act relating to tangible personal property taxation; providing definitions; authorizing collection of a tangible personal property tax recovery fee by a person engaging in the business of renting or leasing heavy equipment; providing requirements for collection, retention, and reimbursement of the recovery fee; providing an effective date.

By the Committees on Regulated Industries; and Community Affairs; and Senator Bennett—

CS for CS for SB 396—A bill to be entitled An act relating to building construction and inspection; amending s. 120.80, F.S.; exempting certain rule proceedings relating to the Florida Building Code; amending s. 161.053, F.S.; prohibiting the Florida Building Commission from adopting rules that limit any exceptions or exemptions provided for modifications or repairs of existing structures within the limits of an existing foundation under certain circumstances; amending s. 255.252, F.S.; conforming provisions to changes made by the act; amending s. 255.253, F.S.; redefining the term “sustainable building rating” to include the International Green Construction Code; amending ss. 255.257 and 255.2575, F.S.; requiring that state agencies, local governments, and the court system adopt a sustainable building rating system for new and renovated buildings; amending s. 468.8316, F.S.; revising the continuing education requirements for licensed home inspectors; amending s.

468.8319, F.S.; deleting an exemption for certain contractors from the prohibition against performing repairs on a home that has a home inspection report; deleting an obsolete provision; amending s. 468.8323, F.S.; clarifying a provision relating to the contents of a home inspection report; amending s. 468.8324, F.S.; providing alternative criteria for obtaining a home inspector’s license; removing certain application requirements for a person who performs home inspection services and who qualifies for licensure on or before a specified date; amending s. 468.841, F.S.; adding licensed home inspectors to those who are exempt from complying with provisions related to mold assessment; amending s. 481.329, F.S.; providing that part II of ch. 481, F.S., does not preclude any person who engages in the business of landscape design from submitting such plans to governmental agencies for approval; amending s. 489.103, F.S.; clarifying an exemption from construction contracting regulation relating to Habitat for Humanity; amending s. 489.105, F.S.; adding the term “glass and glazing contractors” to the definition of the term “contractor”; amending ss. 489.107 and 489.141, F.S.; conforming cross-references; amending s. 514.028, F.S.; revising the composition of the advisory review board relating to public swimming pools and bathing facilities; amending s. 527.06, F.S.; prohibiting the Department of Agriculture and Consumer Services and other state agencies from requiring compliance with certain national standards for liquefied petroleum gas tanks unless the department or agencies require compliance with a specified edition of the national standards; providing for repeal under certain circumstances; amending s. 527.21, F.S.; revising the term “propane” for purposes of the Florida Propane Gas Education, Safety, and Research Act, to incorporate changes to certain national standards in a reference thereto; amending s. 553.502, F.S.; revising intent with respect to the Florida Americans with Disabilities Act; amending s. 553.503, F.S.; incorporating the Americans with Disabilities Act Standards for Accessible Design into state law by reference and directing that they be adopted by rule into the Florida Accessibility Code for Building Construction; amending s. 553.504, F.S.; revising exceptions to incorporate the standards; amending s. 553.5041, F.S.; revising provisions relating to parking spaces for persons who have disabilities to incorporate the standards; amending ss. 553.505 and 553.506, F.S.; conforming provisions to changes made by the act; amending s. 553.507, F.S.; providing for the applicability of the act; amending s. 553.509, F.S.; revising provisions relating to vertical accessibility to incorporate the standards; providing that buildings and facilities in this state do not have to comply with the changes provided by this act until the Florida Accessibility Code for Building Construction is updated; amending s. 553.73, F.S.; revising requirements relating to the Florida Building Code; providing for a supplement to the code; specifying national codes to form the foundation for state building standards and codes; revising how often the Florida Building Commission may approve technical amendments to the code; requiring proposed amendments to base codes to provide justifications; revising requirements relating to the installation of mechanical equipment on a roof; amending s. 553.74, F.S.; revising requirements for selecting a member of the Florida Building Commission; amending s. 553.842, F.S.; providing for the approval of certain windstorm products; providing a cause of action against any person who advertises, sells, offers, provides, distributes, or markets certain products without approval; amending s. 553.909, F.S.; revising the requirements for certain pool-related equipment; amending s. 627.711, F.S.; revising requirements relating to home inspectors conducting hurricane mitigation inspections; providing an effective date.

By the Committees on Community Affairs; and Criminal Justice; and Senators Negron and Evers—

CS for CS for SB 402—A bill to be entitled An act relating to the regulation of firearms and ammunition; amending s. 790.33, F.S.; clarifying and reorganizing provisions that preempt to the state the entire field of regulation of firearms; prohibiting specified persons and entities, when acting in their official capacity, from regulating or attempting to regulate firearms or ammunition in any manner except as specifically authorized by s. 790.33, F.S., by general law, or by the State Constitution; providing additional intent; eliminating provisions authorizing counties to adopt an ordinance requiring a waiting period between the purchase and delivery of a handgun; providing a penalty for knowing and willful violations of prohibitions; providing for investigation of complaints of violations of the act and prosecution of violators by the state attorney; providing that public funds may not be used to defend the unlawful conduct of any person charged with a knowing and willful violation of the act; providing exceptions; providing for termination of

employment or contract or removal from office of a person acting in an official capacity who knowingly and willfully violates any provision of the act; providing for declarative and injunctive relief for specified persons or organizations; providing for specified damages and interest; providing for seizure of certain vehicles for specified nonpayment of damages; providing exceptions to prohibitions of the act; providing an effective date.

By the Committee on Military Affairs, Space, and Domestic Security; and Senators Bennett, Gaetz, and Sachs—

CS for SB 520—A bill to be entitled An act relating to state memorials; creating s. 265.003, F.S.; providing legislative intent; establishing the Florida Veterans' Hall of Fame on the Plaza Level of the Capitol Building; providing for the Department of Veterans' Affairs to administer the Florida Veterans' Hall of Fame; authorizing the department to establish a nomination and selection process and an induction ceremony; providing an effective date.

By the Committee on Transportation; and Senators Latvala, Hill, Garcia, Joyner, Ring, Storms, Gaetz, Bennett, and Jones—

CS for SB 524—A bill to be entitled An act relating to seaports; amending s. 311.12, F.S.; deleting provisions relating to statewide minimum standards for seaport security; deleting provisions authorizing the Department of Law Enforcement to exempt all or part of a seaport from specified requirements in certain circumstances; revising provisions relating to seaport security plans; revising requirements for certain secure or restricted areas; removing the Department of Law Enforcement and seaport security directors as entities authorized to designate a high terrorist threat level; deleting provisions requiring that the Department of Law Enforcement administer a statewide seaport access eligibility reporting system; deleting provisions requiring that persons seeking authorization to access secure and restricted areas of a seaport execute an affidavit; prohibiting a seaport from charging any fee for administration or production of access control credentials that require or are associated with a fingerprint-based background check, in addition to the fee for the federal TWIC; providing for issuance of seaport-specific access credentials; deleting provisions requiring fingerprint-based state criminal history checks on seaport employee applicants, current employees, and other authorized persons; deleting provisions authorizing waivers from security requirements in certain circumstances; revising provisions relating to inspections; revising reporting requirements; revising the parties that determine the allocation of appropriated funds for security project needs; amending ss. 311.121, 311.123, and 311.124, F.S.; conforming provisions to changes made by the act; repealing s. 311.115, F.S., relating to the Seaport Security Standards Advisory Council; amending s. 310.002, F.S.; redefining the term "port" to include Port Citrus; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; amending s. 374.976, F.S.; conforming provisions to include Port Citrus in provisions relating to the authority of inland navigation districts; amending s. 403.021, F.S.; conforming provisions to include Port Citrus in legislative declarations relating to environmental control; amending s. 403.061, F.S.; conforming provisions to include Port Citrus in provisions relating to powers of the Department of Environmental Protection; amending s. 403.813, F.S.; conforming provisions to include Port Citrus in provisions relating to permits issued at Department of Environmental Protection district centers; amending s. 403.816, F.S.; conforming provisions to include Port Citrus in provisions relating to certain maintenance projects at deepwater ports and beach restoration projects; providing an effective date.

By the Committee on Regulated Industries; and Senator Fasano—

CS for SB 530—A bill to be entitled An act relating to condominium, cooperative, and homeowners' associations; amending s. 718.111, F.S.; revising provisions relating to the official records of condominium associations; providing for disclosure of employment agreements or compensation paid to association employees; amending s. 718.112, F.S.; revising provisions relating to bylaws; providing that board of administration meetings discussing personnel matters are not open to unit members; revising requirements for electing the board of directors; providing for continued office and for filling vacancies under certain

circumstances; specifying unit owner eligibility for board membership; requiring that certain educational curriculum be completed within a specified time before the election or appointment of a board director; amending s. 718.114, F.S.; requiring the vote or written consent of a majority of the voting interests before a condominium association may enter into certain agreements to acquire leaseholds, memberships, or other possessory or use interests; amending s. 718.116, F.S.; revising provisions relating to condominium assessments; authorizing the association to charge for collection services for delinquent accounts; authorizing a claim of lien to secure reasonable expenses for collection services for a delinquent account; requiring any rent payments received by an association from a tenant to be applied to the oldest delinquent monetary obligation of a unit owner; amending s. 718.117, F.S.; providing procedures and requirements for partial termination of a condominium property; requiring that a lien against a condominium unit being terminated be transferred to the proceeds of sale for that property; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner or occupant; providing for the suspension of certain rights of use or voting rights; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 718.703, F.S.; redefining the term "bulk assignee" for purposes of the Distressed Condominium Relief Act; amending s. 718.704, F.S.; revising provisions relating to the assignment of developer rights by a bulk assignee; amending s. 718.705, F.S.; revising provisions relating to the transfer of control of a condominium board of administration to unit owners; amending s. 718.706, F.S.; revising provisions relating to the offering of units by a bulk assignee or bulk buyer; amending s. 718.707, F.S.; revising the time limitation for classification as a bulk assignee or bulk buyer; amending s. 719.108, F.S.; authorizing an association to charge for collection services for delinquent accounts; authorizing a claim of lien to secure reasonable expenses for collection services for a delinquent account; requiring any rent payments received by a cooperative association from a tenant to be applied to the oldest delinquent monetary obligation of a unit owner; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner or occupant; providing for the suspension of certain rights of use or voting rights; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 720.303, F.S.; revising provisions relating to records that are not accessible to members of a homeowners' association; providing for disclosure of employment agreements and compensation paid to association employees; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a delinquent member of a homeowners' association; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 720.3085, F.S.; authorizing an association to charge for collection services for delinquent accounts; authorizing a claim of lien to secure expenses for collection services for a delinquent account; requiring any rent payments received by an association from a tenant to be applied to the oldest delinquent monetary obligation of a parcel owner; amending s. 720.309, F.S.; providing for the allocation of communication services by a homeowners' association; providing for the cancellation of communication contracts; providing that hearing-impaired or legally blind owners and owners receiving certain supplemental security income or food stamps may discontinue the service without incurring costs; providing that residents may not be denied access to available franchised, licensed, or certificated cable or video service providers; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Flores, Altman, Sobel, Rich, and Montford—

CS for SB 730—A bill to be entitled An act relating to youth and student athletes; amending s. 943.0438, F.S.; requiring independent sanctioning authorities to adopt policies to inform youth athletes and their parents of the nature and risk of certain head injuries; requiring that a signed consent form be obtained before the youth participates in athletic practices or competitions; requiring that a youth athlete be immediately removed from an athletic activity following a suspected head injury; requiring written clearance from a medical professional before the youth resumes athletic activities; authorizing a physician to delegate the performance of medical care to certain licensed or certified health care providers and consult with or use testing and the evaluation of cognitive functions performed by a licensed neuropsychologist; amending s. 1006.20, F.S.; requiring the Florida High School Athletic Association to adopt policies to inform student athletes and their parents

of the nature and risk of certain head injuries; requiring that a signed consent form be obtained before a student athlete participates in athletic practices or competitions; requiring that a student athlete be immediately removed from an athletic activity following a suspected head injury; requiring written clearance from a medical professional before the student resumes athletic activities; authorizing a physician to delegate the performance of medical care to certain licensed or certified health care practitioner and consult with or use testing and the evaluation of cognitive functions performed by a licensed neuropsychologist; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Ring—

CS for SB 768—A bill to be entitled An act relating to seaports; creating s. 311.23, F.S.; establishing the Florida seaport infrastructure bank within the Florida Seaport Transportation and Economic Development Program to provide loans and credit enhancements to certain deepwater seaports and private entities for specified projects; amending s. 320.20, F.S.; revising provisions for the repayment of bonds relating to the Florida Seaport Transportation and Economic Development Program; providing for certain revenue bonds and other indebtedness relating to the program to be issued by the Florida Ports Financing Commission; amending s. 373.406, F.S.; exempting overwater piers, docks, and structures located in deepwater ports from stormwater management system requirements under specified conditions; amending s. 373.4133, F.S.; requiring the Department of Environmental Protection to issue a notice of intent for a port conceptual permit within a specified time; providing that a notice of intent to issue such permit creates a rebuttable presumption of compliance with specified standards and authorization; providing a standard for overcoming such a presumption; requiring the department to issue certain permits within a specified time and to notify specified entities of certain compliance; amending s. 403.813, F.S.; exempting specified seaports and inland navigation districts from requirements to conduct maintenance dredging under certain circumstances; providing that ditches, pipes, and similar linear conveyances are not receiving waters; authorizing public ports and inland navigation districts to use sovereignty submerged lands in connection with maintenance dredging; authorizing spoil material to be disposed on a self-contained, upland spoil site that will prevent the escape of spoil material into the waters of the state; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Diaz de la Portilla and Sobel—

CS for SB 796—A bill to be entitled An act relating to domestic wastewater ocean outfalls; amending s. 403.086, F.S.; postponing the dates by which domestic wastewater facilities must meet more stringent treatment and management requirements for the discharge of domestic wastewater; defining the term “baseline flow” for purposes of determining the annual average flow of a utility’s domestic wastewater discharge; authorizing utilities to apportion the amount of wastewater outfall for purposes of meeting the reuse requirements; authorizing utilities to enter into binding agreements; providing additional requirements for backup discharges; providing exceptions and alternatives with respect to such backup discharges; providing additional requirements for the plans submitted to the Department of Environmental Protection by the holder of a permit authorizing the discharge of domestic wastewater through an ocean outfall; requiring the department, the South Florida Water Management District, and affected utilities to adjust the reuse requirements provided under the act; requiring that the department submit a report to the Legislature by a specified date; providing an effective date.

By the Committee on Regulated Industries; and Senator Diaz de la Portilla—

CS for SB 812—A bill to be entitled An act relating to Internet poker; creating the “Internet Poker Consumer Protection and Revenue Generation Act”; providing for intrastate Internet poker to be provided to the public by cardroom operators through a state Internet poker network operated by licensed Internet poker hub operators; creating s. 849.087, F.S.; providing legislative intent; providing definitions; authorizing participation in and operation of intrastate Internet poker; providing for the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to administer the act and regulate the operation

of a state Internet poker network, Internet poker hub operators, cardroom affiliates, and the playing of intrastate Internet poker; authorizing the division to adopt rules, conduct investigations and monitor operations, review books and accounts and records, suspend or revoke any license or permit for a violation, take testimony, issue summons and subpoenas, monitor and ensure the proper collection of taxes and fees, and monitor and ensure that the playing of Internet poker is conducted fairly and that player information is protected by Internet poker hub operators; requiring Internet poker hub operators to be licensed; providing qualifications and conditions for licensure; providing application requirements; providing for an advance payment to be credited toward taxes; providing initial and renewal license fees; providing for selection of Internet poker hub operators through competitive procurement process; requiring payment of certain costs and refund of amounts collected in excess of the cost; requiring a surety bond; providing for a contract between the state and the poker hub operator; requiring the division to annually determine the need for additional operators; providing for a cardroom affiliate license to be issued to a cardroom operator to provide intrastate Internet poker for play; providing for applications for the affiliate license and renewal thereof; providing conditions for licensure and renewal of licensure as an affiliate; requiring reporting to and approval by the division of a change of ownership of the affiliate licensee; prohibiting certain acts by an affiliate; providing a fee; providing for employee and business occupational licenses; requiring certain employees of and certain companies doing business with a cardroom affiliate or an Internet poker hub operator to hold an appropriate occupational license; prohibiting such operator or affiliate from employing or allowing to be employed such a person or doing business with such a company if that person or company does not hold an occupational license; directing the division to adopt rules regarding Internet poker hub operator, cardroom affiliate, and occupational licenses and renewal of such licenses; providing a fee for occupational license and renewal thereof; providing penalties for failure to pay the fee; exempting from licensure a person holding a valid individual cardroom occupational license; providing grounds for the division to deny an application for or revoke, suspend, or place conditions or restrictions on or refuse to renew such occupational license; requiring fingerprints; providing procedures for processing fingerprints and conducting a criminal history records check and for payment of costs; providing for citations and civil penalties; providing requirements to register and play intrastate Internet poker; providing for an Internet Poker Self-Exclusion Form; requiring the Internet poker hub operator to exclude from play any person who has completed such form; providing for maintenance of the form and distribution to cardroom affiliates and the division; requiring the Internet poker hub operator to display a link to the website offering services related to the prevention of compulsive and addictive gambling; limiting liability; providing requirements for approval of games to be offered to players; providing requirements for all offered games and game results and games not completed; providing requirements to minimize fraud and cheating; prohibiting action for damages against the Internet poker hub operator to prevent fraud or cheating under certain circumstances; providing requirements for player eligibility and registration and player accounts; authorizing the Internet poker hub operator to suspend or revoke player accounts; providing requirements for poker hub operations; requiring the Internet poker hub operator to establish a book of accounts, regularly audit financial records, and make the records available to the division; providing technical system requirements; requiring the Internet poker hub operator to define, document, and implement certain methodologies relating to its systems; requiring the Internet poker hub operator to maintain such documentation for a certain period of time; providing for player participation fees; prohibiting certain relationships and acts by employees of the division and occupational licenseholders and certain relatives; authorizing conduct of proposed and authorized games; prohibiting a person who has not attained a certain age from holding an Internet poker occupational license or engaging in any game conducted; prohibiting offering Internet poker to persons located in the state except in compliance with law; providing that an entity that has accepted any wager on any online gambling activity from a Florida resident since a certain date is not eligible to apply for licensure and participate in intrastate Internet poker in Florida for a specified period of time; prohibiting false statements; prohibiting manipulation of Internet poker play and operations; providing civil and criminal penalties; providing for disposition of fines collected; providing for license fees to be paid by the Internet poker hub operator and cardroom affiliates; providing for disposition and accounting of fees collected; providing for an advance payment by the Internet poker hub operator to be credited toward taxes; providing for the tax rate and procedures for payment; requiring pay-

ments to be accompanied by a report showing all intrastate Internet poker activities for the preceding calendar month and containing such other information as prescribed by the division; providing penalties for failure to pay taxes and penalties; providing for use of certain deposits; providing for distribution of moneys received from Internet poker hub operations; providing grounds for the division to deny a license or the renewal thereof or suspend or revoke a license; providing penalties; authorizing the division to adopt rules; providing for administration of the act and regulation of the intrastate Internet poker industry; providing an effective date.

By the Committee on Community Affairs; and Senator Bogdanoff—

CS for SB 828—A bill to be entitled An act relating to public records; amending s. 119.0713, F.S.; expanding an exemption from public-records requirements to include certain records relating to investigations in the custody of an inspector general of a local government; providing for future repeal and legislative review of such revisions to the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

By the Committee on Judiciary; and Senator Bogdanoff—

CS for SB 866—A bill to be entitled An act relating to judgment interest; amending s. 55.03, F.S.; requiring quarterly adjustments to the rate of interest payable on judgments; revising the calculation of the interest rate; removing provisions relating to the date the interest rate established by the Chief Financial Officer is to take effect; providing for the annual adjustment of the interest rate established at the time a judgment is obtained; amending s. 717.1341, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Storms—

CS for SB 926—A bill to be entitled An act relating to the limitation of liability for employers who employ persons with a developmental disability; creating s. 768.0985, F.S.; providing that an employer, under certain circumstances, is not liable for the acts or omissions of an employee who is a person with a developmental disability; providing that a supported employment service provider that provides or has provided supported employment services to a person with a developmental disability is not liable for the actions or conduct of the person occurring within the scope of the person's employment; defining the terms "developmental disability" and "supported employment service provider"; providing for application of the act; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Storms—

CS for SB 934—A bill to be entitled An act relating to stormwater management permits; amending s. 373.118, F.S.; requiring that the Department of Environmental Protection initiate rulemaking to adopt a general permit for stormwater management systems serving airside activities at airports; providing for statewide application of the general permit; providing for any water management district or delegated local government to administer the general permit; providing that the rules are not subject to any special rulemaking requirements relating to small business; creating s. 373.4131, F.S.; authorizing certain municipalities and counties to adopt stormwater adaptive management plans and obtain conceptual permits for urban redevelopment projects; providing requirements for establishment of such permits by water management districts in consultation with the Department of Environmental Protection; providing that certain urban redevelopment projects qualify for a noticed general permit; providing an effective date.

By the Committee on Community Affairs; and Senator Norman—

CS for SB 1120—A bill to be entitled An act relating to special districts; amending s. 189.4042, F.S.; providing for the merger of contiguous special districts; providing definitions; providing that the merger or dissolution of dependent districts created by special act may be effectuated only by the Legislature; providing certain exemptions for inactive dependent and independent special districts; requiring involuntary dis-

solution procedures for independent special districts to include referenda; providing that the Legislature may merge independent special districts created by special act; providing for the voluntary merger of contiguous independent special districts pursuant to a joint resolution of the governing bodies of the districts or upon initiative of the district electors; providing the procedures that must be adhered to, including notice and public hearings; requiring the development and adoption of a merger plan; requiring a referendum; providing for the effective date of the merger; providing that legislative approval of the merger is not required but that the charter of the new district must be submitted for approval; providing restrictions on the merged district until the charter is approved; providing that the ad valorem millage rate in each component independent special district is levied only up to the millage rate previously approved by the electors of the district; providing for the effect of the merger on the property, employees, legal liabilities, and annexations of the component districts; providing for the election of the governing board of the merged district; providing an exemption for independent special districts whose governing bodies are elected by district landowners voting the acreage owned within the district; requiring involuntary merger procedures for independent special districts to include referenda; amending s. 191.014, F.S.; deleting a provision relating to the merger of independent special districts or dependent fire control districts; amending s. 189.4044, F.S.; revising dissolution procedures for special districts declared inactive by a governing body; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Ring—

CS for SB 1128—A bill to be entitled An act relating to public retirement plans; amending s. 112.66, F.S.; providing for the calculation of local government retirement benefits after a certain date; providing a prohibition on the use of plan revenues; prohibiting a reduction in certain contributions to a plan; amending s. 121.051, F.S.; providing that a plan is eligible for participation in the Florida Retirement System if it has no unfunded actuarial liabilities; amending s. 175.032, F.S.; revising the definition of the term "compensation" or "salary" for purposes of firefighters' pensions; amending s. 175.351, F.S.; revising provisions relating to benefits paid from the premium tax by a municipality or special fire control district that has its own pension plan; providing for funding a plan's actuarial accrued liability; conforming a cross-reference; amending s. 185.02, F.S.; revising the definition of the terms "compensation" and "salary" for purposes of police officers' pensions; amending s. 185.35, F.S.; revising provisions relating to benefits paid by a municipality that has its own pension plan; providing for funding a plan's actuarial accrued liability; authorizing a municipality to advance payment for purchasing an annuity contract for a closed plan; directing the Department of Financial Services to rate the financial strength of local government defined benefit plans; specifying the factors for assigning the ratings; requiring local pension boards, local governments, the Division of Retirement, and all relevant entities to cooperate in providing data for the ratings; requiring the ratings to be posted on the department's website; creating the Task Force on Public Employee Disability Presumptions; providing for appointment and membership; specifying the issues for the task force to address; providing for a report to be submitted to the Governor, Chief Financial Officer, and Legislature by a certain date; providing for future expiration; directing the Department of Financial Services to submit a report on the financial health of local government pension plans to the Governor and Legislature by a certain date; specifying the issues the report must address; providing a declaration of important state interest; providing an effective date.

By the Committee on Communications, Energy, and Public Utilities; and Senator Bogdanoff—

CS for SB 1198—A bill to be entitled An act relating to communications services tax; amending s. 202.16, F.S.; requiring that a dealer compute the communications services tax based on a rounding algorithm; providing criteria; providing for application of the tax; providing options to the dealer for applying the rounding algorithm; providing that a dealer is not required to collect the tax based on a bracket system; removing the provision requiring the Department of Revenue to make available tax amounts and applicable brackets; providing that the provisions of the act are remedial in nature and apply retroactively; providing that the act does not provide a basis for assessment of any tax not

paid or create a right to certain refunds or credits; providing an effective date.

By the Committee on Military Affairs, Space, and Domestic Security; and Senator Altman—

CS for SB 1224—A bill to be entitled An act relating to corporate tax credits and refunds; amending s. 14.2015, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to administer corporate income tax credits for spaceflight projects; amending s. 213.053, F.S.; authorizing the Department of Revenue to share information relating to corporate income tax credits for spaceflight projects with the Office of Tourism, Trade, and Economic Development; amending s. 220.02, F.S.; revising the order in which credits against the corporate income tax or franchise tax may be taken to include credits for spaceflight projects; amending s. 220.13, F.S.; requiring that the amount taken as a credit for a spaceflight project be added to taxable income; prohibiting a deduction from taxable income for any net operating loss taken as a credit against corporate income taxes or transferred; amending s. 220.16, F.S.; requiring that the amount of payments received in exchange for transferring a net operating loss for spaceflight projects be allocated to the state; creating s. 220.194, F.S.; providing a short title; providing legislative purpose; defining terms; authorizing a certified spaceflight business to take or transfer corporate income tax credits related to spaceflight projects carried out in this state; specifying tax credit amounts and business eligibility criteria; providing limitations; requiring a business to demonstrate to the satisfaction of the office and the department its eligibility to claim a tax credit; requiring a business to submit an application to the office for approval to earn credits; specifying the required contents of the application; requiring the office to approve or deny an application within 60 days after receipt; specifying the approval process; requiring a spaceflight business to submit an application for certification to the office; specifying the required contents of an application for certification; specifying the approval process; requiring the office to submit a copy of an approved certification to the department; providing procedures for transferring a tax credit to a taxpayer; authorizing the department to perform audits and investigations necessary to verify the accuracy of returns relating to the tax credit; specifying circumstances under which the office may revoke or modify a certification that grants eligibility for tax credits; requiring a certified spaceflight business to file an amended return and pay any required tax within 60 days after receiving notice that previously approved tax credits have been revoked or modified; authorizing the department to assess additional taxes, interest, or penalties; authorizing the office and the department to adopt rules; requiring the office to submit an annual report to the Governor and Legislature regarding the Florida Space Business Incentives Act; repealing s. 288.1045(2)(c), F.S., relating to a limitation on the maximum amount of tax refund a defense or space flight contractor may receive; amending s. 288.106, F.S.; deleting a provision that limits the maximum amount of tax refunds a qualified target industry may receive; providing for application; providing an effective date.

By the Committee on Agriculture; and Senators Norman and Hays—

CS for SB 1246—A bill to be entitled An act relating to farms; prohibiting a person from entering onto a farm and making any audio record, photograph, or video record at the farm without the owner's written consent; providing exceptions; providing definitions; providing penalties; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Wise and Richter—

CS for SB 1254—A bill to be entitled An act relating to auditory-oral education programs; providing a short title; amending s. 1002.20, F.S.; revising provisions relating to public school choice options for parents of public school students to include auditory-oral education programs; creating s. 1002.391, F.S.; providing definitions; providing that a parent of a child who is deaf or hard of hearing may enroll the child in an auditory-oral education program at a school accredited by OPTION Schools, Inc., or at a school in which the supervisor and the majority of faculty are certified as Listening and Spoken Language Specialists by the AG Bell Academy for Listening and Spoken Language; providing that the child may continue attending the school and complete the development of listening and spoken language skills if specified criteria are

met; requiring that the level of services be determined by the individual educational plan team or individualized family support plan team; providing that a child is no longer eligible under certain circumstances; amending s. 1011.62, F.S.; revising provisions relating to the funding model for exceptional student education programs to require the Department of Education to review and revise the descriptions of services and supports in the matrix of services used to determine exceptional education cost factors; providing an effective date.

By the Committee on Agriculture; and Senator Dean—

CS for SB 1290—A bill to be entitled An act relating to pest control; amending s. 482.051, F.S.; providing rule changes that allow operators to provide certain emergency notice to the Department of Agriculture and Consumer Services by facsimile or electronic means; amending s. 482.071, F.S.; increasing the minimum bodily injury and property damage insurance coverage required for pest control businesses; creating s. 482.072, F.S.; providing for licensure by the department of pest control customer contact centers; providing application requirements; providing for fees, licensure renewal, penalties, licensure expiration, and transfer of licenses; creating s. 482.157, F.S.; providing for the certification of commercial wildlife trappers; providing certification requirements, examination requirements, and fees; limiting the scope of work permitted by certificate holders; clarifying that licensees and certificateholders who practice accepted pest control methods are immune from liability for violating laws prohibiting cruelty to animals; amending s. 482.226, F.S.; increasing the minimum financial responsibility requirements for licensees that perform certain inspections; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Alexander—

CS for SB 1314—A bill to be entitled An act relating to state financial matters; amending s. 216.011, F.S.; defining the term "lease or lease-purchase of equipment"; amending s. 216.023, F.S.; requiring that specified information relating to certain contracts be included in an agency's legislative budget request; amending s. 216.311, F.S.; defining the terms "contract" and "agreement"; prohibiting an agency or branch of state government, without legislative authority, from contracting to pay liquidated damages or early termination fees resulting from the breach or early termination of a contract or agreement, from paying interest because of insufficient budget authority to pay an obligation in the current year, from obligating the state to make future payments to cover unpaid payments, or from granting a party the right to collect fees or other revenues from nonparties; providing certain exemptions; prohibiting an agency from entering into certain leases without authorization by the Legislature or the Legislative Budget Commission; creating s. 216.312, F.S.; requiring the executive and judicial branch to notify the Governor and Legislature before entering into contracts containing certain provisions relating to expenditures; providing an exception for the Department of Transportation; transferring, renumbering, and amending s. 287.0582, F.S.; requiring a state contract to identify the appropriation that funds a contract; expanding the statement that must be included in state contracts to include grounds for terminating the contract based on budget deficits; requiring the judicial branch to include the statement in its contracts; requiring the agency head, executive director, or chief judge, as appropriate, or a designated senior management employee, to sign contracts that exceed a specified amount; requiring the agency head, executive director, or chief judge to review certain contracts and certify compliance with ch. 216, F.S.; requiring contracts exceeding a specified amount to require written acceptance or rejection of contract deliverables; providing that contracts in violation of these provisions are null and void; providing penalties; amending s. 287.063, F.S.; prohibiting certain lease or deferred-payment purchases by state agencies unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending s. 287.064, F.S.; prohibiting certain master equipment financing agreements unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending ss. 376.3075 and 403.1837, F.S.; conforming cross-references; repealing s. 287.056(2), F.S., relating to provisions providing agencies with the option of purchasing services from state term contracts; amending s. 45, chapter 2010-151, Laws of Florida; providing that certain contracts are subject to transaction fees; providing for application; providing an effective date.

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

CS for SB 1332—A bill to be entitled An act relating to financial institutions; amending s. 655.005, F.S.; revising definitions relating to the financial institutions codes; amending s. 655.013, F.S.; updating a reference; creating s. 655.03855, F.S.; authorizing the office to appoint provisional directors or executive officers; specifying the rights, qualifications, and reporting requirements of such directors and officers; clarifying the liability of such directors and officers and of the office; amending s. 655.044, F.S.; specifying which accounting practice must be followed by financial institutions; amending s. 655.045, F.S.; authorizing the office to conduct additional examinations of financial institutions if warranted; providing for the use of certain examination methods; amending s. 655.41, F.S.; revising definitions to conform provisions to changes made by the act; amending s. 655.411, F.S.; revising the criteria for approval of a financial entity's plan of conversion; amending s. 655.414, F.S.; providing for the transfer of assets from a federally chartered or out-of-state chartered institution; amending ss. 655.416, 655.417, and 655.418, F.S.; conforming provisions to changes made by the act; amending s. 655.4185, F.S.; revising provisions relating to emergency actions that may be taken for a failing financial institution; authorizing the office to provide prior approval for the chartering of an entity acquiring control of a failing institution; amending s. 655.419, F.S.; deleting a provision relating to actions conducted outside this state; amending s. 655.947, F.S.; conforming a cross-reference; amending s. 657.038, F.S.; specifying the loan factors that must be considered when computing a person's total obligations for purposes of extending credit; amending s. 657.042, F.S.; revising criteria that limit a credit union's investment of funds; requiring a credit union to establish policies and procedures for evaluating risk; amending ss. 657.063 and 657.064, F.S.; conforming cross-references; amending s. 658.12, F.S.; revising the definition of "banker's bank"; conforming a cross-reference; deleting a provision relating to the application of definitions in the financial institutions codes; amending s. 658.165, F.S.; revising provisions relating to banker's banks; specifying the type of business such a bank may do with entities or individuals that are not banks; revising provisions relating to the services a banker's bank may provide to financial institutions in organization; repealing s. 658.20(3), F.S., relating to applications for prior approval of officers or directors; amending s. 658.28, F.S.; providing additional limitations on acquiring or controlling another bank; repealing s. 658.295, F.S., relating to the Florida Interstate Banking Act; amending s. 658.2953, F.S.; revising and updating provisions relating to Florida bank mergers with out-of-state banks; deleting legislative intent; repealing s. 658.296, F.S., relating to the control of deposit-taking institutions; amending s. 658.36, F.S.; authorizing the office to approve a special stock offering plan under certain circumstances; amending s. 658.41, F.S.; clarifying that state laws do not restrict the right of a state bank or trust company to merge with an out-of-state bank; amending s. 658.48, F.S.; revising provisions relating to bank loans; specifying the process for computing the liabilities of a person seeking a loan; amending s. 658.53, F.S.; deleting a provision providing that unpaid proceeds of sales are used to evaluate the adequacy of a bank's capital; repealing ss. 658.65, 665.013(33), and 667.003(35), F.S., relating to remote financial service units; amending s. 658.67, F.S.; updating provisions relating to the investment powers of a bank or trust company; requiring banks and trust companies to establish procedures for evaluating risk; amending ss. 288.772, 288.99, 440.12, 440.20, 445.051, 489.503, 501.005, 501.165, 624.605, 626.321, 626.730, and 626.9885, F.S.; conforming cross-references; providing an effective date.

By the Committees on Commerce and Tourism; and Commerce and Tourism—

CS for SB 1346—A bill to be entitled An act relating to obsolete references and programs; amending s. 14.2015, F.S.; removing an obsolete reference to the Department of Commerce; amending s. 20.18, F.S.; updating a reference to the Department of Commerce to refer instead to the Office of Tourism, Trade, and Economic Development; amending s. 45.031, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 69.041, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 112.044, F.S.; removing obsolete references to the Department of Labor and Employment Security; amending s. 252.85, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 252.87, F.S.; removing a reference to the Department of Labor and Employment Security; amending s.

252.937, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 287.09431, F.S.; updating references to the Department of Labor and Employment Security; amending s. 287.09451, F.S.; removing references to the Department of Labor and Employment Security; amending s. 287.0947, F.S.; removing a reference to the Department of Labor and Employment Security; correcting a cross-reference; amending s. 288.021, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 288.035, F.S.; removing a reference to the Department of Commerce; repealing s. 288.038, F.S., relating to agreements of the Department of Labor and Employment Security with county tax collectors; amending s. 288.1168, F.S.; updating obsolete references to the Department of Commerce; amending s. 288.1229, F.S.; removing a reference to the Department of Commerce; amending s. 288.1169, F.S.; updating references to the Department of Commerce; amending s. 331.369, F.S.; updating references to the Workforce Development Board of Enterprise Florida, Inc.; amending s. 377.711, F.S.; removing a reference to the Department of Commerce; providing for standard compact provisions regarding recommendations by the Southern States Energy Board; amending s. 377.712, F.S.; clarifying provisions governing participation in the compact by the state and its agencies; amending s. 409.2576, F.S.; removing references to the Department of Labor and Employment Security; amending s. 414.24, F.S.; updating references to the Department of Labor and Employment Security; amending s. 414.40, F.S.; updating provisions governing the Stop Inmate Fraud Program; updating a reference to the Department of Labor and Employment Security; amending s. 440.385, F.S.; updating a reference to the Department of Labor and Employment Security; removing obsolete provisions; amending s. 440.49, F.S.; removing a reference to the Department of Labor and Employment Security; removing obsolete provisions; repealing s. 446.60, F.S., relating to assistance for displaced local exchange telecommunications company workers; amending s. 450.161, F.S.; updating a reference to the Division of Jobs and Benefits; amending s. 464.203, F.S.; updating a reference to the Enterprise Florida Jobs and Education Partnership Grant; amending s. 489.1455, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 489.5335, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 553.62, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 597.006, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 944.012, F.S.; updating a reference to the Florida State Employment Service; amending s. 944.708, F.S.; removing a reference to the Agency for Workforce Innovation; repealing ss. 255.551-255.563, F.S., relating to the asbestos management program; amending s. 469.002, F.S.; conforming a cross-reference to changes made by the act; repealing s. 469.003(2)(b), F.S., relating to obsolete provisions governing the licensure of asbestos surveyors; providing an effective date.

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

CS for SB 1426—A bill to be entitled An act relating to the repeal of health insurance provisions; repealing s. 627.64872(6), F.S., relating to a requirement that the board of directors of the Florida Health Insurance Plan annually report to the Governor and the Legislature; amending s. 627.6699, F.S.; deleting a requirement that the Office of Insurance Regulation of the Department of Financial Services annually report to the Governor and the Legislature concerning the Small Employers Access Program; providing an effective date.

By the Committee on Regulated Industries; and Senator Altman—

CS for SB 1430—A bill to be entitled An act relating to the regulation of smoking; amending s. 386.212, F.S.; authorizing a district school board to adopt rules prohibiting any person from smoking tobacco on or in any district-owned or district-leased facility or property during a specified time of the day; amending s. 386.209, F.S.; providing an exception to the state preemption of the regulation of smoking in the state; providing an effective date.

By the Committee on Community Affairs; and Senator Bennett—

CS for SB 1512—A bill to be entitled An act relating to growth management; amending s. 163.3164, F.S.; revising and providing definitions relating to the Local Government Comprehensive Planning and

Land Development Regulation Act; amending s. 163.3177, F.S.; revising requirements for comprehensive plans relating to capital improvements and future land use plan elements; amending s. 163.3180, F.S.; revising transportation concurrency requirements relating to transportation planning and proportionate share; amending s. 163.3182, F.S.; revising the definition of the term “transportation concurrency backlog” to “transportation deficiency”; revising other definitions and provisions to conform; revising provisions relating to transportation deficiency plans and projects; amending s. 380.06, F.S.; exempting transit-oriented developments from review of transportation impacts in the developments-of-regional-impact process; providing a finding of important state interest; providing an effective date.

By the Committee on Communications, Energy, and Public Utilities; and Senators Simmons, Bennett, Thrasher, Oelrich, Smith, Gaetz, and Braynon—

CS for SB 1524—A bill to be entitled An act relating to telecommunications; creating the “Regulatory Reform Act”; amending s. 364.01, F.S.; revising legislative intent with respect to the jurisdiction of the Florida Public Service Commission; amending s. 364.011, F.S.; providing that certain basic and nonbasic telecommunication services are exempt from the jurisdiction of the Public Service Commission; amending s. 364.012, F.S.; requiring local exchange telecommunications companies to provide unbundled access to network elements; amending s. 364.0135, F.S.; providing legislative intent relating to the sustainable adoption of broadband Internet service; providing a definition of “sustainable adoption” as it relates to broadband Internet services; removing obsolete legislative intent; authorizing the Department of Management Services to work collaboratively with, and to receive staffing support and other resources from, Enterprise Florida, Inc., state agencies, local governments, private businesses, and community organizations to encourage sustainable adoption of broadband Internet services; authorizing the department to adopt rules; repealing s. 364.015, F.S., relating to injunctive relief; 364.02, F.S.; removing the definition of “monopoly service” and adding a definition for “VoIP”; repealing ss. 364.025, 364.0251, and 364.0252, F.S., relating to uniform telecommunications service, a telecommunications consumer information program, and the expansion of consumer information programs, respectively; amending s. 364.04, F.S.; providing that the commission has no jurisdiction over the content, form, or format of rate schedules published by a telecommunications company; providing that a telecommunications company may undertake certain activities; repealing ss. 364.051, 364.052, 364.057, 364.058, 364.059, 364.06, 364.063, 364.07, and 364.08, F.S., relating to price regulation, regulatory methods for small local exchange telecommunications companies, experimental and transitional rates, limited proceedings, procedures for seeking a stay of proceedings, joint rates, tolls, and contracts, rate adjustment orders, intrastate interexchange service contracts, and unlawful charges against consumers, respectively; amending s. 364.10, F.S.; removing obsolete provisions; requiring an eligible telecommunications carrier to provide a Lifeline Assistance Plan to qualified residential subscribers; repealing s. 364.15, F.S., relating to repairs, improvements, and additions to telecommunication facilities; amending s. 364.16, F.S., relating to interconnection, unbundling, and resale of telecommunication services; requiring the commission to, upon request, arbitrate and enforce interconnection agreements; prohibiting a telecommunications company from knowingly delivering traffic for which terminating access service charges would otherwise apply; authorizing the commission to adopt rules to prevent the unauthorized changing of a subscriber’s telecommunications service; removing obsolete provisions relating to local exchange telecommunications companies; repealing ss. 364.161 and 364.162, F.S., relating to unbundling and resale of telecommunication services and negotiated prices for interconnection services, respectively; amending s. 364.163, F.S.; conforming provisions to changes made by the act; amending s. 364.183, F.S.; revising provisions relating to access of the commission to certain records of a telecommunications company; repealing ss. 364.185, 364.19, and 364.27, F.S., relating to powers of the commission to investigate and inspect any premises of a telecommunications company, regulation of telecommunication contracts, and powers and duties as to interstate rates, respectively; amending s. 364.33, F.S., relating to the certificate of authority; prohibiting a person from providing any telecommunications service to the public without a certificate of necessity or a certificate of authority issued by the commission; providing that, after a specified date, the commission will no longer issue certificates of necessity; amending s. 364.335, F.S.; requir-

ing an applicant to provide certain information when applying for a certificate of authority; describing the criteria necessary to be granted a certificate of authority; authorizing a telecommunications company to terminate a certificate of authority; repealing s. 364.337, F.S., relating to competitive local exchange companies; amending s. 364.3375, F.S., relating to pay telephone service providers; requiring pay telephone providers to obtain a certificate of authority from the commission; repealing ss. 364.3376, 364.3381, 364.3382, 364.339, 364.345, and 364.37, F.S., relating to operator services, cross-subsidization, cost disclosures, certificates for territories served, shared tenant services, and powers of the commission relating to service territories, respectively; amending s. 364.385, F.S.; removing obsolete provisions relating to saving clauses; amending s. 364.386, F.S.; revising the content to be included in the report to be filed with the Legislature; repealing ss. 364.501, 364.503, 364.506, 364.507, 364.508, 364.515, 364.516, 364.601, 364.602, 364.603, and 364.604, F.S., relating to the prevention of damages to underground telecommunication facilities, mergers or acquisitions, a short title for education facilities, legislative intent for advanced telecommunication services to eligible facilities, definitions, infrastructure investments, penalties for failing to provide advanced telecommunication services, the short title for telecommunication consumer protections, definitions, the methodology for protecting consumers for changing telecommunication providers, and billing procedures to inform and protect the consumer, respectively; amending ss. 196.012, 199.183, 212.08, 290.007, 350.0605, 364.105, 364.32, and 489.103, F.S.; revising cross-references to conform to changes made by the act; providing an effective date.

By the Committee on Transportation; and Senator Hays—

CS for SB 1554—A bill to be entitled An act relating to emergency vehicles; amending s. 318.18, F.S.; increasing the fine for the failure to comply with s. 316.126(1)(b), relating to yielding to emergency vehicles; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Transportation; and Senator Evers—

CS for SB 1570—A bill to be entitled An act relating to billboard regulations; amending s. 479.01, F.S.; revising definitions; amending s. 479.02, F.S.; removing certain rulemaking criteria; amending s. 479.106, F.S.; revising requirements for an application for a permit to remove, cut, or trim trees or vegetation around a sign; requiring that the application include a vegetation management plan, a mitigation contribution to a trust fund, or a combination of both; providing certain evaluation criteria; providing criteria for the use of herbicides; providing a time limit within which the Department of Transportation must act; providing that the permit is valid for 5 years; providing for an extension of the permit; providing criteria for view zones; requiring the department to provide notice to the sign owner of beautification projects or vegetation planting; amending s. 479.16, F.S.; exempting certain larger signs from permit requirements; exempting signs erected under the local tourist-oriented commerce signs pilot program from certain permit requirements; creating s. 479.263, F.S.; creating the tourist-oriented commerce signs pilot program; exempting commercial signs that meet certain criteria from permit requirements; providing an effective date.

By the Committee on Regulated Industries; and Senator Sachs—

CS for SB 1594—A bill to be entitled An act relating to pari-mutuel permitholders; amending s. 550.002, F.S., which defines the term “full schedule of live racing or games”; providing that a greyhound permitholder is not required to conduct a minimum number of live performances; amending s. 550.01215, F.S.; revising requirements for an application for a license to conduct performances; providing an extended period to amend certain applications; amending s. 550.054, F.S.; removing a requirement for holders of certain converted permits to conduct a full schedule of live racing to qualify for certain tax credits; amending s. 550.0951, F.S.; revising provisions for transfer by a permitholder of a tax exemption or license fee credit to a greyhound permitholder; revising the tax on handle for dogracing and intertrack wagering; amending s. 550.09514, F.S.; revising purse requirements for greyhound racing and provisions for payment of purses; amending s. 550.615, F.S.; revising provisions for intertrack wagering; amending ss. 550.26165 and 550.6305, F.S.; conforming cross-references to changes made by the act; amending s. 551.104, F.S.; revising a condition of licensure for the con-

duct of slot machine gaming; amending s. 551.114, F.S.; revising requirements for designated slot machine gaming areas; amending s. 849.086, F.S.; revising requirements for initial and renewal issuance of a cardroom license; providing that neither a corresponding pari-mutuel license application nor a minimum number of live performances is required for a greyhound permitholder to maintain or renew a cardroom license; providing an effective date.

By the Committee on Rules Subcommittee on Ethics and Elections; and Senator Diaz de la Portilla—

CS for SB 1618—A bill to be entitled An act relating to elections; amending s. 106.25, F.S.; allowing a respondent who is alleged by the Elections Commission to have violated the election code or campaign financing laws to elect as a matter of right a formal hearing before the Division of Administrative Hearings; authorizing an administrative law judge to assess civil penalties upon the finding of a violation; amending s. 106.265, F.S.; authorizing an administrative law judge to assess civil penalties upon a finding of a violation of the election code or campaign financing laws; providing for civil penalties to be assessed against an electioneering communications organization; removing reference to the expired Election Campaign Financing Trust Fund; directing that moneys from penalties and fines be deposited into the General Revenue Fund; providing an effective date.

By the Committee on Rules Subcommittee on Ethics and Elections; and Senator Diaz de la Portilla—

CS for SB 1690—A bill to be entitled An act relating to elections; amending s. 106.08, F.S.; revising the limitations on contributions made to certain candidates and political committees; amending s. 106.021, F.S.; providing requirements and restrictions on the use of contributions received prior to a candidate changing his or her candidacy to a new office, to conform; reenacting ss. 106.04(5), 106.075(2), 106.19, and 106.29, F.S., relating to contributions made by committees of continuous existence, contributions made to pay all or part of loans incurred, penalties for the acceptance of contributions or expenditures made in excess of the statutory limits or failing to report or falsely reporting certain information, and contributions received and expenditures made by state executive and county executive committees of each political party, to incorporate the amendment made to s. 106.08, F.S., in references thereto; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Alexander—

CS for SB 1738—A bill to be entitled An act relating to state financial information; amending s. 11.45, F.S.; requiring the Auditor General to annually provide to the Legislature a list of school districts that have failed to comply with certain financial transparency requirements, as identified pursuant to audit; amending s. 215.90, F.S.; conforming a cross-reference; amending s. 215.91, F.S.; providing that the Financial Management Information Board is responsible for the system; deleting provisions relating to the Florida Financial Management Information System Coordinating Council; deleting references to functional owner subsystems; amending s. 215.92, F.S.; redefining terms and adding and deleting definitions; creating s. 215.922, F.S.; establishing the Agency for Enterprise Business Services within the Department of Financial Services; providing that the office is a separate budget entity not subject to the department; providing that the agency is headed by the Governor and Cabinet acting as the Financial Management Information Board; providing for an executive director; providing the duties of the agency; creating s. 215.923, F.S.; establishing the Enterprise Financial Business Operations Council to act in an advisory capacity to the agency; providing the members of the council; providing council duties; creating s. 215.924, F.S.; providing for an Enterprise Financial Business Strategic Plan; requiring the plan to be annually reviewed, updated, and submitted to the Legislature; providing for the contents of the plan; amending s. 215.93, F.S.; revising provisions relating to the Florida Financial Management Information System; renaming the Florida Accounting Information Resource Subsystem the Financial Management Subsystem; adding the Revenue and Tax Collection, Processing, and Distribution Subsystem; deleting references to functional owner subsystems and providing for enterprise business owners; revising the duties of the owners; deleting references to the design and coordination

staff; providing for the ownership and functions of the Revenue and Tax Collection, Processing, and Distribution Subsystem by the Department of Revenue; amending s. 215.94, F.S.; deleting references to functional owner subsystems and providing for enterprise business owners; amending s. 215.95, F.S.; providing additional duties for the Financial Management Information Board; repealing s. 215.96, F.S., relating to the coordinating council and design and coordination staff; creating s. 215.961, F.S.; providing state agency requirements relating to the Florida Financial Management Information System and the use of functional information and enterprise agency business subsystems; amending s. 215.985, F.S., relating to the Transparency Florida Act; redefining the term “governmental entity” to include public schools rather than public school districts; requiring the Legislative Auditing Committee to recommend a format for school districts, charter schools, and charter technical career centers to use in collecting and displaying financial information; revising the schedule for adding information to the state’s official website; revising provisions exempting certain municipalities and special districts from the Transparency Florida Act; requiring the Office of Policy and Budget to maintain the state’s financial data on the state website for a specified period; requiring a certified public accountant conducting an audit of a unit of local government to report compliance with the act; establishing a state contract management system on the website; requiring the Legislative Auditing Committee to adopt guidelines for administering the act; conforming terms; amending ss. 17.11, 216.102, 216.141, and 216.237, F.S.; conforming terms; providing for funding; providing an effective date.

By the Committees on Budget Subcommittee on Finance and Tax; and Budget Subcommittee on Finance and Tax—

CS for SB 1998—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2011 version of the Internal Revenue Code; amending s. 220.13, F.S.; specifying the treatment by this state of certain depreciation and expensing of assets that are allowed for federal income tax purposes; authorizing the executive director of the Department of Revenue to adopt emergency rules; providing for retroactive application; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Agriculture; and Senator Evers—

CS for SB 606—A bill to be entitled An act relating to fertilizer; amending s. 403.9336, F.S.; deleting legislative findings relating to the implementation by local governments of certain fertilizer management practices; amending s. 403.9337, F.S.; deleting authority for certain counties and municipalities to adopt fertilizer management practices more stringent than standards of a specified model ordinance; amending ss. 570.07 and 576.181, F.S.; requiring the Department of Agriculture and Consumer Services to regulate the sale, composition, formulation, packaging, use, application, and distribution of fertilizer; preempting such regulation of fertilizer to the state and the department; specifying that such regulation of fertilizer by counties, municipalities, and other political subdivisions is void; authorizing local governments to provide enforcement of the provisions of the model ordinance; providing an effective date.

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

By the Committee on Community Affairs; and Senators Thrasher and Gaetz—

CS for SB 830—A bill to be entitled An act relating to labor and employment; amending s. 110.114, F.S.; prohibiting a state agency from deducting from employee wages the dues, uniform assessments, fines, penalties, or special assessments of an employee organization or contributions made for purposes of political activity; amending s. 112.171, F.S.; prohibiting a county, municipality, or other local governmental entity from deducting from employee wages the dues, uniform assessments, fines, penalties, or special assessments of an employee organization or contributions made for purposes of political activity; creating s. 447.18, F.S.; prohibiting labor organizations from collecting dues, as-

assessments, fines, or penalties without written authorization; providing for a refund to employees who have not given a written authorization in certain situations; requiring that the labor organization provide notice of such contributions and expenditures; prohibiting a labor organization from requiring an employee to authorize the collection of funds for political contributions and expenditures as a condition of membership in the organization; amending s. 447.303, F.S.; prohibiting a public employer from deducting or collecting from employee wages the dues, uniform assessments, fines, penalties, or special assessments of an employee organization; amending s. 447.507, F.S., relating to violation of the strike prohibition; conforming provisions to changes made by the act; providing for severability; providing for prospective application; providing an effective date.

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

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

CS for SB 1426—A bill to be entitled An act relating to the repeal of health insurance provisions; repealing s. 627.64872(6), F.S., relating to a requirement that the board of directors of the Florida Health Insurance Plan annually report to the Governor and the Legislature; amending s. 627.6699, F.S.; deleting a requirement that the Office of Insurance Regulation of the Department of Financial Services annually report to the Governor and the Legislature concerning the Small Employers Access Program; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By the Committee on Transportation; and Senator Evers—

CS for SB 1570—A bill to be entitled An act relating to billboard regulations; amending s. 479.01, F.S.; revising definitions; amending s. 479.02, F.S.; removing certain rulemaking criteria; amending s. 479.106, F.S.; revising requirements for an application for a permit to remove, cut, or trim trees or vegetation around a sign; requiring that the application include a vegetation management plan, a mitigation contribution to a trust fund, or a combination of both; providing certain evaluation criteria; providing criteria for the use of herbicides; providing a time limit within which the Department of Transportation must act; providing that the permit is valid for 5 years; providing for an extension of the

permit; providing criteria for view zones; requiring the department to provide notice to the sign owner of beautification projects or vegetation planting; amending s. 479.16, F.S.; exempting certain larger signs from permit requirements; exempting signs erected under the local tourist-oriented commerce signs pilot program from certain permit requirements; creating s. 479.263, F.S.; creating the tourist-oriented commerce signs pilot program; exempting commercial signs that meet certain criteria from permit requirements; providing an effective date.

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

ENROLLING REPORTS

CS for CS for SB 736, SB 916, SB 924, SB 944 and SB 946 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on March 21, 2011.

R. Philip Twogood, Secretary

CO-INTRODUCERS

Senators Altman—SB 652; Braynon—SCR 286, SB 1524; Bullard—SB 132, CS for SB 138, SM 218, CS for SB 1086; Detert—SB 86; Diaz de la Portilla—SB 844; Evers—CS for SB 1228; Fasano—SB 86, SJR 390, SB 844; Flores—SB 1724; Gaetz—SB 844, SB 1226, SB 1524; Garcia—SB 980; Hays—SB 1246; Hill—SB 86, SCR 286; Jones—SB 86, SB 462; Joyner—SB 86; Negron—SB 86; Norman—SB 578, SB 844; Oelrich—SB 1524; Rich—SB 86; Richter—SB 1190, SB 1816; Sachs—CS for SB 520, SJR 592, SB 826, SB 894, SB 1708, SB 1710, SB 1712; Siplin—SB 998; Smith—SCR 286, SB 1524; Wise—SB 1124

SENATE PAGES

March 21-25, 2011

Edward Amos, Umatilla; Ashley Bruner, Tallahassee; Caitlyn Coates, Tallahassee; Frank DiMarco, Tallahassee; Kristopher Harris, Tallahassee; Seth Heard, Apopka; Katherine Horne, Fleming Island; Catherine Hudgins, Orange Park; Tyler Lee, Davie; Elizabeth Roberts, Ocala; Jonathan Saunders, Naples; Jancy Wiggins, Lauderhill; Ternisha Williams, Pompano Beach



Journal of the Senate

Number 8—Regular Session

Wednesday, March 23, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 9:00 a.m.
A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Excused: Senator Bullard

PRAYER

The following prayer was offered by Pastor David McMullen, Athena Baptist Church, Perry:

Father and almighty God, I come to you this morning with a thankful heart, a grateful heart, and a blessed heart. Thankful, Lord, because you have given us love, joy and peace. Grateful to you, because we can come boldly to the throne of grace to obtain mercy and find grace to help in time of need. It is indeed a time of need for our nation and our state. Lord, I also come with a blessed heart, because of your unconditional love for all mankind.

I now come to you on behalf of this legislative body, a body that has many issues to face, so I ask you, almighty God, to grant them with wisdom to discern right and wrong; courage to stand and speak for what is right and against what is wrong; and a discerning spirit to know the difference. Bless these Senators, administrative staff and all of their families. I ask you in closing, to forgive us, Lord, where we have failed to honor you. This I pray in the name that is above every name. Amen.

PLEDGE

Senate Pages Caitlyn Coates of Tallahassee; Ternisha Williams of Pompano Beach; Frank DiMarco of Tallahassee; and Jonathan Saunders, son of former Senator Burt Saunders, of Naples, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Dennis Saver of Vero Beach, who he sponsored, as doctor of the day. Dr. Saver specializes in Family Medicine.

ADOPTION OF RESOLUTIONS

On motion by Senator Joyner—

By Senator Joyner—

SR 1986—A resolution recognizing March 23, 2011, as “The Links, Incorporated, Day” at the Capitol.

WHEREAS, The Links, Incorporated, with its mission and purpose of friendship through community service, is comprised of more than 12,000 women members, located in 42 states, the District of Columbia, and the Commonwealth of the Bahamas, and

WHEREAS, members of The Links, Incorporated, are women of African ancestry who are well-educated, are highly skilled and trained, and are capable of attacking adverse conditions and fostering remedies that are of a critical nature to the well-being of society, such as the issue of childhood obesity and its affect on African American youth, and

WHEREAS, The Links, Incorporated, through its functional facets of International Trends and Services, National Trends and Services, The Arts, Services to Youth, and Health and Human Services, with emphasis on legislative concerns, has a vision and goal of impacting society through its relevant and creative initiatives, relying heavily on the expertise of its members who are doctors, nutritionists, educators, social workers, and nurses, in collaboration with other specialists, and

WHEREAS, the Southern Area of The Links, Incorporated, has launched its Childhood Obesity Initiative and, in partnership with the American Heart Association, is collaborating throughout the Southern Area with other well-respected and highly educated professionals and organizations to attain its goal of erasing the ill effects of this dreaded condition in African American youth, who are statistically most adversely affected, and

WHEREAS, there is a concerted effort throughout the United States to prevent and eradicate childhood obesity, and the Southern Area of The Links, Incorporated, wishes to go on record as having been involved and having contributed to the elimination of this condition in African American youth through education, nutrition counseling, medical attention, promoting physical fitness, and providing monetary support to schools, social agencies, and other entities, and

WHEREAS, those Links hereby assembled are from the Southern Area of The Links, Incorporated, and many, specifically from the State of Florida, are at The Capitol to show their solidarity and concern for the elimination of childhood obesity, NOW THEREFORE,

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

That the Senate welcomes the members of the Southern Area of The Links, Incorporated, especially the Florida members of the Southern Area, who are passionate about the eradication of childhood obesity within the Southern Area, including the State of Florida, and recognizes March 23, 2011, as “The Links, Incorporated, Day” at the Capitol.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Mary F. Currie, Director of the Southern Area of The Links, Incorporated, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Joyner, **SR 1986** was read the second time in full and adopted.

On motion by Senator Joyner—

By Senator Bullard—

SR 110—A resolution acknowledging the invaluable contributions made to the people of Florida by Delta Sigma Theta Sorority, Inc., and recognizing March 20-23, 2011, as “The 17th Annual Delta Days at the Florida Capitol.”

WHEREAS, Delta Sigma Theta Sorority, Inc., is a public service organization founded on January 13, 1913, by 22 outstanding women at Howard University in Washington, D.C., and

WHEREAS, nearly 6 weeks after its founding, the first public act of the sorority was its participation in the Women’s Suffrage Movement, demanding rights for women, particularly the right to vote, and

WHEREAS, Delta Sigma Theta Sorority, Inc., is a sisterhood of college-educated women committed to implementing the sorority’s mission through its Five-Point Program Thrust: economic development, educational development, physical and mental health, political awareness and involvement, and international awareness and involvement, and

WHEREAS, Delta Sigma Theta Sorority, Inc., recently celebrated 98 years of exemplary service and support to local communities, leading dialogue on public policy issues, supporting quality education, producing new projects to stimulate current and future economic growth, and improving the holistic well-being of minority populations internationally, and

WHEREAS, with more than 200,000 college-educated women and more than 950 chapters worldwide, 52 of which are located in Florida and the Bahamas, members of Delta Sigma Theta Sorority are clearly focused and visible as corporate and civic leaders, productive public officials, acclaimed academicians, and activists in their own right, and

WHEREAS, for the past 16 years, the sorority’s Florida chapters have conducted “Delta Days at the Florida Capitol” to provide information to state legislators and government executives which is vital to developing public policy; to host a reception for state legislators and government executives; and to monitor the progress of pending legislation related to significant public policy issues, and

WHEREAS, on March 20-23, 2011, under the leadership of Lois Gilder, Interim Southern Regional Director, the members of the 52 chapters of the sorority that now serve Florida and the Bahamas will converge on Tallahassee to conduct the 17th Annual Delta Days at the Florida Capitol and to provide special recognition at the Fifth Annual Honorable Carrie P. Meek Servant Leadership Luncheon to the state’s Delta Dears, who have blazed trails in social advocacy and public service, and

WHEREAS, Senators Arthenia L. Joyner and Larcenia J. Bullard and Representative Gwyndolen Clarke-Reed are esteemed members of Delta Sigma Theta Sorority, Inc., NOW, THEREFORE,

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

That the Florida Senate commends Delta Sigma Theta Sorority, Inc., for its contributions to the people of Florida, and recognizes March 20-23, 2011, as “The 17th Annual Delta Days at the Florida Capitol.”

—was introduced out of order and read by title. On motion by Senator Joyner, **SR 110** was read the second time in full and adopted.

On motion by Senator Lynn—

By Senator Lynn—

SR 2004—A resolution commending Stetson University on its hosting of the 40th Annual Floyd M. Riddick Model United States Senate.

WHEREAS, on March 17-19, 2011, Stetson University will host the 40th Annual Floyd M. Riddick Model United States Senate on its campus in Deland, and

WHEREAS, the Stetson University Model United States Senate is a unique and creative program designed to duplicate the legislative atmosphere of the United States Senate, and

WHEREAS, the Stetson University Model United States Senate gives young people a real-world experience in the operation of the legislative branch of our national government, NOW, THEREFORE,

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

That Stetson University is commended for hosting the 40th Annual Floyd M. Riddick Model United States Senate.

—was introduced out of order and read by title. On motion by Senator Lynn, **SR 2004** was read the second time in full and adopted.

At the request of Senator Hill—

By Senators Hill and Siplin—

SR 1074—A resolution recognizing and commending Omega Psi Phi Fraternity, Inc., for its invaluable community service to the people of the State of Florida.

WHEREAS, on November 17, 1911, three Howard University undergraduate students, assisted by their faculty advisor, met and conceived the idea of founding Omega Psi Phi Fraternity, Inc., based on the cardinal principles of “manhood, scholarship, perseverance, and uplift,” and

WHEREAS, Omega Psi Phi Fraternity, Inc., was the first fraternity founded at a Historically Black College or University, and, since its inception, has initiated more than 100,000 members in 700 chapters in 44 states, the District of Columbia, Europe, Asia, Africa, the Bahamas, the Virgin Islands, and Panama, and

WHEREAS, Omega Psi Phi Fraternity, Inc., is committed to rendering community service that makes a difference in quality of life, and has made invaluable contributions toward improving the educational, civic, and social lives of the people it has touched in Florida and throughout the world, and

WHEREAS, Dr. Andrew R. Ray presently leads Omega Psi Phi Fraternity, Inc., serving as the Fraternity’s 39th Grand Basileus; Brother Keith Jackson, of Snellville, Georgia, is the National Representative for District 7, which includes Florida, Georgia, Alabama, and Mississippi; and Brother Anthony Brown of Miami, Florida, is the National Representative for the State of Florida, and

WHEREAS, other distinguished Floridians who are Brothers of Omega Psi Phi Fraternity, Inc., include former United States Congressman Kendrick Meek, State Senator Anthony C. “Tony” Hill, Sr., State Senator Gary Siplin, State Representative Darryl Rouson, Florida Secretary of Juvenile Justice and former State Representative Frank Peterman, Jr., Miami-Dade School Board Member and former State Representative Wilbert “Tee” Holloway, and Tallahassee Mayor John Marks, NOW, THEREFORE,

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

That the Florida Senate commends Omega Psi Phi Fraternity, Inc., for its invaluable community service to the people of Florida and recognizes March 19, 2011, as “Omega Psi Phi Fraternity Day” in the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Dr. Andrew R. Ray, Grand Basileus of Omega Psi Phi Fraternity, Inc., as a tangible token of the sentiments of the Florida Senate.

—**SR 1074** was introduced, read and adopted by publication.

At the request of Senator Hill—

By Senator Hill—

SR 1848—A resolution acknowledging the contributions of Phi Beta Sigma Fraternity and Zeta Phi Beta Sorority and recognizing March 24, 2011, as “Sigma-Zeta Day” in Florida.

WHEREAS, Phi Beta Sigma Fraternity was founded at Howard University in Washington, D.C., on January 9, 1914, by A. Langston Taylor, Leonard F. Morse, and Charles I. Brown, and

WHEREAS, Zeta Phi Beta Sorority, with the assistance of Phi Beta Sigma, was founded at Howard University in Washington, D.C., on January 16, 1920, by Arizona Cleaver, Myrtle Tyler, Viola Tyler, Fannie Pettie, and Pearl Neal, and

WHEREAS, both Phi Beta Sigma and Zeta Phi Beta, through statewide and local partnerships, address many of the challenges that racial and ethnic minority groups face today such as health issues and behaviors, birth of healthy babies, HIV/AIDS, and teenage pregnancy, and

WHEREAS, Phi Beta Sigma Fraternity currently lists 16 collegiate chapters and 16 alumni chapters in Florida and Zeta Phi Beta Sorority’s membership numbers 16 collegiate chapters and 43 alumni chapters in the state, NOW, THEREFORE,

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

That March 24, 2011, is recognized as “Sigma-Zeta Day” in Florida in recognition of the many civic contributions that the members of Phi Beta Sigma Fraternity and Zeta Phi Beta Sorority have made to this state.

—**SR 1848** was introduced, read and adopted by publication.

At the request of Senator Fasano—

By Senator Fasano—

SR 2046—A resolution recognizing March 23, 2011, as “Developmental Disabilities Awareness Day” in Florida.

WHEREAS, the Florida Developmental Disabilities Council, Inc., is the Florida entity charged by the Federal Government with advocating for programs that promote positive system changes and that allow persons with developmental disabilities to achieve optimum independence, and

WHEREAS, the Florida Developmental Disabilities Council, Inc., promotes innovative programs and practices that improve the quality of life for persons with developmental disabilities, and

WHEREAS, The Arc of Florida, a member of the national community-based advocacy organization, is the statewide nonprofit charity that has as its mission the improvement of the quality of life of persons with developmental disabilities, and

WHEREAS, The Arc of Florida advocates for the development of public policy and high-quality support services that improve the lives of all Floridians with developmental and other disabilities, and

WHEREAS, the Florida Developmental Disabilities Council, Inc., and The Arc of Florida sponsor events such as “Developmental Disabilities Awareness Day,” which offers agencies and organizations the opportunity to provide information about services and programs for persons with disabilities and promote understanding about the challenges and obstacles in the everyday lives of persons with disabilities, and

WHEREAS, “Developmental Disabilities Awareness Day” is an appropriate time to recognize Florida’s public policy accomplishments

concerning persons with disabilities and to identify the improvements to public policy which are needed to fully include all of Florida’s citizens with developmental disabilities, and

WHEREAS, “Developmental Disabilities Awareness Day” is an appropriate time to honor former council member and self-advocate Idelio Valdes by awarding the Idelio Valdes Leadership and Advocacy Award, NOW, THEREFORE,

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

That March 23, 2011, is recognized as “Developmental Disabilities Awareness Day” in Florida.

—**SR 2046** was introduced, read and adopted by publication.

SPECIAL GUESTS

President Haridopolos introduced Sir Nigel Sheinwald, British Ambassador to the United States, who was present in the chamber. The Ambassador was invited to the Secretary’s rostrum, where he addressed the Senate.

Sir Nigel Sheinwald: Thank you, Mr President, for your kind introduction and thank you to the Florida Senate for hosting me today. It is a great pleasure to be here in Florida, and an honour to be able to address this body.

With some trepidation, I begin by noting that we are approaching the 250th anniversary of British rule in Florida. Needless to say, it is extraordinary how far our relationship with this State has progressed. Britain retains a strong and positive interest in Florida, not least the 400,000 UK nationals who in one way or another call this State home—given the excellent reputation of the British weather, I can’t imagine why.

Florida remained loyal to the Crown during the American War of Independence, no doubt thanks in no small part to the garrisoning of some 10,000 British troops here. This military presence continues, in a more co-operative context. Today we are proud to be the US’ closest ally. In 2010, we had eight Royal Navy ships in Florida ports, including our latest Type 45 destroyer. There is also a large UK contingent at the US Central Command in Tampa.

The wider transatlantic partnership remains strong and broad. There is much US/UK ingenuity and collaboration to speak of, but today I will focus my remarks in three areas:

First, I want to talk about the UK’s defence strategy and how we, the UK, will remain the US’ partner of choice in ensuring our mutual and wider global security.

Then I will move on to the UK economy and the decisive steps we’ve taken to restore confidence in our public finances; and leverage the private sector to rebuild our infrastructure and generate growth.

I want to conclude by reflecting on the importance of trade and our economic relationships and some of the risks we must work together to avoid.

UK DEFENCE

In the world today, power is more diffuse, the cast of international players is larger, the enemy is less easy to target, and solutions to global challenges require the involvement of not just more countries, but a wider range of actors than has historically been the case.

This was the background for our Strategic Defence and Security Review, which we conducted last autumn. The challenge was to modernize our armed forces and defence capabilities to meet 21st century challenges, at a time of budgetary pressure. We will have to make some painful savings, such as ending our presence in Germany and reducing our tanks, artillery and fast jets. But throughout, we defended three fundamental commitments:

—to protect our mission in Afghanistan, where we are by far the largest troop contributor after the US;

—to opt for future strategic capabilities rather than short term fixes; and

—to ensure that we emerge in 2020 with a coherent defence capability.

We're investing in key areas of future significance and UK expertise, such as our special forces and \$1 billion for cyber capabilities.

We will continue to have the 4th largest defence budget in the world, and we will stay at or above the 2% GDP target for NATO defence budgets, one of only six Allies to do so. We will remain, as Secretary Clinton said, America's most capable military ally. We intend to stay globally involved and active, bringing our experience and global assets to bear on the problems of today and tomorrow; and ready to stand up for, and where necessary make sacrifices for, our shared values.

We will co-operate even more closely with allies—for effectiveness, but also savings. This applies above all to our closest partner, the US. Last September, we were delighted to see the US Congress ratify the UK-US Defence Trade Co-operation Treaty—something the British Embassy had partnered on with British and American business for several years. This treaty will increase the effectiveness of our joint military operations around the world, and will create more opportunities for US/UK defence trade.

UK ECONOMY

Let me talk more generally about the UK economy. To remain strong abroad, we must ensure strength at home.

The situation facing the newly-elected British Coalition Government last May was extremely serious. The financial crisis had hit all developed countries hard. The UK economy had contracted by over 6% and our debt had risen substantially.

Last year the UK Government was borrowing one in four pounds it was spending. That meant paying more in interest on debt than we were investing in our schools across England. It did not make sense and it was not sustainable.

The Coalition Government therefore drove through ambitious austerity measures. As our Chancellor said, "Fiscal consolidation is not an alternative to growth, but the basis for the confidence that will generate and make growth sustainable."

The public spending reductions and tax increases we announced last autumn will take the deficit from 11% of GDP in 2010 to 1% in 2015. This is deeply painful in the near term, but a bold and necessary adjustment. As a result trade and inward investment are on the rebound, the economy is forecast to expand this year, and the UK's AAA bond rating is secure.

THE BUSINESS ENVIRONMENT

The UK is committed to private sector-led growth. That means new investment in clean, efficient infrastructure. It means protecting our high tech research and science base from spending cuts. It means a focus on simplifying tax and regulations to create the incentives for entrepreneurs to innovate and flourish.

These are not vague promises. Corporate tax will decrease from 28% to 24% by 2014, the lowest in the G7. We are going further, by applying a lower rate of 10% on profits from newly commercialized patents. We are also cutting nearly 200 regulatory bodies and agencies. We mean it when we say Britain is open for business.

The UK government will partner with the private sector to create a more efficient and high-tech economy. Public Private Partnerships or PPP, have been instrumental in driving investment in the UK. In nearly 20 years, we've used this useful procurement tool for over 900 projects, worth about 100 billion dollars. Our professional services firms have helped develop infrastructure more efficiently and rapidly than if the public sector had developed it alone.

Last October we published a national infrastructure plan setting out how we would invest over 300 billion dollars over the next 5 years in energy, communications, transport, waste and water. We're planning a programme of new nuclear facilities. We're pushing forward with off-

shore wind, which alone will offer over 150 billion dollars in procurement opportunities. We're going ahead with a 25 billion dollars cross rail project, providing a new route across London and North-South high speed rail in the future. Like so many of our previous projects, these projects will reduce the commitment from the public sector by leveraging investment by the private sector, whose share is expected to reach nearly 70%.

IMPORTANCE OF UK-US ECONOMIC RELATIONS

Whilst we concentrate on returning to a sound footing at home, we're looking to energise our key trading relationships.

The US and Europe comprise over half the world's GDP with close to five trillion dollars of business conducted annually. Our economies are more deeply integrated than any other regions. Of course the world is changing. Economic power is moving eastward. Recent events in the Middle East also show some of our strengths. We share common values as well as flexibility, openness, a spirit of entrepreneurship and a commitment to the rule of law. Openness and innovation are key and these are American and British strengths.

Our two nations possess one of the most substantial trade and investment relationships in the world. We remain each other's single largest investors. Around a million jobs in each country depend on the others' companies. At nearly half a trillion dollars, the UK's stock of investment in the US is over 500 times China's investment in the US.

The strength of our relationship stems from several factors—often absent with the emerging economies.

First, there is our level of competitiveness and skills. The US and UK continue to compete at the top of the value chain. One of our strengths is in services, which make up 70% of our economies. There is also advanced manufacturing and engineering, which we rightly continue to invest heavily in.

Second, we both value our skilled workforce. The UK for its part is doubling its apprenticeships, to 75,000.

Third, there is our shared culture of research and innovation. The top ten universities in the world are either in the US or the UK. This translates into world-leading research and collaboration, including here in Florida. Just last year, the Manchester University Business School, the only UK business school accredited to teach in the US, established a campus in Miami.

Altogether, more than 5,000 UK university staff members have research links to the US and 3,500 US research students are working in the UK. With just 5% of the world's population, we account for over 50% of scientific citations and 39% of global research funding. UK/US collaborations account for fully 26 Nobel prizes.

In 1996, Sir Harry Kroto, a British chemist and current faculty member of Florida State University here in Tallahassee, was one of three recipients of the Nobel Prize in Chemistry. In 2010 alone, eight of the nine Nobel science winners were from US or UK institutions.

UK-FLORIDA RELATIONSHIP

These are just some of our shared strengths. This dynamism is felt right here in Florida. We're both trade-dependent economies—the UK an island nation and Florida, surrounded on three sides by water. Florida's exports to the UK last year totalled one billion dollars. Florida is an attractive location for UK companies looking to expand. Just as we offer a gateway to Europe, you offer a gateway to Latin America. Miami, for example, is the second largest banking centre in the US and therefore home to the Latin American regional banking operations of such British firms as HSBC, Lloyds, Standard Chartered and Barclays.

But British investment in this State extends beyond just banking. Today, 44,000 Floridians depend on UK investment for their jobs in a wide range of industries and we're building on this relationship. Last July, UK Trade & Investment, Britain's inward investment agency, signed an MOU with Space Florida to promote commercial space opportunities between Florida's and the UK's aerospace and commercial space industries. Next week, we're leading a UK trade mission to the Space Coast.

We can go even further. Earlier I mentioned the importance of PPP to UK economic development. Last year the Lord Mayor of London hosted a PPP roundtable in Miami, and we are now planning a PPP delegation to visit Georgia and Florida in the next quarter. We look forward to sharing our expertise in how private sector investment can spur efficient infrastructure development at home and offer investment opportunities overseas. About 40% of investors in UK infrastructure are foreign-owned.

IMPORTANCE OF OPEN MARKETS

Trade, investment and therefore jobs can only flourish, however, if we keep our markets open. It is essential that we allow trade to flow freely and avoid erecting barriers.

A quarter of UK jobs are linked to overseas business. Over a quarter of UK GDP comes from exports. We know the global free trade benefits British consumers and our businesses.

Those free trade arguments hold true locally too. More than one-eighth of all manufacturing workers in Florida depend on exports for their jobs.

Both the British and US Governments say that exports are a key pillar of recovery. But imports are just as critical. You can't have an export strategy unless others are willing to import. Today's global supply chains are such that domestic manufacturers rely on inputs from around the world. Imports are part of the simple, elegant organizing principle—the market economy—that makes free trade work. In an open global economy we cannot try to make everything. Rather we should focus on our strengths.

The same goes for inward investment. We should encourage companies to invest abroad. That's what successful firms do. Studies show that as they expand internationally, they tend to increase investment and hiring in their home market. Many British-owned companies have been in the US for over a century. They provide American jobs, pay American taxes, and support American communities.

But the strength of the global economy will not just hinge on the direction of the transatlantic partnership. International trade also plays an important role. In the last 18 years, global trade has roughly quadrupled, from around 3 trillion dollars to over 12 trillion dollars, thanks to a series of international deals to lower tariffs.

Today, I challenge you to find one policy on the table that will do more to drive your local economy than completing the current multilateral trade round—the Doha Development Round, which started in 2001. It would be worth 170 billion dollars a year to the global economy, liberalising world trade in manufactured goods, bringing cuts in agricultural subsidies, opening up services markets, and simplifying trade procedures.

The British Embassy in Washington published a study last month which showed that the US share of a deal could be worth almost 38 billion dollars a year, and create over 390,000 net new jobs. Florida's share would be 2.9 billion dollars and nearly 27,000 net jobs—far more than any FTA could provide. We can't keep going around in circles for another 10 years, which is why my Prime Minister said in January that 2011 is the make or break year for Doha.

Now I have talked a lot about opportunity, and not so much about risk. It is not always easy to keep markets open, especially in and after a recession.

I hope that Florida will continue to resist protectionist measures and remain committed to maintaining openness. It is the only way we'll thrive together in what has become an increasingly complex and competitive global economy.

CONCLUSION

Erecting barriers can be quickly and irreparably self-defeating. Sheltering domestic enterprises won't protect workers or help economic growth in the long run. In fact, it will have the opposite effect.

Let me conclude by saying that I'm confident in the UK-US relationship and its influential role in the world. I'm also confident that the UK

and Florida relationship will grow stronger still. Our political institutions, such as this Senate, have a central role to play in promoting our essential values, keeping trade open and free, and encouraging the international links which will forge success in this global century. Thank you very much.

SPECIAL ORDER CALENDAR

On motion by Senator Thrasher—

CS for SB 1970—A bill to be entitled An act relating to public records; amending s. 11.51, F.S.; creating an exemption from public-records requirements for work papers held by the Office of Program Policy Analysis and Government Accountability which relate to an authorized project or a research product; providing for retroactive application; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1970** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lynn—

CS for SB 84—A bill to be entitled An act relating to community colleges; amending s. 1000.21, F.S.; renaming Gulf Coast Community College as “Gulf Coast State College”; renaming Pensacola Junior College as “Pensacola State College”; renaming St. Johns River Community College as “St. Johns River State College”; renaming Valencia Community College as “Valencia College”; amending ss. 288.8175, 1004.74, and 1004.75, F.S., relating to linkage institutes, the Florida School of the Arts, and the consolidation of certain training schools; conforming provisions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 84** was placed on the calendar of Bills on Third Reading.

SM 484—A memorial to the Congress of the United States, urging Congress to oppose any effort to impose new discriminatory taxes that would significantly limit the use of reinsurance provided by companies located outside the United States.

WHEREAS, reinsurance plays a vital role in managing and spreading risk for companies in nearly all segments of the insurance business, and

WHEREAS, as a means of managing capital, all large insurers make use of “affiliated” reinsurance purchased from companies within the same group, and

WHEREAS, such affiliated reinsurance serves a valid and important risk-transfer purpose that provides significant additional primary insurance capacity, particularly in areas such as crop, windstorm, general, liability, products liability, and aircraft insurance, and

WHEREAS, insurance groups that are not based in the United States currently pay taxes on reinsurance transactions which are functionally equivalent to the taxes paid by United States-based insurance groups, and

WHEREAS, a major study from the economic research and consulting firm, The Brattle Group, concluded that policies intended to reduce the use of affiliated reinsurance by companies whose headquarters are located outside the United States would result in a 20 percent reduction in the supply of reinsurance and a significant increase in the price of primary insurance for consumers and businesses, and

WHEREAS, such taxation would significantly limit the ability of many insurers to manage their capital and, thus, undermine the international risk-management practices at the heart of international reinsurance markets, and

WHEREAS, a broad coalition of industry, consumer, and free-market groups have spoken out against discriminatory taxation of offshore affiliated reinsurance, NOW, THEREFORE,

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

That the Congress of the United States Congress is urged to oppose any effort to impose new discriminatory taxes that would significantly limit the use of reinsurance provided by companies located outside the United States.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Hays, **SM 484** was adopted and certified to the House.

On motion by Senator Thrasher—

CS for SB 478—A bill to be entitled An act relating to property taxation; amending s. 95.051, F.S.; tolling the expiration period of a tax certificate and the statute of limitations relating to proceedings involving tax lien certificates or tax deeds during the period of an intervening bankruptcy; amending ss. 197.102, 197.122, 197.123, 197.162, 197.172, 197.182, 197.222, 197.2301, 197.322, 197.332, 197.343, 197.344, 197.3635, 197.373, 197.402, 197.403, 197.413, 197.414, 197.4155, 197.416, 197.417, 197.432, 197.4325, 197.442, 197.443, 197.462, 197.472, 197.473, 197.482, 197.492, 197.582, and 197.602, F.S.; revising, updating, and consolidating provisions of ch. 197, F.S., relating to definitions, tax collectors, lien of taxes, returns and assessments, unpaid or omitted taxes, discounts, interest rates, Department of Revenue responsibilities, tax bills, judicial sales, prepayment of taxes, assessment rolls, duties of tax collectors, tax notices, delinquent taxes, lienholders, special assessments, non-ad valorem assessments, tax payments, distribution of taxes, advertisements of property with delinquent taxes, attachment, delinquent personal property taxes, sales of property, tax certificates, tax deeds, tax sales, and proceedings involving the validity of a tax deed; amending s. 197.502, F.S.; revising provisions relating to applications for tax deeds; providing payment requirements; authorizing the tax collector to charge a fee to cover the costs to the tax collector for electronic tax deed programs or services; amending s. 197.542, F.S.; revising the minimum deposit after becoming the highest bidder for a tax deed; requiring a clerk to readvertise the sale of a tax deed if a previous buyer failed to make full payment for the tax deed; creating s. 197.146, F.S.; authorizing tax collectors to issue certificates of correction to tax rolls and outstanding delinquent taxes for uncollectable personal property accounts; requiring the tax collector to notify the property appraiser; providing construction; creating ss. 197.2421 and 197.2423, F.S., transferring, renumbering, and amending ss. 197.253, 197.303, and 197.3071, F.S., and amending ss. 197.243, 197.252, 197.254, 197.262, 197.263, 197.272, 197.282, 197.292, 197.301, and 197.312, F.S.; revising, updating, and consolidating provisions of ch. 197, F.S., relating to deferral of tax payments for real property, homestead property, recreational and commercial working waterfront property, and affordable rental property; creating s. 197.4725, F.S.; providing authorization and requirements for purchase of county-held tax certificates; specifying required amounts to be paid; providing for fees; providing for electronic services; amending s. 192.0105, F.S.; providing that the right to a discount for the early payment of taxes does not apply to certain partial payments of taxes; clarifying a taxpayer's right to redeem real property and tax certificates; clarifying that a property owner may not be contacted by the holder of a tax certificate for 2 years following the date the certificate is issued; providing that s. 197.122, F.S., applies in certain circumstances; providing for the obligation of the property owner to obtain certain information; correcting cross-references; amending ss. 194.011, 194.013, 196.011, and 197.374, F.S.; conforming cross-references; creating s. 197.603, F.S.; providing legislative intent; repealing s. 197.202, F.S., relating to destruction of 20-year-old tax receipts; repealing s. 197.242, F.S., relating to a short title; repealing ss. 197.304, 197.3041, 197.3042, 197.3043, 197.3044, 197.3045, 197.3046, 197.3047, 197.307, 197.3072, 197.3073, 197.3074, 197.3075, 197.3076, 197.3077, 197.3078, and 197.3079, F.S., relating to deferrals of tax payments; providing an effective date.

—was read the second time by title.

Senator Thrasher moved the following amendment which was adopted:

Amendment 1 (816424) (with title amendment)—Delete lines 2034-2036 and insert: deed application fee of \$75.

And the title is amended as follows:

Delete lines 28-30 and insert: payment requirements; amending

Pursuant to Rule 4.19, **CS for SB 478** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **SB 172** and **SB 174** was deferred.

On motion by Senator Bogdanoff—

CS for SB 444—A bill to be entitled An act relating to scrutinized companies; creating s. 287.135, F.S.; providing definitions; prohibiting a state agency or local governmental entity from contracting for goods and services of more than a certain amount with a company that is on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; providing for a contract provision that allows for termination of the contract if the company is found to have been placed on such list; providing exceptions; providing for a civil action; providing penalties, including attorney's fees and costs; providing a statute of repose; prohibiting a private right of action; requiring the Department of Management Services to notify the Attorney General after the act becomes law; providing that the act becomes inoperative if federal law ceases to authorize states to enact such contracting prohibitions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 444** was placed on the calendar of Bills on Third Reading.

On motion by Senator Siplin—

SB 228—A bill to be entitled An act relating to the code of student conduct; amending s. 1006.07, F.S.; requiring the district school board to include in the code of student conduct adopted by the board an explanation of the responsibilities of each student with regard to appropriate dress and respect for self and others and the role that appropriate dress and respect for self and others has on an orderly learning environment; requiring each district school board to adopt a dress code policy that prohibits a student, while on the grounds of a public school during the regular school day, from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment; providing disciplinary actions for students who violate the dress code; amending s. 1006.15, F.S.; providing that adherence to appropriate dress and other codes of student conduct is a prerequisite for a student to be eligible to participate in interscholastic extracurricular student activities; reenacting s. 1002.23(7), F.S., relating to a parent guide to successful student achievement to be adopted by each school district board, to incorporate the amendment made to s. 1006.07, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 228** was placed on the calendar of Bills on Third Reading.

On motion by Senator Rich—

SB 344—A bill to be entitled An act relating to sexual activities involving animals; creating s. 828.126, F.S.; providing definitions; prohibiting knowing sexual conduct or sexual contact with an animal; prohibiting specified related activities; providing penalties; providing that the act does not apply to certain husbandry, conformation judging, and veterinary practices; providing an effective date.

—was read the second time by title.

Senator Rich moved the following amendment which was adopted:

Amendment 1 (423372) (with title amendment)—In the title, delete lines 2-6 and insert: An act relating to animal cruelty; creating s. 828.126, F.S.; providing definitions; prohibiting specified activities with an animal; prohibiting specified related activities; providing penalties; providing

Pursuant to Rule 4.19, **SB 344** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Smith—

CS for SB 146—A bill to be entitled An act relating to criminal justice; providing a short title; providing legislative intent; requiring state agencies and regulatory boards to prepare reports that identify and evaluate restrictions on licensing and employment for ex-offenders; amending s. 112.011, F.S.; prohibiting state agencies from denying an application for a license, permit, certificate, or employment based on a person's lack of civil rights; providing an exception; amending s. 943.0585, F.S.; clarifying under what circumstances a person may legally deny the existence of an expunged criminal history record; authorizing the disclosure of the contents of an expunged record upon receipt of a written, notarized request from the record subject; requiring clerks of the court to post information relating to procedures to seal or expunge criminal history records on the clerk's website; amending s. 943.059, F.S.; clarifying under what circumstances a person may legally deny the existence of a sealed criminal history record; authorizing a court to seal a criminal history record of a person who had a prior criminal history record sealed or expunged; providing an effective date.

—was read the second time by title.

Senator Smith moved the following amendment which was adopted:

Amendment 1 (243028) (with title amendment)—Delete lines 116-669 and insert:

Section 4. Section 768.096, Florida Statutes, is amended to read:

768.096 Employer presumption against negligent hiring.—

(1) In a civil action for the death of, or injury or damage to, a third person caused by the intentional tort of an employee, such employee's employer is presumed not to have been negligent in hiring such employee if, before hiring the employee, the employer conducted a background investigation of the prospective employee and the investigation did not reveal any information that reasonably demonstrated the unsuitability of the prospective employee for the particular work to be performed or for the *context of the employment* in general. A background investigation under this section must include:

(a) Obtaining a criminal background investigation on the prospective employee under subsection (2);

(b) Making a reasonable effort to contact references and former employers of the prospective employee concerning the suitability of the prospective employee for employment;

(c) Requiring the prospective employee to complete a job application form that includes questions concerning whether he or she has ever been convicted of a crime, including details concerning the type of crime, the date of conviction and the penalty imposed, and whether the prospective employee has ever been a defendant in a civil action for intentional tort, including the nature of the intentional tort and the disposition of the action;

(d) Obtaining, with written authorization from the prospective employee, a check of the driver's license record of the prospective employee if such a check is relevant to the work the employee will be performing and if the record can reasonably be obtained; or

(e) Interviewing the prospective employee.

(2) To satisfy the criminal-background-investigation requirement of this section, an employer must request and obtain from the Department

of Law Enforcement a check of the information as reported and reflected in the Florida Crime Information Center system as of the date of the request.

(3) The election by an employer not to conduct the investigation specified in subsection (1) does not raise any presumption that the employer failed to use reasonable care in hiring an employee.

And the title is amended as follows:

Delete lines 10-23 and insert: providing an exception; amending s. 768.096, F.S.; revising the presumption against negligent hiring of an employee in circumstances in which a background investigation of a prospective employee revealed that the employee was unsuitable for the context of the employment in general; providing

Pursuant to Rule 4.19, **CS for SB 146** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Rich, by two-thirds vote **SB 26** was withdrawn from the committees of reference and further consideration.

On motion by Senator Ring, by two-thirds vote **SB 1718** was withdrawn from the committees of reference and further consideration.

On motion by Senator Thrasher, by two-thirds vote **SM 358** was withdrawn from the Committee on Rules; **SB 1288** was withdrawn from the Committees on Banking and Insurance; Judiciary; and Budget and referred to the Committees on Judiciary; Banking and Insurance; and Budget; **SB 1396** was withdrawn from the Committees on Children, Families, and Elder Affairs; Judiciary; and Budget and referred to the Committees on Health Regulation; Judiciary; and Budget; **SB 1862** was withdrawn from the Committees on Regulated Industries; Community Affairs; and Budget and referred to the Committees on Commerce and Tourism; Regulated Industries; and Budget; **SB 1964** was withdrawn from the Committees on Banking and Insurance; and Budget and referred to the Committees on Judiciary; and Budget.

MOTIONS

On motion by Senator Alexander, the amendment deadlines and policies included in the memorandum distributed by the Committee on Budget for committee consideration of proposed appropriations bills, implementing bills, and other bills on the March 31, 2011, agenda were adopted.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Wednesday, March 23, 2011: CS for SB 1970, CS for SB 84, SM 484, CS for SB 478, SB 172, SB 174, CS for SB 444, SB 228, SB 344, CS for SB 146.

Respectfully submitted,
John Thrasher, Chair

The Committee on Health Regulation recommends the following pass: SB 100

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 1992

The Committee on Commerce and Tourism recommends the following pass: CS for SB 960

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 842

The Committee on Health Regulation recommends the following pass: SB 1052; SB 1282 with 1 amendment; SB 1990

The Committee on Higher Education recommends the following pass: SB 626

The Committee on Judiciary recommends the following pass: SB 240; SB 514

The Committee on Regulated Industries recommends the following pass: CS for SB 582

The Committee on Transportation recommends the following pass: SB 1774

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

The Committee on Health Regulation recommends the following pass: SB 1372 with 1 amendment; SB 1456

The Committee on Judiciary recommends the following pass: SB 1622

The bills contained in the foregoing reports were referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 1634

The Committee on Health Regulation recommends the following pass: SB 1448

The Committee on Transportation recommends the following pass: SB 1788

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

The Committee on Banking and Insurance recommends the following pass: SB 1328

The Committee on Transportation recommends the following pass: SB 1790

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SM 954

The Committee on Judiciary recommends the following pass: SB 962; SB 974; SB 996

The Committee on Regulated Industries recommends the following pass: SB 668 with 1 amendment

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

The Committee on Regulated Industries recommends the following pass: SB 1742

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

The Committee on Banking and Insurance recommends the following pass: SB 978

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 926

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

The Committee on Health Regulation recommends the following pass: SB 1586

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

The Committee on Transportation recommends the following pass: SB 1630

The bill was placed on the Calendar.

The Committee on Health Regulation recommends a committee substitute for the following: SB 1522

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

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 1414; SB 1816

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1994

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1470

The Committee on Criminal Justice recommends committee substitutes for the following: SB 556; CS for SB 818

The Committee on Higher Education recommends a committee substitute for the following: SB 632

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

The Committee on Agriculture recommends a committee substitute for the following: SB 1284

The Committee on Criminal Justice recommends a committee substitute for the following: SB 920

The Committee on Higher Education recommends a committee substitute for the following: SB 1616

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 466

The Committee on Health Regulation recommends a committee substitute for the following: CS for SB 1086

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

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 226; SB 1088

The Committee on Judiciary recommends a committee substitute for the following: SB 786

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 578

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

The Committee on Agriculture recommends a committee substitute for the following: SB 1174

The bill with committee substitute attached was referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: CS for SB 930

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 336

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 952

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 504

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1300

The Committee on Regulated Industries recommends a committee substitute for the following: SB 476

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

Senate Bills 1996-1998—Previously referenced.

Bill numbers **2000-2002** have been reserved for appropriation bills.

SR 2004—Introduced out of order and adopted this day.

By Senator Braynon—

SB 2006—A bill to be entitled An act relating to foreclosure debt relief; providing a short title; providing definitions; authorizing the creation and administration of a deficiency judgment reimbursement

program by the Florida Housing Finance Corporation contingent upon the occurrence of certain conditions precedent; providing for future termination of the program; authorizing continuation of the program under certain circumstances after depletion of funds; providing procedures and eligibility requirements for homeowners and financial institutions to file specified monetary claims; providing an effective date.

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

By Senator Braynon—

SB 2008—A bill to be entitled An act relating to performing arts centers; amending s. 212.20, F.S.; providing an alternative requirement for the Department of Revenue to distribute certain sales tax proceeds to certain performing arts centers rather than to certain sports franchise facilities under certain circumstances; providing for construction; providing a limitation; creating s. 288.163, F.S.; providing definitions; requiring the Office of Tourism, Trade, and Economic Development to screen applicants and approve or deny applications for certification as performing arts centers for funding purposes; requiring the office to establish certain procedures and guidelines; providing criteria for the certification of performing arts centers; specifying ineligibility of certain applicants for additional certification; limiting the number of facilities certified by the office; specifying public purpose uses of certain funds; requiring the office to notify the department of performing arts center certifications; authorizing the department to conduct audits to verify certain expenditures; authorizing the department to pursue recovery of certain funds under certain circumstances; providing an effective date.

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

By Senator Braynon—

SB 2010—A bill to be entitled An act relating to faith- and character-based correctional institution programs; amending s. 944.803, F.S.; revising legislative findings; providing requirements for faith- and character-based programs; deleting provisions relating to funding; revising requirements for participation by inmates in such programs; deleting provisions requiring the assignment of chaplains to community correctional centers; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Braynon—

SB 2012—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating the Go Green license plate; establishing an annual use fee for the plate and providing for the distribution of use fees received from the sale of the plate; providing an effective date.

—was referred to the Committees on Transportation; Environmental Preservation and Conservation; and Budget.

By Senator Braynon—

SB 2014—A bill to be entitled An act relating to municipal water and sewer utilities; amending s. 180.191, F.S.; prohibiting certain municipalities from imposing certain surcharges on consumers outside their boundaries for provision of water or sewer utility services; providing an effective date.

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

By Senator Braynon—

SB 2016—A bill to be entitled An act relating to false personation; amending s. 843.08, F.S.; prohibiting a person from falsely personating a firefighter or certain law enforcement officers if his or her action could deceive a reasonable person into believing that he or she was a bona fide

official; amending s. 843.085, F.S.; prohibiting operation or ownership of a motor vehicle falsely marked in a way which could deceive a reasonable person into believing that such vehicle is authorized by a fire department for use by the person operating it; providing an exception; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Braynon—

SB 2018—A bill to be entitled An act relating to faith-based prison programs; amending s. 944.803, F.S.; deleting a requirement that a specified percentage of inmates in such programs be within 36 months of release; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Braynon—

SB 2020—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period each year during which sales of certain energy-efficient products are exempt from the tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications, Energy, and Public Utilities; and Budget.

By Senator Braynon—

SB 2022—A bill to be entitled An act relating to public health; creating the Expedited Partner Therapy Pilot Project in Duval and Gadsden Counties; providing an exemption from specified rules and statutory requirements for the pilot program; providing for training of physicians and patient education; requiring the pilot project to be funded by existing revenues; providing for use of funds; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Braynon—

SB 2024—A bill to be entitled An act relating to the sale or lease of a county, district, or municipal hospital; amending s. 155.40, F.S.; requiring the Legislature to approve the sale or lease of a county, district, or municipal hospital to a not-for-profit Florida corporation; providing an effective date.

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

By Senator Sachs—

SB 2026—A bill to be entitled An act relating to public school education; amending ss. 1002.33, 1003.03, 1003.413, and 1003.4156, F.S., relating to discontinuance of administration of the Florida Comprehensive Assessment Test (FCAT), to conform to changes made by the act; deleting requirement that district school boards establish policies for intensive reading and mathematics intervention courses in high school; providing for intervention services; amending s. 1003.428, F.S.; requiring that students be advised of the availability of certain courses for purposes of high school graduation; providing for remediation and intervention services in certain circumstances; revising general requirements for high school graduation; conforming provisions relating to discontinuance of FCAT administration; amending s. 1003.429, F.S.; requiring that students be advised of the availability of certain courses for purposes of accelerated high school graduation options; revising general requirements for accelerated high school graduation; conforming provisions relating to discontinuance of FCAT administration; requiring the State Board of Education to appoint a task force to develop high

school graduation standards for career-track students and consider ways to provide unique curriculum offerings; requiring the task force to submit recommendations to the Legislature; amending s. 1003.433, F.S., relating to discontinuance of FCAT administration and revised general requirements for high school graduation, to conform to changes made by the act; amending s. 1008.22, F.S.; revising the statewide student assessment program to consist of subject area assessments for students in grades 3 through 5, subject area assessments and end-of-course assessments in core and noncore subjects for students in grades 6 through 12, and diagnostic assessments for students in grades 6, 8, and 10; providing eligibility for exemption from certain assessment requirements; revising course grade and course credit requirements relating to student performance on end-of-course assessments; requiring school districts to provide intervention services to certain students; providing that results on end-of-course assessments are one component of requirements for high school graduation; revising provisions relating to test-preparation activities; deleting provisions relating to use of concordant scores for the FCAT; amending s. 1008.25, F.S.; requiring intervention services for certain students as part of the comprehensive program for student progression; conforming provisions relating to the revision of the statewide student assessment program; deleting mandatory retention for certain grade 3 students; authorizing promotion for good cause; providing for reporting; amending s. 1008.30, F.S.; revising provisions relating to use of the common placement test to conform to discontinuance of FCAT administration; amending ss. 1008.34 and 1008.341, F.S.; deleting use of the FCAT as a basis for determining school grades and school improvement ratings; providing for student results on subject area assessments and end-of-course assessments to partially determine school grades and school improvement ratings; providing additional factors for such determination; conforming provisions relating to revision of the Florida School Recognition Program; amending s. 1008.36, F.S.; changing the Florida School Recognition Program to the Every Child Matters Program; providing intent and purpose of the program; providing for financial assistance to schools providing remediation and intervention services to certain students; specifying the uses of program funds; providing Department of Education duties; amending s. 1009.531, F.S.; adding a cross-reference to high school graduation requirements; amending s. 1011.62, F.S.; conforming provisions relating to revision of the Florida School Recognition Program and discontinuance of FCAT administration; amending s. 1012.22, F.S.; conforming provisions relating to discontinuance of FCAT administration; providing for the appointment of a public school assessment and accountability alignment committee to develop standards for a revised statewide student assessment program, procedures for transitioning to the new program, and standards for determining school grades and school improvement ratings; providing for membership; providing duties of the alignment committee, the State Board of Education, and the Department of Education; providing a timetable for implementation; providing for future expiration of the alignment committee; providing effective dates.

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

By Senator Braynon—

SB 2028—A bill to be entitled An act relating to educational enhancement funding; amending ss. 1010.70 and 1013.71, F.S.; revising provisions relating to the Educational Enhancement Trust Fund and the Lottery Capital Outlay and Debt Service Trust Fund to provide for the redirection for classroom use and operations of a portion of the lottery funds appropriated each fiscal year for capital outlay and debt service; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Regulated Industries; and Budget.

SR 2030—Not referenced.

By Senator Braynon—

SB 2032—A bill to be entitled An act relating to fighting or baiting animals; amending s. 828.122, F.S.; correcting a cross-reference; providing a rebuttable presumption that an animal has been trained or used for fighting if certain facts are proven; providing that a county or agency

is not liable for the cost of an animal seized and awarded custody to the county or agency pursuant to a court order under specified provisions; providing an effective date.

—was referred to the Committees on Agriculture; Criminal Justice; and Community Affairs.

By Senator Braynon—

SB 2034—A bill to be entitled An act relating to Medicaid managed care; providing a short title; creating the “Independence at Home Act”; providing legislative findings; directing the Agency for Health Care Administration to establish an Independence at Home Chronic Care Coordination Pilot Project; providing for Independence at Home programs within the pilot project; specifying objectives of the programs; providing for implementation and independent evaluation of the pilot project; providing eligibility criteria for participation; providing rule-making authority to the agency; providing for best-practices tele-conferences; providing definitions; providing for enrollment of program participants; providing program requirements; providing requirements for plan development; providing terms and conditions of agreements between the agency and Independence at Home organizations; requiring a report to the Legislature; establishing quality, performance, and participation standards; providing for terms, modification, termination, and nonrenewal of agreements; requiring mandatory minimum savings and for computation thereof; providing a waiver of coinsurance for house calls; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Braynon—

SB 2036—A bill to be entitled An act relating to uniform traffic control; amending s. 316.003, F.S.; defining the term “school bus traffic infraction detector”; amending s. 316.008, F.S.; authorizing school districts to deploy school bus traffic infraction detectors under certain circumstances; creating s. 316.0084, F.S.; providing for use of school bus traffic infraction detectors to enforce specified provisions requiring a person driving a vehicle to stop when approaching a school bus displaying a stop signal; authorizing the Department of Highway Safety and Motor Vehicles, a county, or a municipality to authorize a traffic infraction enforcement officer to issue and enforce a citation for a violation of such provisions; requiring notification to be sent to the registered owner of the motor vehicle involved in the violation; providing requirements for the notification; providing for collection of penalties; providing for distribution of penalties collected; providing procedures for issuance, disposition, and enforcement of citations; providing for exemptions; providing that certain evidence is admissible for enforcement; providing penalties for submission of a false affidavit; providing that the act does not preclude the issuance of citations by law enforcement officers; requiring reports from participating school districts to the department; requiring the department to make reports to the Governor and Legislature; creating s. 316.07457, F.S.; requiring school bus traffic infraction detectors to meet specifications established by the department; creating s. 316.0777, F.S.; providing for the placement and installation of detectors on school buses when permitted by and under the specifications of the department; amending s. 316.640, F.S.; providing for authority of traffic enforcement officers appointed by the state, or a police department or sheriff’s department to enforce specified provisions; amending s. 316.650, F.S.; requiring a traffic enforcement officer to provide to the court a replica of the citation data by electronic transmission under certain conditions; amending s. 318.14, F.S.; providing an exception from provisions requiring a person cited for an infraction for failing to stop upon approaching any school bus which displays a stop signal to sign and accept a citation indicating a promise to appear; amending s. 318.18, F.S.; increasing certain fines; providing for penalties for infractions enforced by a traffic infraction enforcement officer; providing for distribution of fines; allowing the clerk of court to dismiss certain cases upon receiving documentation that the uniform traffic citation was issued in error; creating s. 321.51, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to use school bus traffic infraction detectors under certain circumstances; amending s. 322.27, F.S.; providing that no points may be assessed against the driver’s license for infractions enforced by a traffic infraction enforcement officer; providing that infractions enforced by a traffic infraction enforcement

officer may not be used for purposes of setting motor vehicle insurance rates; providing for severability; providing effective dates.

—was referred to the Committees on Transportation; Education Pre-K - 12; and Budget.

By Senator Braynon—

SB 2038—A bill to be entitled An act relating to medical practice; amending ss. 458.348 and 459.025, F.S.; deleting certain requirements for the supervision of certain advanced registered nurse practitioners and physician assistants at medical offices other than the primary practice location of a physician or osteopathic physician; deleting requirements for disclosure of certain information to, and for the initial examination of, a patient upon referral by another practitioner; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By the Committee on Judiciary—

SB 2040—A bill to be entitled An act relating to unauthorized immigrants; directing the Division of Statutory Revision to designate specified new statutory sections as part III of ch. 448, F.S., and name the part “Unauthorized Immigrants”; creating s. 448.30, F.S.; defining terms; creating s. 448.31, F.S.; requiring every employer to use the federal program for electronic verification of employment eligibility in order to verify the employment eligibility of each employee hired on or after a specified date; providing an exception in the case of employees who present specified documents to the employer; requiring the Attorney General to request from the Department of Homeland Security a list of employers who are registered with the E-Verify Program and to post that list to the Attorney General’s website; providing that an employer who does not comply with the employment requirements is subject to the suspension of any license held by the employer; providing that an employer who terminates an employee under certain conditions is not liable for wrongful termination; providing legislative intent for law enforcement and criminal justice agencies to coordinate with the Federal Government on the identification of unauthorized immigrants and enforcement of immigration laws; directing the Department of Corrections and the Department of Law Enforcement to pursue and maintain agreements with the United States Department of Homeland Security for the training of certain personnel related to the enforcement of immigration laws; requiring reports on activity under the agreements; directing sheriffs to evaluate the feasibility of entering into such agreements; directing arresting agencies to make reasonable efforts to determine whether arrestees are present in the United States lawfully; requiring the Department of Law Enforcement to enter into and maintain an agreement with the United States Department of Homeland Security for checking fingerprints of arrestees against federal databases to determine immigration status; providing for a presumption as to risk of flight in order to avoid prosecution; creating s. 945.80, F.S.; requiring the Department of Corrections to release nonviolent inmates to the custody of the United States Immigration and Customs Enforcement under certain circumstances; requiring the department to identify inmates who are eligible for removal and deportation; establishing certain procedures for the transfer of an inmate to federal custody; providing for a released inmate to serve the remainder of his or her sentence upon unlawfully returning to the United States; authorizing the secretary of the department to enter into an agreement with the United States Department of Homeland Security regarding the rapid repatriation of removable custodial aliens; requiring the department to compile statistics; providing for applicability; providing legislative findings related to costs incurred by the state from unauthorized immigration; requiring the Agency for Workforce Innovation to prepare a report quantifying the costs; requiring the director of the agency to submit to the Federal Government a request for reimbursement of the costs or a reduction in moneys owed to the Federal Government as a result of borrowing to fund unemployment compensation claims; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Budget.

By the Committee on Budget Subcommittee on Finance and Tax—

SB 2042—A bill to be entitled An act relating to the administration of property tax; amending s. 192.001, F.S.; clarifying definitions governing the administration of property tax; repealing s. 192.117, F.S., relating to the Property Tax Administration Task Force; amending s. 193.114, F.S.; revising provisions requiring that certain information be included on the real property assessment roll following a transfer of ownership; defining the term “ownership transfer date”; amending s. 193.122, F.S.; revising provisions requiring that a property appraiser file an appeal of a decision by the value adjustment board within a specified period; amending s. 193.155, F.S.; clarifying provisions allowing a taxpayer to file an application for homestead assessment in the year following eligibility; amending ss. 193.1554 and 193.1555, F.S.; specifying that property is assessed at just value as of January 1 of the year that the property becomes eligible for assessment rather than the year in which the property is placed on the tax roll; providing for the assessment of a parcel that is created by combining or dividing a parcel that is eligible for assessment as nonhomestead residential property or nonresidential real property; amending ss. 193.501, 193.503, and 193.505, F.S.; deleting provisions requiring that the tax collector report deferred tax liability to the Department of Revenue; amending s. 194.011, F.S.; clarifying provisions requiring that an objection to an assessment be filed within a specified period; amending s. 194.032, F.S.; providing for a petitioner’s hearing before the value adjustment board to be rescheduled under certain circumstances; requiring that all parties to a petition be notified of certain communications; authorizing legal counsel for the value adjustment board to take certain actions independently of the board; providing for removal of a special magistrate under certain circumstances; amending s. 194.034, F.S.; deleting a requirement that the Department of Revenue be notified of decisions by the value adjustment board or special magistrate; requiring that the clerk provide certain information to the department upon request; amending s. 194.035, F.S.; deleting requirements that the department establish the range of payments for special magistrates and that reimbursements to counties be prorated under certain circumstances; amending s. 194.037, F.S.; revising requirements for the information that is provided by the clerk in a newspaper of general circulation regarding the tax impact of petitions before the value adjustment board; amending s. 194.171, F.S.; clarifying provisions limiting the period within which a taxpayer may contest a tax assessment; amending s. 195.096, F.S.; revising requirements for the Department of Revenue to provide certain information concerning its review of assessment rolls to the Legislature and county commissions; providing for such information to be provided upon request; repealing s. 195.0985, F.S., relating to a requirement that the department publish annual ratio studies; amending s. 195.099, F.S.; allowing the department discretion in reviewing assessments of certain businesses; amending s. 196.031, F.S.; revising the order in which certain exemptions are applied with respect to homestead property; amending s. 196.081, F.S.; authorizing an applicant for an exemption for a disabled veteran or for a surviving spouse to apply for the exemption before receiving certain documentation from the Federal Government; amending s. 196.082, F.S.; authorizing an applicant for a discount available to disabled veterans to apply for the discount before receiving certain documentation from the Federal Government; amending s. 196.091, F.S.; authorizing an applicant applying for an exemption for disabled veterans confined to a wheelchair to apply for the exemption before receiving certain documentation from the Federal Government; amending s. 196.101, F.S.; authorizing an applicant applying for an exemption for totally and permanently disabled persons to apply for the exemption before receiving certain documentation from the Federal Government; amending s. 196.121, F.S.; authorizing the Department of Revenue to provide certain forms electronically; amending s. 196.202, F.S.; authorizing an applicant applying for an exemption for widows, widowers, blind persons, or persons who are totally and permanently disabled to apply for the exemption before receiving certain documentation from the Federal Government; amending s. 196.24, F.S.; authorizing an applicant applying for an exemption for disabled ex-servicemembers or a surviving spouse to apply for the exemption before receiving certain documentation from the Federal Government; amending ss. 197.122 and 197.182, F.S.; providing for the tax collector rather than the Department of Revenue to approve and make refunds of overpayments of taxes; requiring that the refunds be made from undistributed funds without approval of the taxing authorities; requiring written notice if the tax collector denies a refund; requiring that the tax collector approve or deny a refund within a specified period; requiring the tax collector to certify the pro rata shares of a refund to certain taxing authorities; requiring that the department

conduct random audits of the refund process; requiring reimbursement for the costs of providing data necessary for the audits; requiring that the department publish the results of the random audits; amending s. 197.2301, F.S., relating to the payment of tax refunds; conforming provisions to changes made by the act; amending ss. 197.253, 197.3041, and 197.3073, F.S., relating to certain tax deferrals; conforming cross-references; amending s. 197.323, F.S., relating to refund of tax overpayments; conforming provisions; amending s. 200.065, F.S., relating to the method of fixing millage; clarifying provisions requiring publication of notice; conforming cross-references; amending ss. 218.12 and 218.125, F.S.; providing for certain undistributed moneys to revert to the fund from which the appropriation was made if a fiscally constrained county fails to apply for its distribution; providing effective dates.

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Children, Families, and Elder Affairs; and Senators Smith and Gaetz—

CS for SB 226—A bill to be entitled An act relating to human services; creating s. 287.0576, F.S.; providing definitions; allowing the national accreditation of human service providers to substitute for certain agency licensure and monitoring requirements; providing exceptions; requiring a single lead agency to be responsible for monitoring human services delivery for designated populations; requiring the lead agency to develop monitoring protocols, develop a plan for coordinating monitoring activities, adopt rules, provide a list of required documents, and develop forms by a certain date; providing that background screening conducted for one agency satisfies the screening requirements of other agencies; requiring the agency to accept all mandated reports and invoices electronically and to allow all core documents to be posted in secure electronic storage; requiring agencies to provide an analysis of every new governmental mandate to an affected contractor before the mandate may be required or imposed; requiring a contracting agency to negotiate a contract amendment for any material change to a contract that will have a financial impact on a contractor; requiring human service contracts to include a cost-of-living adjustment or allow the contractor to reduce services; providing an exception under certain circumstances; requiring a contract to ensure payment for undisputed issues, not allow a private entity performing contract monitoring to impose additional requirements, and allow unexpended funds to be carried forward; providing that failure by an agency to negotiate a contract amendment or provide a remedy to a material adverse impact of a new governmental mandate constitutes an agency action for the purposes of ch. 120, F.S.; requiring each agency to compile a list of contractor requirements and submit such list to the Governor; providing an effective date.

By the Committee on Criminal Justice; and Senator Fasano—

CS for SB 336—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; revising the list of controlled substances included in Schedules I, II, III, IV, and V; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Braynon—

CS for SB 466—A bill to be entitled An act relating to the tourist development tax; amending s. 125.0104, F.S.; expanding the purposes for which the proceeds of the tourist development tax may be used to include the payment of the debt service on bonds to finance the construction, reconstruction, or renovation of a professional sports facility on publicly owned land and the expansion, renovation, or reconstruction of a convention center; limiting the percentage of the proceeds from the tourist development tax that may be used for the professional sports facility; requiring private contributions to the professional sports facility as a condition for the use of tourist development taxes for the facility; providing for nonapplication of a prohibition against levying such tax in certain cities and towns under certain conditions; restricting certain counties from levying the tax; providing for controlling application notwithstanding certain contrary authority; providing an effective date.

By the Committee on Regulated Industries; and Senator Evers—

CS for SB 476—A bill to be entitled An act relating to public lodging establishments; amending s. 509.032, F.S.; conforming provisions to changes made by the act; providing that vacation rentals are residential property for purposes of provisions related to the treatment of such properties; amending ss. 509.221 and 509.241, F.S.; conforming provisions to changes made by the act; amending s. 509.242, F.S.; providing that public lodging establishments formerly classified as resort condominiums and resort dwellings are classified as vacation rentals; defining the term “vacation rental”; amending s. 509.251, F.S.; conforming provisions to changes made by the act; amending s. 509.261, F.S.; revising mandatory education requirements for certain violations; amending s. 509.291, F.S.; revising membership of the advisory council of the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; requiring the Florida Vacation Rental Managers Association to designate a member to serve on the advisory council; amending ss. 381.008 and 386.203, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

CS for SB 504—A bill to be entitled An act relating to child visitation; amending s. 39.0139, F.S.; revising legislative intent; requiring probable cause of sexual abuse in order to create a presumption of detriment; providing that persons meeting specified criteria may not visit or have contact with a child without a hearing and court order; revising requirements for a hearing seeking to rebut a presumption of detriment; revising provisions relating to hearings on whether to prohibit or restrict visitation or other contact with the person who is alleged to have influenced a child’s testimony; providing an effective date.

By the Committee on Criminal Justice; and Senators Oelrich, Dockery, and Garcia—

CS for SB 556—A bill to be entitled An act relating to the Temporary Assistance for Needy Families Program; creating s. 414.145, F.S.; requiring the Department of Children and Family Services to perform a drug test on individuals who apply for benefits funded by the Temporary Assistance for Needy Families Program; making individuals responsible for bearing the cost of drug testing; requiring certain notice; providing procedures for testing and retesting; providing for notice of local substance abuse programs; providing that, if a parent is deemed ineligible due to failing a drug test, the eligibility of the children is not affected; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Ring, Norman, and Braynon—

CS for SB 578—A bill to be entitled An act relating to disability awareness; amending s. 1003.4205, F.S.; requiring district school boards to provide disability history and awareness instruction in all K-12 public schools during the first week in October; requiring certified individuals in disability awareness or teachers who specialize in exceptional student education to provide the disability history and awareness instruction; requiring the Governor’s Commission on Disabilities to initiate a study on training in disability awareness to be conducted by a private non-profit entity; providing requirements for the study and requiring submission of findings to the commission; requiring the commission to oversee a statewide program for providers of training in disability awareness; providing program components to include requirements for approval of providers and certification of individuals who provide instruction in disability awareness; providing for the payment of certain fees; requiring the commission to promote training in disability awareness in all public entities in the state; requiring the commission to encourage those public entities to participate in activities that provide instruction to expand knowledge, understanding, and awareness of individuals who have disabilities; requiring the commission to adopt rules; providing an effective date.

By the Committee on Higher Education; and Senator Oelrich—

CS for SB 632—A bill to be entitled An act relating to postsecondary education; amending s. 705.18, F.S.; revising provisions relating to the disposal of personal property lost or abandoned on a university or Florida College System institution campus and the disposition of proceeds from the sale of such property; requiring that the university or Florida College System institution president, or his or her designee, dispose of or make use of unclaimed property in accordance with university or Florida College System institution policies and procedures; amending ss. 267.062, 1004.23, 1010.03, 1010.04, 1010.07, 1011.48, 1012.91, and 1013.171, F.S.; revising provisions to replace references to “rules” with “regulations”; repealing s. 1007.27(10), F.S., relating to an exemption for students who earn 9 or more credits from one or more of the articulated acceleration mechanisms from any requirement of a public postsecondary educational institution which mandates enrollment during a summer term; amending s. 1013.30, F.S.; requiring that a university campus master plan identify the level-of-service standards contained in the plan; deleting requirements for campus development agreements between each university board of trustees and the local government; prohibiting renewal of a campus development agreement upon its expiration; amending s. 1013.33, F.S.; conforming a cross-reference; repealing s. 1013.63, F.S., relating to the University Concurrency Trust Fund; providing an effective date.

By the Committee on Judiciary; and Senator Diaz de la Portilla—

CS for SB 786—A bill to be entitled An act relating to landlord and tenant; amending s. 83.42, F.S.; providing that provisions governing residential tenancies do not apply to a person not legally entitled to occupy the premises; providing an effective date.

By the Committees on Criminal Justice; and Health Regulation; and Senator Fasano—

CS for CS for SB 818—A bill to be entitled An act relating to controlled substances; amending s. 400.9905, F.S.; redefining the terms “clinic” and “portable equipment provider” within the Health Care Clinic Act; amending s. 456.013, F.S.; authorizing certain health care practitioners to complete a continuing education course relating to the prescription drug monitoring program; providing requirements for the course; requiring the Department of Health or a board that is authorized to exercise regulatory or rulemaking functions within the department to approve the course offered through a facility licensed under ch. 395, F.S., under certain circumstances; providing for application of the course requirements; requiring a board or the Department of Health to adopt rules; amending s. 458.305, F.S.; defining the term “dispensing physician” as it relates to the practice of medicine in this state; prohibiting certain persons from using titles or displaying signs that would lead the public to believe that they engage in the dispensing of controlled substances; prohibiting certain persons, firms, or corporations from using a trade name, sign, letter, or advertisement that implies that the persons, firms, or corporations are licensed or registered to dispense prescription drugs; prohibiting certain persons, firms, or corporations from holding themselves out to the public as licensed or registered to dispense controlled substances; providing penalties; amending s. 458.3191, F.S.; revising the information in the physician survey that is submitted by persons who apply for licensure renewal as a physician under ch. 458 or ch. 459, F.S.; amending s. 458.3192, F.S.; requiring the Department of Health to provide nonidentifying information to the prescription drug monitoring program’s Implementation and Oversight Task Force regarding the number of physicians that are registered with the prescription drug monitoring program and that use the database from the program in their practice; amending s. 458.3265, F.S.; revising the list of entities that are not required to register as a pain-management clinic; deleting certain requirements for a physician to practice medicine in a pain-management clinic; requiring a physician, an advanced registered nurse practitioner, or a physician assistant to perform an appropriate medical examination of a patient on the same day that the physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic; requiring a physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third degree for any person to register or attempt to register a pain-management clinic through misrepresentation or fraud; amending s. 458.327, F.S.; providing additional penalties; amending s. 458.331,

F.S.; providing additional grounds for disciplinary action by the Board of Medicine; amending s. 459.003, F.S.; defining the term "dispensing physician" as it relates to the practice of osteopathic medicine in this state; amending s. 459.013, F.S.; providing additional penalties; amending s. 459.0137, F.S.; providing an exemption from the requirement that all privately owned pain-management clinics, facilities, or offices that advertise in any medium for any type of pain-management services, or employ an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the Department of Health; requiring a physician, an advanced registered nurse practitioner, or a physician assistant to perform an appropriate medical examination of a patient on the same day that the physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic; requiring an osteopathic physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third degree for a licensee or other person who serves as the designated physician of a pain-management clinic to register a pain-management clinic through misrepresentation or fraud; amending s. 459.015, F.S.; providing additional grounds for disciplinary action by the Board of Osteopathic Medicine; amending s. 465.015, F.S.; prohibiting certain persons from knowingly failing to report to the local county sheriff's office the commission of a felony involving a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge under certain conditions; providing penalties; providing requirements for reporting the commission of a felony that involves a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge; providing that a licensed pharmacist or other person employed by or at a pharmacy is not subject to disciplinary action for reporting; amending s. 465.0276, F.S.; requiring a practitioner to register as a dispensing practitioner in order to dispense controlled substances; amending s. 766.101, F.S.; conforming a cross-reference; amending s. 810.02, F.S.; redefining the offense of burglary to include the theft of a controlled substance within a structure or conveyance; amending s. 812.014, F.S.; redefining the offense of theft to include the theft of a controlled substance; creating s. 893.021, F.S.; providing conditions in which a drug is considered adulterated; providing that a physician is not prevented from directing or prescribing a change to the recognized manufactured recommendations for use of any controlled substance for a patient under certain circumstances; requiring a prescribing physician to indicate on the original prescription any deviation of the recognized manufacturer's recommended use of a controlled substance; requiring a pharmacist or physician to indicate such deviation on the label of the prescription upon dispensing; amending s. 893.04, F.S.; revising the required information that must appear on the face of a prescription or written record of a controlled substance before it is dispensed by a pharmacist; amending s. 893.055, F.S.; requiring that the prescription drug monitoring program comply with the minimum requirements of the National All Schedules Prescription Electronic Reporting Act; requiring the Department of Health to establish a method to allow corrections to the database of the prescription drug monitoring program; requiring the number of refills ordered and whether the drug was dispensed as a refill or a first-time request to be included in the database of the prescription drug monitoring program; revising the number of days in which a dispensed controlled substance must be reported to the department through the prescription drug monitoring program; revising the list of acts of dispensing or administering which are exempt from reporting; requiring a pharmacy, prescriber, practitioner, or dispenser to register with the department by submitting a registering document in order to have access to certain information in the prescription drug monitoring program's database; requiring the department to approve the registering document before granting access to information in the prescription drug monitoring program's database; requiring criminal background screening for those persons who have direct access to the prescription drug monitoring program's database; authorizing the Attorney General to obtain confidential and exempt information for Medicaid fraud cases and Medicaid investigations; requiring certain documentation to be provided to the program manager in order to release confidential and exempt information from the prescription drug monitoring program's database to a patient, legal guardian, or a designated health care surrogate; authorizing the Agency for Health Care Administration to obtain confidential and exempt information from the prescription drug monitoring program's database for Medicaid fraud cases and Medicaid investigations involving controlled substances; deleting a provision requiring that administrative costs of the prescription drug monitoring program be

funded through federal grants and private sources; requiring the State Surgeon General to enter into reciprocal agreements for the sharing of information in the prescription drug monitoring program with other states that have a similar prescription drug monitoring program; requiring the State Surgeon General to annually review a reciprocal agreement to determine its compatibility; providing requirements for compatibility; prohibiting the sharing of certain information; amending s. 893.0551, F.S.; requiring the Department of Health to disclose confidential and exempt information pertaining to the prescription drug monitoring program to the Attorney General and designee when working on Medicaid fraud cases and Medicaid investigations involving prescribed controlled substances or when the Attorney General has initiated a review of specific identifiers that warrant a Medicaid investigation regarding prescribed controlled substances; prohibiting the Attorney General's Medicaid investigators from direct access to the prescription drug monitoring program's database; authorizing the Department of Health to disclose certain confidential and exempt information in the prescription drug monitoring program's database under certain circumstances involving reciprocal agreements with other states; prohibiting the sharing of information from the prescription drug monitoring program's database which is not for the purpose that is statutorily authorized or according to the State Surgeon General's determination of compatibility; amending s. 893.07, F.S.; requiring that a person report to the local sheriff's office the theft or loss of a controlled substance within a specified time; providing penalties; providing legislative intent; amending s. 893.13, F.S.; prohibiting a person from obtaining or attempting to obtain from a practitioner a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohibiting a health care provider from providing a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohibiting a person from adulterating a controlled substance for certain use without authorization by a prescribing physician; authorizing a law enforcement officer to seize as evidence the adulteration or off-label use of a prescribed controlled substance; providing that such adulterated or off-label use of the controlled substance may be returned to its owner only under certain conditions; providing penalties; prohibiting a prescribing practitioner from writing a prescription for a controlled substance and authorizing or directing the adulteration of the dispensed form of the controlled substance for the purpose of ingestion by means not medically necessary; amending s. 893.138, F.S.; providing circumstances in which a pain-management clinic may be declared a public nuisance; providing definitions; requiring the Board of Pharmacy to create a list of opioid analgesic drugs; providing requirements for the list of opioid analgesic drugs; providing an effective date.

By the Committee on Criminal Justice; and Senator Ring—

CS for SB 920—A bill to be entitled An act relating to possession of stolen credit or debit cards; amending s. 817.60, F.S.; prohibiting possession of a stolen credit or debit card in specified circumstances; providing penalties; providing that a retailer or retail employee who possesses, receives, or returns a stolen credit or debit card without knowledge that the card is stolen or in order to investigate the card's theft or unlawful use does not commit a violation of the act; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; and Judiciary; and Senators Lynn and Rich—

CS for CS for SB 930—A bill to be entitled An act relating to the protection of volunteers; amending s. 768.1355, F.S.; clarifying that in order to fall under the protection of the Florida Volunteer Protection Act, a person performing a service for a nonprofit organization may not receive compensation from the nonprofit organization for that service, regardless of whether the person is receiving compensation from another source; providing an exception; providing for application of the act; providing an effective date.

By the Committee on Commerce and Tourism; and Senators Richter and Gaetz—

CS for SB 952—A bill to be entitled An act relating to uniform prudent management of institutional funds; creating s. 617.2104, F.S.;

creating a short title; providing definitions; providing requirements for the management of funds held by an institution exclusively for charitable purposes; providing standards of conduct in managing and investing institutional funds; providing requirements for appropriation for expenditure or accumulation of an endowment fund by an institution; authorizing an institution to delegate to an external agent the management and investment of an institutional fund; authorizing the release or modification of a restriction on management, investment, or purpose of an institutional fund; providing for determination of compliance; providing for application to existing or newly established institutional funds; providing relationship to federal law; providing requirements for uniformity of application and construction of the act; repealing s. 1010.10, F.S., relating to the Florida Uniform Management of Institutional Funds Act; providing an effective date.

By the Committees on Health Regulation; and Criminal Justice; and Senators Hill and Bullard—

CS for CS for SB 1086—A bill to be entitled An act relating to the restraint of incarcerated pregnant women; providing a short title; defining terms; prohibiting use of restraints on a prisoner known to be pregnant during labor, delivery, and postpartum recovery unless a corrections official makes an individualized determination that the prisoner presents an extraordinary circumstance requiring restraints; providing that a doctor, nurse, or other health care professional treating the prisoner may request that restraints not be used, in which case the corrections officer or other official accompanying the prisoner shall remove all restraints; requiring that any restraint applied must be done in the least restrictive manner necessary; requiring the corrections official to make written findings within 10 days as to the extraordinary circumstance that dictated the use of restraints; restricting the use of waist, wrist, or leg and ankle restraints during the third trimester of pregnancy or when requested by a doctor, nurse, or other health care professional treating the prisoner; providing that the use of restraints at any time after it is known that a prisoner is pregnant must be by the least restrictive manner necessary in order to mitigate the possibility of adverse clinical consequences; requiring that the findings be kept on file by the correctional institution or detention facility for at least 5 years and be made available for public inspection under certain circumstances; authorizing any woman who is restrained in violation of the act to file a grievance within a specified period; providing that these remedies do not prevent a woman harmed from filing a complaint under any other relevant provision of federal or state law; directing the Department of Corrections and the Department of Juvenile Justice to adopt rules; requiring correctional institutions and detention facilities to inform female prisoners of the rules upon admission, include the policies and practices in the prisoner handbook, and post the policies and practices in the correctional institution or detention facility; requiring the Secretary of Corrections, the Secretary of Juvenile Justice, and county and municipal corrections officials to annually file written reports with the Executive Office of the Governor detailing each incident of restraint in violation of law or as an authorized exception; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Altman and Detert—

CS for SB 1088—A bill to be entitled An act relating to criminal conduct; amending s. 827.03, F.S.; defining the term “mental injury” with respect to the offenses of abuse, aggravated abuse, and neglect of a child; requiring that a person acting as an expert witness have certain credentials; amending ss. 775.084, 775.0877, 782.07, 921.0022, and 948.062, F.S.; conforming cross-references; amending s. 960.03, F.S.; redefining the term “crime” for purposes of crime victims compensation to include additional forms of injury; redefining the term “victim” to conform with the modified definition of the term “crime”; providing an effective date.

By the Committee on Agriculture; and Senators Siplin and Lynn—

CS for SB 1174—A bill to be entitled An act relating to agricultural-related exemptions to water management requirements; amending s. 373.406, F.S.; revising an exemption for agricultural-related activities to include certain impacts to surface waters and wetlands; providing that the exemption applies to certain agricultural lands and does not apply to specified permitted activities; amending s. 373.407, F.S.; providing ex-

clusive authority to the Department of Agriculture and Consumer Services to determine whether certain activities qualify for an agricultural-related exemption under specified conditions; requiring a specified memorandum of agreement between the department and each water management district; authorizing the department to adopt rules; amending s. 403.927, F.S.; providing an exemption from mitigation requirements for converted agricultural lands under certain conditions; revising the definition of the term “agricultural activities” to include cultivating, fallowing, and leveling and to provide for certain impacts to surface waters and wetlands; providing an effective date.

By the Committee on Agriculture; and Senator Bennett—

CS for SB 1284—A bill to be entitled An act relating to biodiesel; amending s. 206.01, F.S.; defining the term “renewable feedstocks”; amending s. 206.02, F.S.; exempting certain biodiesel manufacturers from bonding requirements; amending s. 206.874, F.S.; exempting certain biodiesel manufacturers from specific taxes on diesel fuel; amending s. 206.9925, F.S.; redefining the term “pollutants” to exclude certain biodiesel; amending s. 526.202, F.S.; providing legislative findings regarding the sale of diesel containing biodiesel; amending s. 526.203, F.S.; defining the terms “biodiesel” and “diesel fuel”; establishing standards for the amount of biodiesel that must be contained in diesel fuel; requiring dealers and wholesalers to provide certified fuel analyses upon the department’s request; providing an exemption from regulation; requiring reports to the Department of Revenue; amending s. 526.205, F.S.; providing for certain persons to apply for extensions to comply with the requirements of the act; providing an effective date.

By the Committee on Criminal Justice; and Senator Storms—

CS for SB 1300—A bill to be entitled An act relating to juvenile civil citations; amending s. 985.12, F.S.; requiring the Department of Juvenile Justice to encourage and assist in the implementation and improvement of civil citation and similar diversionary programs; requiring that a juvenile civil citation and similar diversion program be established at the local level with the concurrence of the chief judge of the circuit and other designated persons; authorizing a law enforcement agency, the Department of Juvenile Justice, a juvenile assessment center, the county or municipality, or an entity selected by the county or municipality to operate the civil citation or similar diversion program; requiring the entity operating the program to do so in consultation with and agreement by the state attorney and the local law enforcement agencies; authorizing a law enforcement officer, upon making contact with a juvenile who admits to having committed a misdemeanor, to require participation in intervention services based upon an assessment of the needs of the juvenile; restricting eligibility of participants for the civil citation program to first-time misdemeanor offenders unless the participation is approved by the state attorney or assistant state attorney; requiring the agency operating the program to report on the outcome to the Department of Juvenile Justice at the conclusion of a youth’s civil citation or similar diversion program; providing that the issuance of a civil citation is not considered a referral to the department; requiring the department to develop guidelines for the civil citation program which include intervention services that are based upon proven civil citation and similar diversionary programs within the state; deleting a provision requiring that a law enforcement officer send a copy of a civil citation to the victim of the offense; requiring a juvenile probation officer to process the original delinquent act as a referral to the department in specified circumstances and to refer certain reports to the state attorney for review; providing an effective date.

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

CS for SB 1414—A bill to be entitled An act relating to health insurance; creating ss. 627.64995, 627.66995, and 641.31099, F.S.; prohibiting certain health insurance policies and health maintenance contracts from providing coverage for abortions; providing exceptions; defining the term “state”; amending s. 627.6515, F.S.; providing that certain restrictions on coverage for abortions apply to certain group health insurance policies issued or delivered outside the state which provide coverage to residents of the state; amending s. 627.6699, F.S.; providing that certain restrictions on coverage for abortions apply to

plans under the Employee Health Care Access Act; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Altman—

CS for SB 1470—A bill to be entitled An act relating to the capital investment tax credit; amending s. 212.08, F.S.; specifying procedures to claim a sales and use tax credit; amending s. 220.191, F.S.; authorizing a qualifying business that has insufficient corporate income tax liability to fully claim a capital investment tax credit to apply the credit against its liability for sales and use taxes to be collected, reported, and remitted to the Department of Revenue; requiring a qualifying business that receives a credit against its sales and use tax liability to make additional capital investments; requiring a qualifying business to annually report its capital investments to the Office of Tourism, Trade, and Economic Development, the President of the Senate, and the Speaker of the House of Representatives; requiring a qualifying business that fails to make the required capital investments to repay the amount of the sales and use tax credit claimed with interest; limiting the availability of the sales and use tax credit to certain businesses that have their headquarters in this state, that qualify for the capital investment tax credit under certain circumstances, and that entered into an agreement with the Department of Revenue during a certain period; limiting the annual amount of tax credits that may be approved for each eligible qualifying business; authorizing the Office of Tourism, Trade, and Economic Development and the Department of Revenue to adopt rules; providing an effective date.

By the Committee on Health Regulation; and Senator Gaetz—

CS for SB 1522—A bill to be entitled An act relating to wellness or health improvement programs; amending s. 626.9541, F.S.; authorizing insurers to offer a voluntary wellness or health improvement program and to encourage or reward participation in the program by offering rewards or incentives to health benefit plan members; authorizing insurers to require plan members not participating in the wellness or health improvement programs to provide verification that their medical condition warrants nonparticipation in order for the nonparticipants to receive rewards or incentives; requiring that the reward or incentive be disclosed in the policy or certificate; amending s. 627.6402, F.S.; authorizing insurers to offer rewards or incentives to health benefit plan members to encourage or reward participation in wellness or health improvement programs; authorizing insurers to require plan members not participating in programs to provide verification that their medical condition warrants nonparticipation; amending s. 627.65626, F.S.; authorizing group health insurers to offer rewards or incentives to health benefit plan members to encourage or reward participation in wellness or health improvement programs; authorizing insurers to require plan members not participating in programs to provide verification that their medical condition warrants nonparticipation; amending s. 641.31, F.S.; deleting provisions authorizing health maintenance organizations to offer rebates of premiums for participation in a wellness program; authorizing health maintenance organizations to offer rewards or incentives to members to encourage or reward participation in wellness or health improvement programs; authorizing the health maintenance organization to require plan members not participating in programs to provide verification that their medical condition warrants nonparticipation; amending s. 641.3903, F.S.; providing for a wellness or health improvement program; providing authorization to offer certain rewards or incentives for participation; authorizing verification of a nonparticipant's medical condition; providing an effective date.

By the Committee on Higher Education; and Senator Flores—

CS for SB 1616—A bill to be entitled An act relating to the Dan Marino Foundation Florida Vocational College; establishing the Dan Marino Foundation Florida Vocational College in Broward County as a public residential postsecondary school for certain students who have developmental disabilities; providing funding for the school through the Department of Education; requiring that the school comply with the laws and rules applicable to state agencies unless otherwise provided by law; requiring that the school provide educational programs and services; requiring that the Auditor General conduct annual audits of the school's accounts and records; creating a board of trustees; providing membership, terms, and specifying powers and duties of the board; requiring that the board submit legislative budget requests for operations and

fixed capital outlay; requiring that the board provide for the content and custody of student and employee personnel records; authorizing the board to provide legal services and reimbursement of expenses for officers and employees of the board; requiring notice and a public meeting under certain circumstances; requiring that all employees and applicants for employment with the board undergo personnel screening and security background investigations; providing a penalty for failure to disclose certain material facts and for use of confidential information for certain purposes; authorizing the employment of campus police and providing powers, duties, and qualifications; requiring reporting of on-campus crime statistics; amending s. 1000.04, F.S.; providing that the Dan Marino Foundation Florida Vocational College is a component of the delivery of public education within Florida's K-20 education system; amending s. 1001.20, F.S.; authorizing investigations by the Office of Inspector General within the Department of Education; providing an effective date.

By the Committee on Banking and Insurance; and Senators Fasano and Richter—

CS for SB 1816—A bill to be entitled An act relating to surplus lines insurance; amending s. 626.931, F.S.; requiring a surplus lines agent to file quarterly on or before a specified time an affidavit stating that all surplus lines insurance transacted during the preceding quarter has been submitted to the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; requiring the premium tax due on a surplus lines policy to be computed on the gross premium under certain circumstances; amending s. 626.9325, F.S.; revising payment dates for the service fee; requiring the service fee on a surplus lines policy to be computed on the gross premium under certain circumstances; creating s. 626.9362, F.S.; authorizing the Department of Financial Services and the Office of Insurance Regulation to enter into a specified type of agreement with other states pursuant to federal law for the collection and allocation of certain nonadmitted insurance taxes; providing terms that may be included in the agreement; requiring the Florida Surplus Lines Service Office to implement an agreement entered into by the department and the Office of Insurance Regulation; providing for application; amending s. 626.938, F.S.; requiring certain insureds or self insurers engaging in specified insurance transactions with a foreign or alien insurer to compute the premium tax and service fees based on the gross premium under certain circumstances; requiring such insureds or self insurers to pay the applicable premium tax to the department and the service fee to the Florida Surplus Lines Service Office on or before a specified time; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; and Children, Families, and Elder Affairs—

CS for SB 1994—A bill to be entitled An act relating to child protection; requiring the Secretary of Children and Family Services to establish the Child Protection Response Workgroup for the purpose of developing an implementation plan for a differential response system to be used in responding to reports of child abuse or neglect; specifying the duties of the workgroup; requiring a report to the Legislature; requiring the Secretary of Children and Family Services to establish the Child Welfare Professional Advisory Council; specifying the scope of work of the council; providing for the secretary to appoint members to the council; requiring the Department of Children and Family services to provide administrative support; providing for members to be reimbursed for per diem and travel expenses to the extent resources are available; requiring an annual report to the Legislature; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Community Affairs; and Senator Bennett—

CS for SB 1512—A bill to be entitled An act relating to growth management; amending s. 163.3164, F.S.; revising and providing definitions relating to the Local Government Comprehensive Planning and Land Development Regulation Act; amending s. 163.3177, F.S.; revising requirements for comprehensive plans relating to capital improvements and future land use plan elements; amending s. 163.3180, F.S.; revising transportation concurrency requirements relating to transportation

planning and proportionate share; amending s. 163.3182, F.S.; revising the definition of the term “transportation concurrency backlog” to “transportation deficiency”; revising other definitions and provisions to conform; revising provisions relating to transportation deficiency plans and projects; amending s. 380.06, F.S.; exempting transit-oriented developments from review of transportation impacts in the developments-of-regional-impact process; providing a finding of important state interest; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of March 16 and March 22 were corrected and approved.

CO-INTRODUCERS

Senators Altman—SB 844; Bennett—SB 844; Bogdanoff—SB 844; Braynon—CS for SB 578; Detert—SB 236, SB 844; Evers—SB 1294; Flores—SB 1518; Gaetz—SB 1312; Hays—SB 844; Jones—SB 236; Joyner—SB 1108; Lynn—SB 844, CS for SB 1140; Montford—SB 844; Siplin—CS for SB 1524; Sobel—SB 1108; Thrasher—SB 844

RECESS

On motion by Senator Thrasher, the Senate recessed at 9:47 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:15 a.m., Thursday, March 24 or upon call of the President.



Journal of the Senate

Number 9—Regular Session

Thursday, March 24, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 4:00 p.m.
A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Excused: Senator Bullard

PRAYER

The following prayer was offered by Jon Farris, Pastor, Crosspointe Church, Clearwater:

Heavenly Father, we thank you for an opportunity to recognize your presence and your power. Thank you for another great day in the State of Florida, God. We look forward to the future, what this day means, what we will be accomplishing here in this room, God. We know that we can do nothing without you, so we leave it to you and to your presence and to your power. God, I lift up every member, every leader in this room today. I think of them, and pray for them and their families, Father, that you would continue to give them wisdom and guidance in everything they do.

God, I ask that what is accomplished here will bring glory and honor to you, and that you would give us the power to carry out, Father, exactly what your will is in every matter that will be addressed. In your name, we pray. Amen.

PLEDGE

Senate Pages Edward Amos of Umatilla; Seth Heard of Apopka; Elizabeth Roberts of Ocala; and Jancy Wiggins of Lauderhill, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Hill—

By Senator Hill—

SR 2052—A resolution recognizing March 24, 2011, as “Community Action Day” in Florida.

WHEREAS, community action agencies were created to fight the war on poverty when the Economic Opportunity Act of 1964 was signed into law, and

WHEREAS, community action agencies comprise America’s poverty-fighting network and have a 47-year history of promoting economic security and self-sufficiency for low-income families, children, and individuals, and

WHEREAS, there are 1,065 community action agencies nationally, with 30 community action agencies supporting 65 of Florida’s 67 counties, and

WHEREAS, in December 2010, the American Community Survey of the United States Census Bureau reported that 14.3 percent of all Americans, nearly 44 million people, were living below the poverty level, that 14.9 percent of Florida’s population, about 2.8 million people, were living below the poverty level, and that in 2009, Florida ranked 19th in the nation in the percentage of its population living below the poverty level, and

WHEREAS, in 2010, the Bureau of Labor Statistics of the United States Department of Labor reported that Florida had a 12 percent unemployment rate, which was higher than the national average of 9 percent, and

WHEREAS, the Food Research and Action Center SNAP/Food Stamp statistics show that in 2009 more than 1.95 million Floridians received food stamps, and

WHEREAS, according to RealtyTrac data released in January 2011, Florida currently ranks third-highest in the nation in its foreclosure rate, up from fourth in the nation in 2009, and

WHEREAS, in 2009, Florida’s community action agencies provided services to 404,858 individuals and 177,425 families, assisting 445 low-income individuals in completing postsecondary education, assisting 2,685 low-income individuals in obtaining preemployment skills, assisting 2,906 unemployed individuals in obtaining employment, assisting 1,261 employed individuals in increasing their employment income and benefits, and assisting 194 low-income persons in purchasing their own homes, and

WHEREAS, in 2009, through the efforts of Florida Community Action, 152,652 low-income Floridians gained employment or obtained support to reduce or eliminate barriers to employment; 17,101 low-income households in Florida achieved an increase in financial assets or financial skills; child and family development was improved for 167,017 Floridians of all ages; 57,473 low-income, vulnerable Floridians were able to maintain secure, independent living situations; 33,539 low-in-

come families in Florida obtained support that reduced or eliminated barriers to family stability; 282,697 low-income individuals and families were provided emergency assistance; 901,821 community opportunities or resources were improved or increased for Florida's low-income citizens; and communities throughout the state were empowered with the mobilization of 47,513 community members and low-income citizens who engaged in activities that supported and promoted their own well-being and that of their community, and

WHEREAS, the Community Services Block Grant, which is the federal investment that creates the infrastructure that enables community action agencies to respond locally to the problems that cause poverty nationwide, faces looming cuts in the proposed 2012 federal budget, yet Florida's Community Action Network remains committed to providing low-income citizens with opportunities to improve their lives and their living conditions through innovative and cost-efficient programs, thus ensuring that all citizens are able to live in dignity, and

WHEREAS, in light of the fact that poverty continues to be a formidable problem in our communities as a result of the national economic recession, it is only fitting that the community action agencies that are at the forefront of this struggle be recognized and commended, NOW, THEREFORE,

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

That, in recognition of the hard work, commitment, and dedication of Florida's community action agencies and their invaluable contributions to the well-being of the low-income citizens throughout the state, March 24, 2011, is recognized as "Community Action Day" in Florida.

—was introduced out of order and read by title. On motion by Senator Hill, **SR 2052** was read the second time in full and adopted.

At the request of Senator Gaetz—

By Senator Gaetz—

SR 2066—A resolution commending Mary Labyak for her leadership in the hospice movement and for her contributions to improving the quality of end-of-life care for all Americans.

WHEREAS, Mary Labyak is a pioneer in America's hospice movement and has committed more than 30 years of her life to improving the quality of end-of-life care, and

WHEREAS, Mary Labyak provided instrumental leadership in defining hospice care delivery in this state and was a guiding light for the early hospice volunteer movement, and

WHEREAS, Mary Labyak has served as president and chief executive officer of Suncoast Hospice since 1983 and has directed the delivery of high-quality hospice care to patients and families throughout Pinellas County, and

WHEREAS, Mary Labyak is a national beacon of leadership in hospice care, where her voice is respected and honored, and

WHEREAS, the hospice community in Florida and throughout the nation desires to recognize Mary Labyak for her many accomplishments as a hospice advocate and compassionate leader and for improving health care for all, NOW, THEREFORE,

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

That Mary Labyak is commended for her notable contributions to advancing the quality of end-of-life care, for her steadfast advocacy of hospice awareness and access, and for her inspirational leadership on behalf of hospice care in this state and across the nation.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Mary Labyak as a tangible token of the sentiments of the Florida Senate.

—**SR 2066** was introduced, read and adopted by publication.

SPECIAL GUESTS

President Haridopolos introduced former Speaker of the House and former President of FSU T.K. Wetherell, who was present in the chamber leading a group of FSU students who were participating in the shadowing program.

Senator Rich introduced her daughter, Laurie Rich Levinson, newly elected member of the Broward County School Board, who was present in the gallery.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 1207 (2010 Regular Session) by the required constitutional two-thirds of all members voting, the Governor's objections to the contrary notwithstanding, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

—was referred to the Committee on Rules.

CONSIDERATION OF VETOED BILL

On motion by Senator Thrasher, by two-thirds vote **CS for CS for HB 1207** (2010 Regular Session) was withdrawn from the Committee on Rules.

On motion by Senator Gardiner, **CS for CS for HB 1207** (2010 Regular Session) together with the Governor's objections thereto was taken up.

CS for CS for HB 1207—A bill to be entitled An act relating to campaign financing; amending s. 103.081, F.S.; permitting the use of a political party's name, abbreviation, or symbol by an affiliated party committee under certain circumstances; creating s. 103.092, F.S.; providing for the establishment of affiliated party committees; providing a definition; delineating duties and responsibilities of such committees; amending s. 103.121, F.S.; requiring certain assessments to be paid to an affiliated party committee; amending s. 106.011, F.S.; revising the definition of the term "political committee" to remove certain reporting requirements included in the exclusion of electioneering communications organizations from the definition and to allow contributions to an affiliated party committee; adding an affiliated party committee to the list of entities not considered a political committee under chapter 106, F.S.; revising the definition of the term "independent expenditure" to specify that certain expenditures are not considered an independent expenditure; revising the definition of the term "person" to include an affiliated party committee; revising the definition of the term "filing officer" to expand applicability to electioneering communications organizations; revising the definition of the term "electioneering communication" to conform to certain federal requirements and to delineate what constitutes such a communication; revising the definition of the term "electioneering communications organization"; amending s. 106.021, F.S.; providing that certain expenditures by an affiliated party committee are not considered a contribution or expenditure to or for a candidate; amending s. 106.025, F.S.; exempting an affiliated party committee from certain campaign fund raising requirements; amending s. 106.03, F.S.; revising the registration requirements for electioneering communications organizations; revising the statement of organization requirements; revising rule adoption requirements relating to dissolution of political committees and electioneering communications organizations; amending s. 106.04, F.S.; requiring that a committee of continuous existence report receipts from and transfers to an affiliated party committee; amending s. 106.0701, F.S.; exempting an affiliated party committee from certain filing requirements; amending s. 106.0703, F.S.; consolidating reporting requirements in ch. 106, F.S., applicable to electioneering communications organizations; providing penalties; conforming provisions; amending s. 106.0705, F.S., relating to electronic filing of campaign treasurer's reports; conforming provisions; requiring an affiliated party committee to file certain reports with the Division of Elections; providing that a report filed by the leader and treasurer of an affiliated party committee is considered to be under oath; amending s.

106.071, F.S.; increasing the aggregate amount of expenditures required for filing certain reports related to independent expenditures or electioneering communications; amending s. 106.08, F.S.; removing certain limitations on contributions received by an electioneering communications organization; providing that an affiliated party committee is treated like a political party regarding limitations on contributions; deleting the 28-day restriction on acceptance of certain funds preceding a general election; placing certain restrictions on solicitation for and making of contributions; providing guidelines for acceptance of in-kind contributions; adding an affiliated party committee to entities subject to penalties; creating s. 106.088, F.S.; requiring the subscribing to an oath or affirmation prior to receipt of certain funds; providing the form of the oath; providing penalties; providing that undistributed funds shall be deposited into the General Revenue Fund; amending s. 106.141, F.S.; adding affiliated party committees to the list of entities to which a candidate may donate surplus funds; amending s. 106.143, F.S.; requiring an affiliated party committee, like a political party, to obtain advance approval by a candidate for political advertisements; amending s. 106.1439, F.S.; providing identification requirements for certain electioneering communications; providing an exception for telephone calls; amending s. 106.147, F.S., relating to telephone solicitation disclosure requirements; removing requirements relating to electioneering communication, to conform; revising the definition of the term "person" to include an affiliated party committee; providing penalties; amending s. 106.165, F.S.; adding affiliated party committees to the entities that must use closed captioning and descriptive narrative in all television broadcasts; amending s. 106.17, F.S.; adding affiliated party committees to those entities authorized to conduct polls and surveys relating to candidacies; amending s. 106.23, F.S.; providing that an affiliated party committee shall be provided an advisory opinion by the Division of Elections when requested; amending s. 106.265, F.S.; authorizing the imposition of civil penalties by the Florida Elections Commission for certain violations by an affiliated party committee; amending s. 106.27, F.S.; adding affiliated party committees to those entities subject to certain determinations and legal disposition by the Florida Elections Commission; amending s. 106.29, F.S.; requiring filing of certain reports by an affiliated party committee; providing restrictions on certain expenditures and contributions; providing penalties; amending s. 11.045, F.S., relating to lobbying before the Legislature; excluding contributions and expenditures by an affiliated party committee from the definition of the term "expenditure"; amending s. 112.312, F.S.; providing that certain activities pertaining to an affiliated party committee are excluded from the definition of the term "gift"; amending s. 112.3215, F.S., relating to lobbying before the executive branch or the Constitution Revision Commission; excluding contributions and expenditures by an affiliated party committee from the definition of the term "expenditure"; reenacting ss. 106.011(1)(b), (3), (4), (18), and (19), 106.022(1), 106.03(1)(b), 106.04(5), 106.0703, 106.0705(2)(b), 106.071(1), 106.08(7), 106.1437, 106.1439, and 106.17, F.S., relating to definitions, registered office and agent requirements, registration requirements, prohibited activities for committees of continuous existence, additional reporting requirements, electronic filing requirements, expenditure reports, penalties for violations pertaining to limitations on contributions, miscellaneous advertisements, electioneering communications disclaimers and penalties for failure to include disclaimers, and polls and surveys pertaining to candidacies, to cure and conform; providing an effective date.

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

On motions by Senator Gardiner, **CS for CS for HB 1207** (2010 Regular Session) passed by the required constitutional two-thirds vote of the members present and by two-thirds vote was immediately certified to the House. The vote on passage was:

Yeas—30

Mr. President	Evers	Margolis
Alexander	Flores	Montford
Altman	Gaetz	Negron
Benacquisto	Garcia	Norman
Bennett	Gardiner	Oelrich
Bogdanoff	Hays	Richter
Dean	Jones	Ring
Detert	Latvala	Simmons
Diaz de la Portilla	Lynn	Siplin

Storms	Thrasher	Wise
Nays—9		
Braynon	Hill	Sachs
Dockery	Joyner	Smith
Fasano	Rich	Sobel

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HJR 7105 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

HJR 7105—A joint resolution establishing a new effective date for Council Substitute for Committee Substitute for House Bill 1207, an act relating to campaign financing, which bill was passed by the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor; providing for construction of the act in pari materia with laws enacted during the 2010 Regular Session of the Legislature.

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

HJR 7105—A joint resolution establishing a new effective date for Council Substitute for Committee Substitute for House Bill 1207, an act relating to campaign financing, which bill was passed by the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor; providing for construction of the act in pari materia with laws enacted during the 2010 Regular Session of the Legislature.

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

Pursuant to Section 9 of Article III of the State Constitution, Council Substitute for Committee Substitute for House Bill 1207, enacted during the 2010 Regular Session of the Legislature, shall take effect upon becoming a law, the veto of the Governor notwithstanding. If any law amended by this act was also amended by a law enacted during the 2010 Regular Session, such laws shall be construed as if they had been enacted at the same session of the Legislature, and full effect shall be given to each if possible.

—was read the second time in full and by two-thirds vote read the third time by title.

On motions by Senator Gardiner, **HJR 7105** passed and by two-thirds vote was immediately certified to the House. The vote on passage was:

Yeas—31

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Simmons
Bogdanoff	Jones	Siplin
Dean	Latvala	Storms
Detert	Lynn	Thrasher
Diaz de la Portilla	Margolis	Wise
Evers	Montford	
Fasano	Negron	

Nays—8

Braynon	Joyner	Smith
Dockery	Rich	Sobel
Hill	Sachs	

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 7103 (2010 Regular Session) by the required constitutional two-thirds of all members voting, the Governor's objec-

tions to the contrary notwithstanding, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

—was referred to the Committee on Rules.

CONSIDERATION OF VETOED BILL

On motion by Senator Thrasher, by two-thirds vote CS for HB 7103 was withdrawn from the Committee on Rules.

On motion by Senator Alexander, CS for HB 7103 together with the Governor's objections thereto was taken up.

CS for HB 7103—A bill to be entitled An act relating to agriculture; amending s. 163.3162, F.S.; prohibiting a county from enforcing certain limits on the activity of a bona fide farm operation on agricultural land under certain circumstances; prohibiting a county from charging agricultural lands for stormwater management assessments and fees under certain circumstances; allowing an assessment to be collected if credits against the assessment are provided for implementation of best management practices; providing exemptions from certain restrictions on a county's powers over the activity on agricultural land; providing a definition; providing for application; creating s. 163.3163, F.S.; creating the "Agricultural Land Acknowledgement Act"; providing legislative findings and intent; providing definitions; requiring an applicant for certain development permits to sign and submit an acknowledgement of certain contiguous agricultural lands as a condition of the political subdivision issuing the permits; specifying information to be included in the acknowledgement; requiring that the acknowledgement be recorded in the official county records; authorizing the Department of Agriculture and Consumer Services to adopt rules; amending s. 205.064, F.S.; authorizing a person selling certain agricultural products who is not a natural person to qualify for an exemption from obtaining a local business tax receipt; amending s. 322.01, F.S.; revising the term "farm tractor" for purposes of drivers' licenses; amending s. 604.15, F.S.; revising the term "agricultural products" to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; amending s. 604.50, F.S.; exempting farm fences from the Florida Building Code; revising the term "nonresidential farm building"; exempting nonresidential farm buildings and farm fences from county and municipal codes and fees; specifying that the exemptions do not apply to code provisions implementing certain floodplain regulations; amending s. 624.4095, F.S.; requiring that gross written premiums for certain crop insurance not be included when calculating the insurer's gross writing ratio; requiring that liabilities for ceded reinsurance premiums be netted against the asset for amounts recoverable from reinsurers; requiring that insurers who write other insurance products disclose a breakout of the gross written premiums for crop insurance; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that may be disposed of by open burning; providing certain limitations on open burning; providing an effective date.

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

On motions by Senator Alexander, CS for HB 7103 (2010 Regular Session) passed by the required constitutional two-thirds vote of the members present and by two-thirds vote was immediately certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Mr. President, Fasano, Montford, Alexander, Flores, Negron, Altman, Gaetz, Norman, Benacquisto, Garcia, Oelrich, Bennett, Gardiner, Rich, Bogdanoff, Hays, Richter, Braynon, Hill, Ring, Dean, Jones, Sachs, Detert, Joyner, Simmons, Diaz de la Portilla, Latvala, Siplin, Dockery, Lynn, Sobel, Evers, Margolis, Storms

Thrasher Wise
Nays—1
Smith

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HJR 7103 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

HJR 7103—A joint resolution establishing a new effective date for Council Substitute for House Bill 7103, an act relating to agriculture, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

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

HJR 7103—A joint resolution establishing a new effective date for Council Substitute for House Bill 7103, an act relating to agriculture, which bill was passed by both houses of the Legislature during the 2010 Regular Session of the Legislature and thereafter vetoed by the Governor.

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

Pursuant to Section 9 of Article III of the State Constitution, Council Substitute for House Bill 7103, enacted during the 2010 Regular Session of the Legislature, shall take effect upon becoming a law, the veto of the Governor notwithstanding.

—was read the second time in full and by two-thirds vote read the third time by title.

On motions by Senator Alexander, HJR 7103 passed and by two-thirds vote was immediately certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Mr. President, Flores, Norman, Alexander, Gaetz, Oelrich, Altman, Garcia, Rich, Benacquisto, Gardiner, Richter, Bennett, Hays, Ring, Bogdanoff, Hill, Sachs, Braynon, Jones, Simmons, Dean, Joyner, Siplin, Detert, Latvala, Sobel, Diaz de la Portilla, Lynn, Storms, Dockery, Margolis, Thrasher, Evers, Montford, Wise, Fasano, Negron

Nays—1

Smith

BILLS ON THIRD READING

CS for SB 1970—A bill to be entitled An act relating to public records; amending s. 11.51, F.S.; creating an exemption from public-records requirements for work papers held by the Office of Program Policy Analysis and Government Accountability which relate to an authorized project or a research product; providing for retroactive application; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Thrasher, **CS for SB 1970** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 84—A bill to be entitled An act relating to community colleges; amending s. 1000.21, F.S.; renaming Gulf Coast Community College as “Gulf Coast State College”; renaming Pensacola Junior College as “Pensacola State College”; renaming St. Johns River Community College as “St. Johns River State College”; renaming Valencia Community College as “Valencia College”; amending ss. 288.8175, 1004.74, and 1004.75, F.S., relating to linkage institutes, the Florida School of the Arts, and the consolidation of certain training schools; conforming provisions; providing an effective date.

—was read the third time by title.

On motion by Senator Lynn, **CS for SB 84** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

CS for SB 478—A bill to be entitled An act relating to property taxation; amending s. 95.051, F.S.; tolling the expiration period of a tax certificate and the statute of limitations relating to proceedings involving tax lien certificates or tax deeds during the period of an intervening bankruptcy; amending ss. 197.102, 197.122, 197.123, 197.162, 197.172, 197.182, 197.222, 197.2301, 197.322, 197.332, 197.343, 197.344, 197.3635, 197.373, 197.402, 197.403, 197.413, 197.414, 197.4155, 197.416, 197.417, 197.432, 197.4325, 197.442, 197.443, 197.462, 197.472, 197.473, 197.482, 197.492, 197.582, and 197.602, F.S.; revising, updating, and consolidating provisions of ch. 197, F.S., relating to definitions, tax collectors, lien of taxes, returns and assessments, unpaid or omitted taxes, discounts, interest rates, Department of Revenue responsibilities, tax bills, judicial sales, prepayment of taxes, assessment rolls, duties of tax collectors, tax notices, delinquent taxes, lienholders, special assessments, non-ad valorem assessments, tax payments, distribution of taxes, advertisements of property with delinquent taxes, attachment, delinquent personal property taxes, sales of property, tax certificates, tax deeds, tax sales, and proceedings involving the validity of a tax deed;

amending s. 197.502, F.S.; revising provisions relating to applications for tax deeds; providing payment requirements; amending s. 197.542, F.S.; revising the minimum deposit after becoming the highest bidder for a tax deed; requiring a clerk to readvertise the sale of a tax deed if a previous buyer failed to make full payment for the tax deed; creating s. 197.146, F.S.; authorizing tax collectors to issue certificates of correction to tax rolls and outstanding delinquent taxes for uncollectable personal property accounts; requiring the tax collector to notify the property appraiser; providing construction; creating ss. 197.2421 and 197.2423, F.S., transferring, renumbering, and amending ss. 197.253, 197.303, and 197.3071, F.S., and amending ss. 197.243, 197.252, 197.254, 197.262, 197.263, 197.272, 197.282, 197.292, 197.301, and 197.312, F.S.; revising, updating, and consolidating provisions of ch. 197, F.S., relating to deferral of tax payments for real property, homestead property, recreational and commercial working waterfront property, and affordable rental property; creating s. 197.4725, F.S.; providing authorization and requirements for purchase of county-held tax certificates; specifying required amounts to be paid; providing for fees; providing for electronic services; amending s. 192.0105, F.S.; providing that the right to a discount for the early payment of taxes does not apply to certain partial payments of taxes; clarifying a taxpayer’s right to redeem real property and tax certificates; clarifying that a property owner may not be contacted by the holder of a tax certificate for 2 years following the date the certificate is issued; providing that s. 197.122, F.S., applies in certain circumstances; providing for the obligation of the property owner to obtain certain information; correcting cross-references; amending ss. 194.011, 194.013, 196.011, and 197.374, F.S.; conforming cross-references; creating s. 197.603, F.S.; providing legislative intent; repealing s. 197.202, F.S., relating to destruction of 20-year-old tax receipts; repealing s. 197.242, F.S., relating to a short title; repealing ss. 197.304, 197.3041, 197.3042, 197.3043, 197.3044, 197.3045, 197.3046, 197.3047, 197.307, 197.3072, 197.3073, 197.3074, 197.3075, 197.3076, 197.3077, 197.3078, and 197.3079, F.S., relating to deferrals of tax payments; providing an effective date.

—as amended March 23 was read the third time by title.

On motion by Senator Thrasher, **CS for SB 478** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

CS for SB 444—A bill to be entitled An act relating to scrutinized companies; creating s. 287.135, F.S.; providing definitions; prohibiting a state agency or local governmental entity from contracting for goods and services of more than a certain amount with a company that is on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; providing for a contract provision that allows for termination of the contract if the company is found to have been placed on such list; providing exceptions; providing for a civil action; providing penalties, including attorney’s fees and costs; providing a statute of repose; prohibiting a private right of action; requiring the Department of Management Services to notify the Attorney General after the act becomes law; providing that the act becomes inoperative if federal law ceases to authorize states to enact such contracting prohibitions; providing an effective date.

—was read the third time by title.

On motion by Senator Bogdanoff, **CS for SB 444** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	
Flores	Norman	

Nays—None

Vote after roll call:

Yea—Alexander

SB 228—A bill to be entitled An act relating to the code of student conduct; amending s. 1006.07, F.S.; requiring the district school board to include in the code of student conduct adopted by the board an explanation of the responsibilities of each student with regard to appropriate dress and respect for self and others and the role that appropriate dress and respect for self and others has on an orderly learning environment; requiring each district school board to adopt a dress code policy that prohibits a student, while on the grounds of a public school during the regular school day, from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment; providing disciplinary actions for students who violate the dress code; amending s. 1006.15, F.S.; providing that adherence to appropriate dress and other codes of student conduct is a prerequisite for a student to be eligible to participate in interscholastic extracurricular student activities; reenacting s. 1002.23(7), F.S., relating to a parent guide to successful student achievement to be adopted by each school district board, to incorporate the amendment made to s. 1006.07, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Siplin, **SB 228** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

SB 344—A bill to be entitled An act relating to animal cruelty; creating s. 828.126, F.S.; providing definitions; prohibiting specified activities with an animal; prohibiting specified related activities; providing penalties; providing that the act does not apply to certain husbandry,

conformation judging, and veterinary practices; providing an effective date.

—as amended March 23 was read the third time by title.

On motion by Senator Rich, **SB 344** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

CS for SB 146—A bill to be entitled An act relating to criminal justice; providing a short title; providing legislative intent; requiring state agencies and regulatory boards to prepare reports that identify and evaluate restrictions on licensing and employment for ex-offenders; amending s. 112.011, F.S.; prohibiting state agencies from denying an application for a license, permit, certificate, or employment based on a person's lack of civil rights; providing an exception; amending s. 768.096, F.S.; revising the presumption against negligent hiring of an employee in circumstances in which a background investigation of a prospective employee revealed that the employee was unsuitable for the context of the employment in general; providing an effective date.

—as amended March 23 was read the third time by title.

On motion by Senator Smith, **CS for SB 146** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Diaz de la Portilla, by two-thirds vote **SB 800**, **SB 806**, **SB 1814**, **SB 1834**, and **SB 1910** were withdrawn from the committees of reference and further consideration.

On motion by Senator Margolis, by two-thirds vote **SB 836** and **SB 1132** were withdrawn from the committees of reference and further consideration.

On motion by Senator Thrasher, by two-thirds vote **SB 2044** was withdrawn from the Committees on Commerce and Tourism; and Budget; and referred to the Committees on Community Affairs; and Budget.

SPECIAL GUESTS

Senator Smith introduced his wife, Desorae; and sons, Christopher and Christian who were present in the gallery.

REPORTS OF COMMITTEES

The Committee on Budget Subcommittee on Education Pre-K - 12 Appropriations recommends the following pass: SB 1466; SB 1996

The Committee on Education Pre-K - 12 recommends the following pass: SB 1822

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 90; CS for SB 312; CS for SB 314; SB 330; CS for SB 380; CS for SB 480

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

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 1214

The bill was referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 850

The bill was referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 420; SB 568; SB 570; SB 602

The bills were referred to the Committee on Rules under the original reference.

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 904

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

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 1286; SB 1316; SB 1568

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1844

The Committee on Health Regulation recommends a committee substitute for the following: SB 1736

The Committee on Judiciary recommends a committee substitute for the following: SB 1592

The Committee on Transportation recommends committee substitutes for the following: SB 792; SB 1716

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 386

The Committee on Judiciary recommends a committee substitute for the following: SB 1072

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

The Committee on Transportation recommends a committee substitute for the following: SB 1434

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

The Committee on Judiciary recommends a committee substitute for the following: SB 328

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 648

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: SB 572; SB 600

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

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1124

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Lynn—

SB 1624—A bill to be entitled An act relating to outdoor theaters; repealing ch. 555, F.S., relating to access to public roads from outdoor theaters; removing provisions for entrances, exits, enclosures, vehicle storage, screen orientation, tower location, and driveway lighting; removing requirements for a qualifying certificate to prove compliance with agency regulations prior to issuance of an occupational license by the tax collector; providing an effective date.

—was referred to the Committee on Transportation.

Senate Bills 1626-2042—Previously referenced.

By the Committee on Budget Subcommittee on Finance and Tax—

SB 2044—A bill to be entitled An act relating to tax administration; repealing ss. 202.31 and 212.10, F.S., relating to liability for taxes following the sale of a business; amending s. 212.12, F.S.; clarifying provisions imposing certain penalties for noncompliance with requirements for reporting taxes; creating s. 212.131, F.S.; authorizing the Department of Revenue to require that sellers of alcoholic beverages or tobacco products file information reports of sales of those products to retailers in the state; defining terms; requiring that the report be filed electronically; providing for certain exceptions; specifying the period for reporting information; providing a penalty for failure of a seller to provide the information report when due; amending s. 212.14, F.S.; authorizing the department to adopt rules to administer provisions requiring dealers to provide a cash deposit, bond, or other security upon the request of the

department; defining the term “person” for purposes of such requirement; authorizing the Department of Revenue to adopt emergency rules; amending s. 213.053, F.S.; authorizing the department to release unemployment tax rate information to certain additional agents providing payroll services for employers; conforming a cross-reference; amending s. 213.758, F.S.; defining the terms “business,” “financial institution,” “insider,” “stock of goods,” and “tax” and clarifying the definition of the term “transfer” for purposes of provisions establishing tax liability following the disposition of a business; requiring that a final return be filed with the department within a specified time; requiring that an audit be performed within a specified period under certain circumstances; prohibiting a transferee who is liable for unpaid tax from continuing to engage in business; providing for an exception following the posting of a bond or other security; authorizing the Department of Legal Affairs to seek an injunction following prior written notice to the taxpayer; providing that under certain circumstances the transferor and transferee are jointly and severally liable for payment of the tax; providing procedures for determining the maximum liability of the transferee of a business; eliminating provisions authorizing rulemaking by the Department of Revenue; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to release photographs or digital images to the Department of Revenue in order to identify individuals for purposes of tax administration; amending s. 443.131, F.S.; providing for a reduction in the standard rate of unemployment tax for an employer that produces certain work records to the state agency providing tax collection services; providing effective dates.

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

SR 2046—Previously referenced.

By Senator Braynon—

SB 2048—A bill to be entitled An act relating to Medicaid; amending s. 409.912, F.S.; authorizing the Agency for Health Care Administration, in collaboration with the Department of Health, to develop a home and community-based services Medicaid waiver program to serve children diagnosed with Trisomy 18, subject to federal waiver approval, the availability of funds, and certain limitations; providing rulemaking authority; providing a short title; establishing the Health and Wellness Recruitment Act; providing a purpose; requiring the Florida Public Health Institute, Inc., and the Department of Health, in cooperation with state and local governments, to create and administer plans to reduce the cost of health care services to adults and children, including, but not limited to, those persons participating in the Medicaid program or Medicare program, throughout the state by providing education, services, and treatment through health care professionals and providers within a specified period of time; requiring the Florida Public Health Institute, Inc., and the Department of Health to submit the plans to the Governor and Legislature; requiring the Florida Public Health Institute, Inc., and the department to revise the plans every 2 years; requiring the Florida Public Health Institute, Inc., and the Department of Health, in consultation with health care stakeholders, to construct, in the most cost-efficient manner, the plans in accordance with the best interests of educational institutions, professionals, providers, and businesses in the health care industry in this state; requiring the Department of Health to provide administrative and staff support services and office space; requiring the department to adopt rules; providing an effective date.

—was referred to the Committees on Health Regulation; Community Affairs; and Budget.

By Senator Braynon—

SB 2050—A bill to be entitled An act relating to destination resorts; amending s. 20.21, F.S.; creating the Destination Resort Commission within the Department of Revenue; amending s. 120.80, F.S.; exempting the Destination Resort Commission from specified provisions of the Administrative Procedure Act; creating the Destination Resort Act; providing definitions; providing that the Destination Resort Commission is a separate budget entity from the Department of Revenue; providing for the appointment and qualifications of members of the commission; providing for the selection of the chair and vice chair of the commission; providing that the chair is the administrative head of the commission;

specifying the responsibilities of the chair; providing that the commission serves as the agency head for purposes of the Administrative Procedure Act; providing that the executive director of the commission may serve as the agency head for purposes of final agency action within the authority delegated by the commission; specifying the powers of the commission, including the power to authorize limited gaming at up to five destination resorts, conduct investigations, issue subpoenas, take enforcement actions, and create an invitation to negotiate process to evaluate applications for a resort license; specifying the jurisdiction of the commission, the Department of Law Enforcement, and local law enforcement agencies to investigate criminal violations relating to limited gaming; requiring the commission to revoke or suspend the license of a person who was unqualified at the time of licensure or who is no longer qualified to be licensed; authorizing the commission to adopt rules relating to the types of gaming authorized, requirements for the issuance, renewal, revocation, and suspension of licenses, the disclosure of financial interests, procedures to test gaming equipment, procedures to verify gaming revenues and the collection of taxes, requirements for gaming equipment, procedures relating to a facilities-based computer system, bond requirements of resort licensees, the maintenance of records, procedures to calculate the payout percentages of slot machines, security standards, the scope and conditions for investigations and inspections into the conduct of limited gaming, the seizure of gaming equipment and records without notice or a warrant, employee drug-testing programs, and the payment of costs, fines, and application fees; authorizing the commission to adopt emergency rules; exempting the rules from specified provisions of the Administrative Procedure Act; authorizing the commission to employ law enforcement officers; specifying the qualifications and powers of law enforcement officers employed by the commission; providing for the appointment, qualifications, and powers of the executive director of the commission; specifying persons who may not be employed by the commission; requiring the commission to adopt a code of ethics for its employees, members, and agents; specifying prohibited financial interests and relationships; imposing post-employment restrictions on members, employees, and agents of the commission; restricting the political activities of members, employees, and agents of the commission; prohibiting commissioners, employees, and agents of the commission from wagering under certain circumstances; requiring members, employees, and agents of the commission to annually disclose certain financial interests; specifying conditions under which members, employees, and agents of the commission must immediately disclose certain financial matters, criminal matters, employment negotiations, the offering or acceptance of gifts, and the offering of a bribe; prohibiting ex parte communications between applicants or licensees and members of the commission; requiring parties to an ex parte communication to disclose the substance of the communication; authorizing the imposition of a fine on a member of the commission who fails to disclose an ex parte communication; authorizing the Commission on Ethics to investigate complaints alleging an ex parte communication; requiring the Commission on Ethics to provide a report of its findings to the Governor if it finds that a commissioner violated the prohibitions on ex parte communications; authorizing the Commission on Ethics to bring an action against a commissioner to collect any penalties assessed; prohibiting a person who participated in an ex parte communication from appearing or representing a person before the commission for a certain time; specifying grounds for removal or termination of employment of commissioners and employees who violate the laws regulating limited gaming; preempting the regulation of limited gaming at a destination resort to the state; requiring the commission to develop an invitation to negotiate process to award a resort license; specifying the minimum criteria that an applicant must meet to be awarded a destination resort license; specifying events that disqualify an applicant from eligibility for a resort license; specifying the information that must be on or included with an application for a resort license; specifying the amount of a nonrefundable application fee for a resort license to be used to defray the costs of an investigation of the applicant; authorizing the imposition of additional fees if the amount of the application fee is insufficient to cover the costs of the investigation; requiring the payment of a one-time licensing fee to be submitted along with an application for a resort license; requiring the executive director to notify an applicant for a resort license if the application is incomplete; authorizing the applicant to have an informal conference with the executive director to discuss an incomplete application; authorizing the executive director to grant an extension to complete an application; providing for the stay of the award of a resort license during an extension or the appeal to the commission of a finding by the executive director that an application is incomplete; exempting an institutional investor that is a qualifier for a

resort licensee from certain application requirements under certain circumstances; requiring notice to the commission of any changes that may require a person to comply with the full application requirements; exempting lending institutions and underwriters from licensing requirements as a qualifier under certain circumstances; specifying conditions for a resort licensee to maintain licensure; requiring that the licensee post a bond; requiring the commission to renew the license of a resort licensee if the licensee satisfies specified conditions; specifying an annual fee for the renewal of a resort license; imposing a tiered gross receipts tax based on the amount of a resort licensee's infrastructure costs; providing for the deposit of the tax into the Destination Resort Trust Fund; providing for certain unappropriated funds in the Destination Resort Trust Fund to be deposited into the General Revenue Fund, the Tourism Promotional Trust Fund, the Employment Security Administration Trust Fund, and the Transportation Disadvantaged Trust Fund; providing for the proceeds of the gross receipts tax to fund the operations of the commission; providing procedures for the submission and processing of fingerprints of certain persons regulated by the commission; providing that the cost of processing the fingerprints shall be borne by a licensee or applicant; requiring a person to report to the commission certain pleas and convictions for disqualifying offenses; requiring a resort licensee to train its employees about compulsive gambling; requiring a resort licensee to work with a compulsive gambling prevention program; requiring the commission to contract for services relating to the prevention of compulsive gambling; providing for the commission's compulsive gambling prevention program to be funded from a regulatory fee imposed on resort licensees; requiring a person to have a supplier's license to furnish certain goods and services to a resort licensee; specifying the amount of the application fee for a supplier's license; specifying persons who are disqualified from receiving a supplier's license; specifying circumstances under which the commission may revoke a supplier's license; authorizing the commission to adopt rules relating to the licensing of suppliers; requiring a supplier licensee to furnish a list of gaming devices and equipment to the commission, maintain records, file quarterly returns, and affix its name to the gaming equipment and supplies that it offers; requiring that the supplier licensee annually report its inventory to the commission; authorizing the commission to revoke a supplier's license under certain circumstances; providing that the equipment of a supplier's licensee which is used in unauthorized gaming will be forfeited to the county where the equipment is found; imposing a criminal penalty on a person who knowingly makes a false statement on an application for a supplier's license; requiring a person to have an occupational license to serve as a limited gaming employee of a resort licensee; requiring a person to apply to the commission for an occupational license and pay an application fee; specifying information that an applicant must include in an application for an occupational license; specifying grounds for the commission to deny an application for an occupational license; imposing a criminal penalty on a person who knowingly makes a false statement on an application for an occupational license; authorizing the executive director of the commission to issue a temporary occupational or temporary supplier's license under certain circumstances; requiring the commission to file quarterly reports with the Governor, the President of the Senate, and the Speaker of the House of Representatives; specifying procedures for the conduct of proceedings by the commission; authorizing the chair of the commission to assign a proceeding to less than the full commission; providing procedures for the resolution of certain disputes between a resort licensee and a patron; requiring a resort licensee to notify the commission of certain disputes with a patron involving amounts of \$500 or more; requiring a resort licensee to notify a patron of the right to file a complaint with the commission regarding certain disputes of an amount less than \$500; authorizing the commission to investigate disputes and to order a resort licensee to make a payment to a patron; providing for the enforcement of credit instruments; authorizing a resort licensee to accept an incomplete credit instrument and to complete incomplete credit instruments under certain circumstances; providing that existence of a mental disorder is not a defense or a valid counterclaim in an action to enforce a credit instrument; authorizing the commission to adopt rules prescribing the conditions under which a credit instrument may be presented to a bank; providing that a resort licensee has the right to exclude a person from its limited gaming facility; authorizing a person to request that the commission exclude her or him from limited gaming facilities; specifying the required contents of the request; providing that a self-excluded person who is found on a gaming floor may be arrested and prosecuted for criminal trespass; providing that a self-excluded person holds harmless the commission and licensees from claims for losses and damages under certain circumstances; amending s.

849.15, F.S.; authorizing slot machine gaming in a resort licensee and the transportation of slot machines pursuant to federal law; amending s. 849.231, F.S.; providing that a prohibition on gambling devices does not apply to limited gaming as authorized in the act; amending s. 849.25, F.S.; providing that a prohibition on gaming does not apply to limited gaming as authorized in the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; and Budget.

Senate Resolutions 2052-2054—Not referenced.

By the Committee on Rules Subcommittee on Ethics and Elections—

SB 2056—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 112.3215, F.S., which provides exemptions from public-records and public-meeting requirements for records and meetings related to audits and investigations conducted by the Commission on Ethics of alleged violations of certain lobbyist registration and reporting requirements; saving the exemptions from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemptions; providing an effective date.

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

Senate Resolutions 2058-2060—Not referenced.

By the Committee on Children, Families, and Elder Affairs—

SB 2062—A bill to be entitled An act relating to persons with developmental disabilities; amending s. 393.067, F.S.; prohibiting monitoring requirements that mandate pornographic materials be available in residential facilities that serve clients of the Agency for Persons with Disabilities; amending s. 393.11, F.S.; requiring the court to order a person involuntarily admitted to residential services to be released to the agency for appropriate residential services; forbidding the court from ordering that such person be released directly to a residential service provider; authorizing the agency to transfer a person from one residential setting to another; requiring the agency to notify the committing court of a person's transfer within a specified time; amending s. 916.1093, F.S.; requiring the agency to ensure that there are sufficient community-based placements for defendants charged with sex offenses; amending s. 916.3025, F.S.; requiring that the court order a person involuntarily admitted to residential services after criminal charges have been dismissed be released to the agency for appropriate residential services; creating a task force to develop input for the creation of certain guidelines and procedures for providers of residential services; providing for membership of the task force; requiring the task force to seek input from certain pertinent entities; requiring the Agency for Persons with Disabilities to provide administrative support to the task force; requiring the task force to submit its findings to the Legislature; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Budget.

By the Committee on Children, Families, and Elder Affairs—

SB 2064—A bill to be entitled An act relating to mental health and substance abuse treatment; amending s. 916.106, F.S.; redefining the term "court" to include county courts in certain circumstances; amending s. 916.13, F.S.; requiring the Department of Children and Family Services to provide a discharged defendant with up to a 7-day supply of psychotropic medication when he or she is returning to jail from a state treatment facility; requiring the department to prescribe a specified formulary when filling prescriptions for psychotropic medications; amending s. 916.17, F.S.; authorizing a county court to order the conditional release of a defendant for the provision of outpatient care and treatment; creating s. 916.185, F.S.; creating the Forensic Hospital Diversion Pilot Program; providing legislative intent; providing definitions; requiring the Department of Children and Family Services to implement a Forensic Hospital Diversion Pilot Program in three specified judicial

circuits; providing the scope of eligibility for the pilot program; providing legislative intent concerning training; authorizing the department to adopt rules; directing the Office of Program Policy Analysis and Government Accountability to submit a report to the Governor and Legislature; amending s. 951.23, F.S.; defining the term “facility” for purposes of the administration of county and municipal detention facilities to include detention facilities and residential probation centers; requiring county and municipal detention facilities to use a formulary approved by the Department of Children and Family Services when prescribing psychotropic medications for defendants discharged from state treatment facilities; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Budget.

BILLS REFERRED TO SUBCOMMITTEE

March 24, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Rules Subcommittee on Ethics and Elections which will report to this standing committee within 60 days: SB 2056.

Senator John Thrasher, Chair
Committee on Rules

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary; and Senator Margolis—

CS for SB 328—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; authorizing a sheriff to charge a fee for processing a writ of execution; authorizing a person to provide the sheriff with an electronic copy of a process for service; amending s. 48.031, F.S.; directing a process server to place required information on the first page of at least one of the processes served; requiring a process server to list all initial pleadings delivered and served along with the process on the return-of-service form; requiring the person issuing the process to file the return-of-service form with the court; granting authorized process servers unannounced access to specified residential areas where a defendant or witness resides or is known to be; amending s. 48.081, F.S.; authorizing a person attempting to serve process on the registered agent of a corporation to serve the process, in specified circumstances, on any employee of the registered agent during the first attempt at service even if the registered agent is temporarily absent from his or her office; amending s. 48.21, F.S.; requiring a process server to sign the return-of-service form; authorizing an employee of a sheriff to sign a return-of-service form electronically; providing that the failure to sign a return-of-service form invalidates the service and subjects the process server to a fine; amending s. 48.29, F.S.; directing a process server to place required information on the first page of at least one of the processes served; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senators Bogdanoff, Fasano, and Gaetz—

CS for SB 386—A bill to be entitled An act relating to preference to Florida businesses in procurement of personal property and services; providing a short title; amending s. 283.35, F.S.; requiring an agency, county, municipality, school district, or other political subdivision of the state to grant a specified preference to a vendor located within the state when awarding a contract for printing under certain circumstances; specifying the percentages of preference to be granted; amending s. 287.084, F.S.; requiring, rather than authorizing, an agency, county, municipality, school district, or other political subdivision of the state in making purchases of personal property through competitive solicitation to award a preference to the lowest responsible and responsive vendor having a principal place of business within this state under specified circumstances; specifying the percentages of preference to be granted; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Judiciary—

CS for SB 572—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 744.7082, F.S., which provides an exemption from public-records requirements for information that identifies certain donors or prospective donors to the direct-support organization for the Statewide Public Guardianship Office; removing superfluous and duplicative language; repealing s. 2, ch. 2006-179, Laws of Florida, which provides for repeal of the exemption; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Criminal Justice—

CS for SB 600—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public-records requirements for identification and location information of certain current and former employees of the Department of Juvenile Justice and their family members; revising the job classifications specified in the exemption to reflect those classifications used by the department; removing the scheduled repeal of the exemption; providing an effective date.

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

CS for SB 648—A bill to be entitled An act relating to estates; creating s. 90.5021, F.S.; creating a fiduciary lawyer-client privilege; providing that the lawyer-client privilege applies to the communications between a lawyer and a client that is a fiduciary; providing that the act does not affect the crime or fraud exception to the lawyer-client privilege; amending s. 732.102, F.S.; revising provisions relating to the intestate share of a surviving spouse; creating s. 732.615, F.S.; providing a right to reform the terms of a will to correct mistakes; creating s. 732.616, F.S.; providing a right to modify the terms of a will to achieve tax objectives; creating s. 733.1061, F.S.; providing for a court to award fees and costs in reformation and modification proceedings either against a party's share in the estate or in the form of a personal judgment against a party individually; amending s. 732.5165, F.S.; clarifying that a revocation of a will is subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 732.518, F.S.; specifying that a challenge to the revocation of a will may not be commenced before the testator's death; amending s. 733.212, F.S.; requiring a notice of administration to state that the fiduciary lawyer-client privilege applies with respect to the personal representative and his or her attorney; amending s. 736.0207, F.S.; clarifying when a challenge to the revocation of a revocable trust may be brought; amending s. 736.0406, F.S.; providing that the creation of a trust amendment or trust restatement and the revocation of a trust are subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 736.0813, F.S.; providing that the fiduciary lawyer-client privilege applies to communications between a trustee and an attorney employed by the trustee; amending s. 744.441, F.S.; limiting the circumstances under which a guardian of an incapacitated person may bring a challenge to a settlor's revocation of a revocable trust; amending s. 736.0201, F.S.; clarifying that certain payments by a trustee from trust assets are not taxation of attorney's fees and costs subject to a specified Rule of Civil Procedure; providing for application of the act; providing effective dates.

By the Committee on Transportation; and Senator Diaz de la Portilla—

CS for SB 792—A bill to be entitled An act relating to driving without a valid driver's license; amending s. 318.18, F.S.; providing an additional fine for a violation of specified provisions relating to driving with a canceled, suspended, or revoked driver's license or driving privilege; providing increased fine amounts for second or subsequent violations; amending s. 318.21, F.S.; providing for distribution of such fines collected; amending s. 322.34, F.S.; deleting a knowledge element for conviction of the offense of driving while a person's driver's license or driving privilege is canceled, suspended, or revoked; requiring immediate impoundment of the motor vehicle; conforming provisions; revising penalties for knowingly driving while the driver's license or driving privilege is

canceled, suspended, or revoked; revising procedures for impoundment of the vehicle; providing an effective date.

By the Committee on Judiciary; and Senator Latvala—

CS for SB 1072—A bill to be entitled An act relating to the recording of real property documents; creating s. 695.28, F.S.; establishing that certain electronic documents accepted for recordation are validly recorded; providing legislative intent; providing for prospective and retroactive application; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Montford, Lynn, and Wise—

CS for SB 1124—A bill to be entitled An act relating to public school buses; amending s. 1006.25, F.S.; providing for district school board policies that authorize commercial advertisements on school buses; providing policy requirements relating to reimbursement to the school district, prohibited advertisements, and signage and equipment standards; requiring a school bus to be withdrawn from use under certain circumstances; providing for the remittance and allocation of revenue; providing an effective date.

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

CS for SB 1286—A bill to be entitled An act relating to state reciprocity in workers' compensation claims; creating s. 440.094, F.S.; providing extraterritorial coverage for employees of this state who temporarily leave this state incidental to his or her employment; exempting certain employees from another state working in this state and the employers of such employees from the workers' compensation law of this state under certain conditions; providing that the benefits under the workers' compensation insurance or similar laws of the other state are the exclusive remedy against the employer for any injury received by an employee working temporarily in this state; providing requirements for the establishment of prima facie evidence that the employer carries certain workers' compensation insurance; requiring courts to take judicial notice of the construction of certain laws; requiring an employee having a claim under the workers' compensation law of another state, territory, province, or country for the same injury as the claim filed in this state, to have the total amount of compensation paid under another workers' compensation law be credited against the compensation due under the state workers' compensation law; providing criteria for employees to be considered temporarily in a state; providing for the application of the act to a claim; amending s. 440.12, F.S.; authorizing a worker's compensation insurance carrier to provide compensation payments through the use of prepaid cards under certain circumstances; requiring the carrier to maintain records of the payments made and the time and manner of the payments; amending s. 440.20, F.S.; providing that the obligation of a workers' compensation insurance carrier to pay compensation directly to an employee is satisfied by providing compensation through the use of a prepaid card; providing an effective date.

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

CS for SB 1316—A bill to be entitled An act relating to loan processing; amending s. 494.001, F.S.; creating and revising definitions; deleting a redundant definition; amending s. 494.0011, F.S.; specifying rulemaking powers of the Financial Services Commission; amending s. 494.0018, F.S.; revising cross-references; amending s. 494.0025, F.S.; prohibiting acting as an in-house loan processor without a specified license; amending s. 494.00255, F.S.; including licensed in-house loan processors in disciplinary provisions; amending s. 494.00312, F.S.; providing that a loan originator license may not be issued to a person who has had an in-house loan processor license or its equivalent revoked in any jurisdiction; creating s. 494.00314, F.S.; providing for licensing of in-house loan processors; providing application requirements; specifying when an application is considered received; providing grounds for denial of licensure; prohibiting issuance of licenses to applicants who have had certain licenses revoked in other jurisdictions; providing for annulment of licenses in certain circumstances; requiring annual renewal of licenses; prohibiting an in-house loan processor from acting as a loan originator without a loan originator license; authorizing a licensed loan originator to act as an in-house loan processor without an in-house loan

processor license; creating s. 494.00315, F.S.; providing for license renewals; amending s. 494.00331, F.S.; providing that specified provisions do not apply to a licensed contract loan processor who has on file with the office a declaration of intent to act solely as a contract loan processor; deleting a definition; providing restrictions on employment of persons licensed as in-house loan processors; amending s. 494.0035, F.S.; clarifying provisions concerning operation of mortgage brokers; amending s. 494.0038, F.S.; revising provisions relating to disclosure of settlement charges and loan terms; amending s. 494.00421, F.S.; revising an agency reference in the mortgage broker agreement; providing that a borrower may contact the Office of Financial Regulation rather than the Department of Financial Services regarding any complaints against a loan originator; amending s. 494.00611, F.S.; providing that a mortgage lender license may not be issued to an applicant if any of the applicant's control persons has ever had an in-house loan processor license or its equivalent revoked in any jurisdiction; amending s. 494.00612, F.S.; requiring that in order to renew a mortgage lender license a mortgage lender must authorize the Nationwide Mortgage Licensing System and Registry to obtain an independent credit report on each of the mortgage lender's control persons; amending s. 494.0067, F.S.; requiring each mortgage lender to submit certain reports to the registry as may be required; providing an effective date.

By the Committee on Transportation; and Senator Latvala—

CS for SB 1434—A bill to be entitled An act relating to the Office of Motor Carrier Compliance; amending s. 20.23, F.S.; creating a motor carrier weight inspection area of program responsibility within the Department of Transportation, which replaces motor carrier compliance; amending s. 20.24, F.S.; creating the Office of Motor Carrier Compliance within the Division of the Florida Highway Patrol within the Department of Highway Safety and Motor Vehicles; amending ss. 110.205, 311.115, 316.302, 316.3025, 316.3026, 316.516, 316.545, 316.640, 320.18, 321.05, and 334.044, F.S.; conforming provisions to changes made by the act; creating the Law Enforcement Consolidation Task Force; providing for membership; requiring the task force to make recommendations and submit a report to the Legislature by a certain date; providing for future expiration; providing an effective date.

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

CS for SB 1568—A bill to be entitled An act relating to insurer insolvency; amending s. 631.152, F.S.; authorizing the Department of Financial Services to request appointment as ancillary receiver if necessary to obtain records to adjudicate covered claims; providing for the reimbursement of specified costs associated with ancillary delinquency proceedings; creating s. 631.2715, F.S.; providing for the State Risk Management Trust Fund to cover specified officers, employees, agents, and other representatives of the Department of Financial Services for liability under specified federal laws relating to receiverships; amending s. 631.391, F.S.; imposing penalties on persons who fail to cooperate in providing records; amending s. 631.54, F.S.; revising the definition of the term "covered claim" to exclude a claim rejected or denied by another state's guaranty fund based upon that state's statutory exclusions; amending s. 631.56, F.S.; providing that a board member of the Florida Insurance Guaranty Association representing an insurer in receivership shall be terminated as a board member; specifying a termination date; amending s. 631.904, F.S.; revising the definition of "covered claim" to exclude a claim rejected or denied by another state's guaranty fund based upon that state's statutory exclusions; amending s. 631.912, F.S.; providing that any board member of the Florida Workers' Compensation Insurance Guaranty Association who is employed by, or has a material relationship with, an insurer in receivership shall be terminated as a board member; specifying a termination date; providing an effective date.

By the Committee on Judiciary; and Senator Thrasher—

CS for SB 1592—A bill to be entitled An act relating to civil remedies against insurers; amending s. 624.155, F.S.; revising provisions relating to civil actions against insurers; revising the grounds for bringing an action based on the insurer's failure to accept an offer to settle within policy limits; providing who may bring such an action; providing requirements for bringing such an action; providing for the release of an insured if the insurer offers to settle a third-party claim within a spe-

cified time under certain circumstances; providing that the insurer has an affirmative defense if a third-party claimant or the insured fails to cooperate with the insurer; providing that an insurer is not liable for two or more claims that exceed the policy limits if it files an interpleader action or makes the policy limits available under arbitration; specifying responsibility for the payment of liens; providing that an insurer is not liable for amounts in excess of the policy limits if it makes timely payment of the appraisal amount; providing that certain refusals to act by the insurer are not presumptive evidence of bad faith; revising requirements relating to the preaction notice of a civil action sent to the Department of Financial Regulation and the insurer; providing for the relationship of the act to the common law and prior judicial decisions; providing a definition for “third-party claim”; amending s. 627.311, F.S.; conforming a cross-reference; deleting an obsolete provision; providing for severability; providing an effective date.

By the Committee on Transportation; and Senator Ring—

CS for SB 1716—A bill to be entitled An act relating to transportation project funding; redirecting funds in the State Transportation Trust Fund and portions of amounts contracted for construction projects of the Department of Transportation to be used for prioritized projects; amending s. 212.0606, F.S., relating to a rental car surcharge; revising the use of allocated proceeds; amending s. 334.044, F.S., relating to powers and duties of the department; revising the allocation of a certain percentage amount of contracted funds; directing unused portions of such funds be reallocated; amending s. 339.135, F.S., relating to the department’s adopted work program; providing for certain unencumbered and available funds remaining in the adopted work program due to certain cost savings to be reallocated; amending s. 339.55, F.S., relating to the state-funded infrastructure bank; directing the department to deposit certain funds into the bank; providing a contingent effective date.

By the Committee on Health Regulation; and Senator Latvala—

CS for SB 1736—A bill to be entitled An act relating to health care; amending s. 83.42, F.S., relating to exclusions from part II of ch. 83, F.S., the Florida Residential Landlord and Tenant Act; clarifying that the procedures in s. 400.0255, F.S., for transfers and discharges are exclusive to residents of a nursing home licensed under part II of ch. 400, F.S.; amending s. 112.0455, F.S., relating to the Drug-Free Workplace Act; deleting an obsolete provision; deleting a provision that requires a laboratory to submit to the Agency for Health Care Administration a monthly report containing statistical information regarding the testing of employees and job applicants; repealing s. 383.325, F.S., relating to confidentiality of inspection reports of licensed birth center facilities; amending s. 395.002, F.S.; revising and deleting definitions applicable to regulation of hospitals and other licensed facilities; conforming a cross-reference; amending s. 395.003, F.S.; deleting an obsolete provision; conforming a cross-reference; amending s. 395.0161, F.S.; deleting a requirement that facilities licensed under part I of ch. 395, F.S., pay licensing fees at the time of inspection; amending s. 395.0193, F.S.; requiring a licensed facility to report certain peer review information and final disciplinary actions to the Division of Medical Quality Assurance of the Department of Health rather than the Division of Health Quality Assurance of the Agency for Health Care Administration; amending s. 395.1023, F.S.; providing for the Department of Children and Family Services rather than the Department of Health to perform certain functions with respect to child protection cases; requiring certain hospitals to notify the Department of Children and Family Services of compliance; amending s. 395.1041, F.S., relating to hospital emergency services and care; deleting obsolete provisions; repealing s. 395.1046, F.S., relating to complaint investigation procedures; amending s. 395.1055, F.S.; requiring licensed facility beds to conform to standards specified by the Agency for Health Care Administration, the Florida Building Code, and the Florida Fire Prevention Code; amending s. 395.10972, F.S.; revising a reference to the Florida Society of Healthcare Risk Management to conform to the current designation; amending s. 395.2050, F.S.; revising a reference to the federal Health Care Financing Administration to conform to the current designation; amending s. 395.3036, F.S.; correcting a reference; repealing s. 395.3037, F.S., relating to redundant definitions; amending ss. 154.11, 394.741, 395.3038, 400.925, 400.9935, 408.05, 440.13, 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; revising references to the Joint Commission

on Accreditation of Healthcare Organizations, the Commission on Accreditation of Rehabilitation Facilities, and the Council on Accreditation to conform to their current designations; amending s. 395.602, F.S.; revising the definition of the term “rural hospital” to delete an obsolete provision; amending s. 400.021, F.S.; revising the definition of the terms “geriatric outpatient clinic” and “resident care plan”; amending s. 400.0234, F.S.; conforming provisions to changes made by the act; amending s. 400.0255, F.S.; correcting an obsolete cross-reference to administrative rules; amending s. 400.063, F.S.; deleting an obsolete provision; amending ss. 400.071 and 400.0712, F.S.; revising applicability of general licensure requirements under part II of ch. 408, F.S., to applications for nursing home licensure; revising provisions governing inactive licenses; amending s. 400.111, F.S.; providing for disclosure of controlling interest of a nursing home facility upon request by the Agency for Health Care Administration; amending s. 400.1183, F.S.; revising grievance record maintenance and reporting requirements for nursing homes; amending s. 400.141, F.S.; providing criteria for the provision of respite services by nursing homes; requiring a written plan of care; requiring a contract for services; requiring resident release to caregivers to be designated in writing; providing an exemption to the application of discharge planning rules; providing for residents’ rights; providing for use of personal medications; providing terms of respite stay; providing for communication of patient information; requiring a physician’s order for care and proof of a physical examination; providing for services for respite patients and duties of facilities with respect to such patients; conforming a cross-reference; requiring facilities to maintain clinical records that meet specified standards; providing a fine relating to an admissions moratorium; deleting requirement for facilities to submit certain information related to management companies to the agency; deleting a requirement for facilities to notify the agency of certain bankruptcy filings to conform to changes made by the act; authorizing a facility to charge a fee to copy a resident’s records; amending s. 400.142, F.S.; deleting language relating to agency adoption of rules; repealing s. 400.145, F.S., relating requirements for furnishing the records of residents in a licensed nursing home to certain specified parties; amending 400.147, F.S.; revising reporting requirements for licensed nursing home facilities relating to adverse incidents; repealing s. 400.148, F.S., relating to the Medicaid “Up-or-Out” Quality of Care Contract Management Program; amending s. 400.179, F.S.; deleting an obsolete provision; amending s. 400.19, F.S.; revising inspection requirements; amending s. 400.23, F.S.; deleting an obsolete provision; correcting a reference; deleting a requirement that the rules for minimum standards of care for persons under 21 years of age include a certain methodology; directing the agency to adopt rules for minimum staffing standards in nursing homes that serve persons under 21 years of age; providing minimum staffing standards; amending s. 400.275, F.S.; revising agency duties with regard to training nursing home surveyor teams; revising requirements for team members; amending s. 400.462, F.S.; redefining the term “remuneration” for purposes of the Home Health Services Act; amending s. 400.484, F.S.; revising the schedule of home health agency inspection violations; amending s. 400.506, F.S.; providing that a nurse registry is exempt from certain license penalties and fines otherwise imposed by the Agency for Health Care Administration on a nurse registry under certain circumstances; authorizing an administrator to manage up to five nurse registries under certain circumstances; requiring an administrator to designate, in writing, for each licensed entity, a qualified alternate administrator to serve during the administrator’s absence; amending s. 400.509, F.S.; providing that organizations that provide companion services only to persons with developmental disabilities, under contract with the Agency for Persons with Disabilities, are exempt from registration with the Agency for Health Care Administration; reenacting ss. 400.464(5)(b) and 400.506(6)(a), F.S., relating to home health agencies and licensure of nurse registries, respectively, to incorporate the amendment made to s. 400.509, F.S., in references thereto; amending s. 400.606, F.S.; revising the content requirements of the plan accompanying an initial or change-of-ownership application for licensure of a hospice; revising requirements relating to certificates of need for certain hospice facilities; amending s. 400.607, F.S.; revising grounds for agency action against a hospice; amending s. 400.915, F.S.; correcting an obsolete cross-reference to administrative rules; amending s. 400.931, F.S.; requiring each applicant for initial licensure, change of ownership, or renewal to operate a licensed home medical equipment provider at a location outside the state to submit documentation of accreditation, or an application for accreditation, from an accrediting organization that is recognized by the Agency for Health Care Administration; requiring an applicant that has applied for accreditation to provide proof of accreditation within a spe-

cified time; deleting a requirement that an applicant for a home medical equipment provider license submit a surety bond to the agency; amending s. 400.932, F.S.; revising grounds for the imposition of administrative penalties for certain violations by an employee of a home medical equipment provider; amending s. 400.967, F.S.; revising the schedule of inspection violations for intermediate care facilities for the developmentally disabled; providing a penalty for certain violations; amending s. 400.9905, F.S.; revising the definitions of the terms "clinic" and "portable equipment provider"; providing that part X of ch. 400, F.S., the Health Care Clinic Act, does not apply to certain clinical facilities, an entity owned by a corporation with a specified amount of annual sales of health care services under certain circumstances, an entity owned or controlled by a publicly traded entity with a specified amount of annual revenues, or an entity that employs at least a certain number of health care practitioners and bills for medical services under a single corporate tax identification number; amending s. 400.991, F.S.; conforming terminology; revising application requirements relating to documentation of financial ability to operate a mobile clinic; amending s. 408.033, F.S.; providing that fees assessed on selected health care facilities and organizations may be collected prospectively at the time of licensure renewal and prorated for the licensing period; amending s. 408.034, F.S.; revising agency authority relating to licensing of intermediate care facilities for the developmentally disabled; amending s. 408.036, F.S.; deleting an exemption from certain certificate-of-need review requirements for a hospice or a hospice inpatient facility; deleting a requirement that the agency submit a report to the Legislature providing information concerning the number of requests it receives for an exemption from certificate-of-need review; amending s. 408.037, F.S.; revising requirements for the financial information to be included in an application for a certificate of need; amending s. 408.043, F.S.; revising requirements for certain freestanding inpatient hospice care facilities to obtain a certificate of need; amending s. 408.061, F.S.; revising health care facility data reporting requirements; amending s. 408.10, F.S.; removing agency authority to investigate certain consumer complaints; amending s. 408.802, F.S.; removing applicability of part II of ch. 408, F.S., relating to general licensure requirements, to private review agents; amending s. 408.804, F.S.; providing penalties for altering, defacing, or falsifying a license certificate issued by the agency or displaying such an altered, defaced, or falsified certificate; amending s. 408.806, F.S.; revising agency responsibilities for notification of licensees of impending expiration of a license; requiring payment of a late fee for a license application to be considered complete under certain circumstances; amending s. 408.8065, F.S.; revising the requirements for becoming licensed as a home health agency, home medical equipment provider, or health care clinic; amending s. 408.809, F.S.; revising provisions to include a schedule for background rescreenings of certain employees; amending s. 408.813, F.S.; authorizing the agency to impose fines for unclassified violations of part II of ch. 408, F.S.; amending s. 408.815, F.S.; authorizing the agency to extend a license expiration date under certain circumstances; amending s. 409.91196, F.S.; conforming a cross-reference; amending s. 409.912, F.S.; revising procedures for implementation of a Medicaid prescribed-drug spending-control program; amending s. 429.07, F.S.; deleting the requirement for an assisted living facility to obtain an additional license in order to provide limited nursing services; deleting the requirement for the agency to conduct quarterly monitoring visits of facilities that hold a license to provide extended congregate care services; deleting the requirement for the department to report annually on the status of and recommendations related to extended congregate care; deleting the requirement for the agency to conduct monitoring visits at least twice a year to facilities providing limited nursing services; increasing the additional licensing fee per resident based on the total licensed resident capacity of the facility; eliminating the license fee for the limited nursing services license; transferring from another provision of law the requirement that a biennial survey of an assisted living facility include specific actions to determine whether the facility is adequately protecting residents' rights; providing that under specified conditions an assisted living facility that has a class I or class II violation is subject to periodic unannounced monitoring; requiring a registered nurse to participate in certain monitoring visits; amending s. 429.11, F.S.; revising licensure application requirements for assisted living facilities to eliminate provisional licenses; amending s. 429.12, F.S.; deleting a requirement that a transferor of an assisted living facility advise the transferee to submit a plan for correction of certain deficiencies to the Agency for Health Care Administration before ownership of the facility is transferred; amending s. 429.17, F.S.; deleting provisions relating to the limited nursing services license; revising agency responsibilities regarding the issuance of conditional licenses; amending s. 429.195, F.S.;

prohibiting an assisted living facility from contracting or promising to pay or receive any commission, bonus, kickback, or rebate or engage in any split-fee arrangement with any health care provider or health care facility; providing exceptions; amending s. 429.23, F.S.; deleting reporting requirements for assisted living facilities relating to liability claims; amending s. 429.255, F.S.; eliminating provisions authorizing the use of volunteers to provide certain health-care-related services in assisted living facilities; authorizing assisted living facilities to provide limited nursing services; requiring an assisted living facility to be responsible for certain recordkeeping and staff to be trained to monitor residents receiving certain health-care-related services; amending s. 429.28, F.S.; deleting a requirement for a biennial survey of an assisted living facility, to conform to changes made by the act; conforming a cross-reference; amending s. 429.294, F.S.; conforming provisions to changes made by the act; amending s. 429.41, F.S., relating to rulemaking; conforming provisions to changes made by the act; deleting the requirement for the Department of Elderly Affairs to submit to the Legislature a copy of proposed rules regarding the quality of resident care in an assisted living facility; amending s. 429.53, F.S.; revising provisions relating to consultation by the agency; revising a definition; amending s. 429.54, F.S.; requiring licensed assisted living facilities to electronically report certain data semiannually to the agency in accordance with rules adopted by the department; amending s. 429.71, F.S.; revising schedule of inspection violations for adult family-care homes; amending s. 429.915, F.S.; revising agency responsibilities regarding the issuance of conditional licenses; repealing s. 440.102(9)(d), F.S., relating to a laboratory's requirement to submit to the Agency for Health Care Administration a monthly report containing statistical information regarding the testing of employees and job applicants; amending s. 483.035, F.S.; providing for a clinical laboratory to be operated by certain nurses; amending s. 483.051, F.S.; requiring the Agency for Health Care Administration to provide for biennial licensure of all nonwaived laboratories that meet certain requirements; requiring the agency to prescribe qualifications for such licensure; defining nonwaived laboratories as laboratories that do not have a certificate of waiver from the Centers for Medicare and Medicaid Services; deleting requirements for the registration of an alternate site testing location when the clinical laboratory applies to renew its license; amending s. 483.294, F.S.; revising frequency of agency inspections of multiphasic health testing centers; amending s. 626.9541, F.S.; authorizing an insurer offering a group or individual health benefit plan to offer a wellness program; authorizing rewards or incentives; providing for verification of a member's inability to participate for medical reasons; providing that such rewards or incentives are not insurance benefits; amending s. 766.202, F.S.; adding persons licensed under part XIV of ch. 468, F.S., to the definition of "health care provider"; amending ss. 394.4787, 400.0239, 408.07, 430.80, and 651.118, F.S.; conforming terminology and references to changes made by the act; revising a reference; amending s. 817.505, F.S.; providing that it is not patient brokering for an assisted living facility to offer payment under certain circumstances; amending s. 381.06014, F.S.; redefining the term "blood establishment" and defining the term "volunteer donor"; prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit organization or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as for-profit organizations or not-for-profit organizations when determining service fees for selling blood or blood components; requiring that certain blood establishments disclose specified information on the Internet; authorizing the Department of Legal Affairs to assess a civil penalty against a blood establishment that fails to disclose specified information on the Internet; providing that the civil penalty accrues to the state and requiring that it be deposited as received into the General Revenue Fund; amending s. 499.003, F.S.; redefining the term "health care entity" to clarify that a blood establishment is a health care entity that may engage in certain activities; amending s. 499.005, F.S.; clarifying provisions that prohibit the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity or donated or supplied at a reduced price to a charitable organization, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted prescription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute under a restricted prescription drug distributor permit; authorizing the Depart-

ment of Health to adopt rules regarding the distribution of prescription drugs by blood establishments; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Gaetz—

CS for SB 1844—A bill to be entitled An act relating to career and professional academies; amending s. 1003.491, F.S.; revising provisions relating to the Florida Career and Professional Education Act; replacing references to local workforce boards with regional workforce boards; requiring that economic development agencies collaborate with each district school board, regional workforce boards, and postsecondary institutions to develop a strategic 5-year plan that addresses local and regional workforce demands; requiring that the strategic plan include access to courses offered through virtual education providers and a review of career and professional academy courses; requiring that the strategic plan be reviewed, updated, and jointly approved; amending s. 1003.492, F.S.; revising provisions relating to industry-certified career education programs to conform to changes made by the act; requiring that rules adopted by the State Board of Education include an approval process for determining the funding weights of industry certifications; requiring that the performance factors for students participating in industry-certified career education programs include awards of postsecondary credit and state scholarships; amending s. 1003.493, F.S.; revising provisions relating to career and professional academies to conform to changes made by the act; requiring that career and professional academies discontinue enrollment of students for the following year if the passage rate on the industry certification exam falls below 50 percent; amending s. 1011.62, F.S.; revising provisions relating to the calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs; requiring that the value of full-time equivalent membership be determined by weights adopted by the State Board of Education; amending s. 1012.39, F.S.; requiring that each district school board establish qualifications for nondegree teachers of career and technical education courses for program clusters recognized in the state; authorizing district school boards to establish alternative qualifications for certain teachers; creating s. 1003.4935, F.S.; requiring that each district school board, in collaboration with regional workforce boards, economic development agencies, and state-approved postsecondary institutions, include a component in the strategic 5-year plan to implement a career and professional academy in at least one middle school in each district; providing requirements for the middle school career and professional academies; requiring that the Department of Education collect and report student achievement data for middle school career academy students; amending s. 1008.34, F.S.; conforming provisions relating to the designation of school grades to changes made by the act; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Budget Subcommittee on Criminal and Civil Justice Appropriations; and Judiciary; and Senator Bennett—

CS for CS for SB 170—A bill to be entitled An act relating to electronic filing and receipt of court documents; creating ss. 27.341 and 27.5112, F.S.; requiring each state attorney and public defender to electronically file court documents with the clerk of the court and receive court documents from the clerk of the court; defining the term “court documents”; providing legislative expectations that the state attorneys and public defenders consult with specified entities; requiring the Florida Prosecuting Attorneys Association and the Florida Public Defender Association report to the President of the Senate and the Speaker of the House of Representatives by a specified date on the progress made to use the Florida Courts E-Portal system or the clerks’ offices portals to electronically file and receive court documents; providing an effective date.

—was placed on the Calendar.

By the Committee on Higher Education; and Senator Oelrich—

CS for SB 632—A bill to be entitled An act relating to postsecondary education; amending s. 705.18, F.S.; revising provisions relating to the disposal of personal property lost or abandoned on a university or Florida College System institution campus and the disposition of pro-

ceeds from the sale of such property; requiring that the university or Florida College System institution president, or his or her designee, dispose of or make use of unclaimed property in accordance with university or Florida College System institution policies and procedures; amending ss. 267.062, 1004.23, 1010.03, 1010.04, 1010.07, 1011.48, 1012.91, and 1013.171, F.S.; revising provisions to replace references to “rules” with “regulations”; repealing s. 1007.27(10), F.S., relating to an exemption for students who earn 9 or more credits from one or more of the articulated acceleration mechanisms from any requirement of a public postsecondary educational institution which mandates enrollment during a summer term; amending s. 1013.30, F.S.; requiring that a university campus master plan identify the level-of-service standards contained in the plan; deleting requirements for campus development agreements between each university board of trustees and the local government; prohibiting renewal of a campus development agreement upon its expiration; amending s. 1013.33, F.S.; conforming a cross-reference; repealing s. 1013.63, F.S., relating to the University Currency Trust Fund; providing an effective date.

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

By the Committees on Criminal Justice; and Health Regulation; and Senator Fasano—

CS for CS for SB 818—A bill to be entitled An act relating to controlled substances; amending s. 400.9905, F.S.; redefining the terms “clinic” and “portable equipment provider” within the Health Care Clinic Act; amending s. 456.013, F.S.; authorizing certain health care practitioners to complete a continuing education course relating to the prescription drug monitoring program; providing requirements for the course; requiring the Department of Health or a board that is authorized to exercise regulatory or rulemaking functions within the department to approve the course offered through a facility licensed under ch. 395, F.S., under certain circumstances; providing for application of the course requirements; requiring a board or the Department of Health to adopt rules; amending s. 458.305, F.S.; defining the term “dispensing physician” as it relates to the practice of medicine in this state; prohibiting certain persons from using titles or displaying signs that would lead the public to believe that they engage in the dispensing of controlled substances; prohibiting certain persons, firms, or corporations from using a trade name, sign, letter, or advertisement that implies that the persons, firms, or corporations are licensed or registered to dispense prescription drugs; prohibiting certain persons, firms, or corporations from holding themselves out to the public as licensed or registered to dispense controlled substances; providing penalties; amending s. 458.3191, F.S.; revising the information in the physician survey that is submitted by persons who apply for licensure renewal as a physician under ch. 458 or ch. 459, F.S.; amending s. 458.3192, F.S.; requiring the Department of Health to provide nonidentifying information to the prescription drug monitoring program’s Implementation and Oversight Task Force regarding the number of physicians that are registered with the prescription drug monitoring program and that use the database from the program in their practice; amending s. 458.3265, F.S.; revising the list of entities that are not required to register as a pain-management clinic; deleting certain requirements for a physician to practice medicine in a pain-management clinic; requiring a physician, an advanced registered nurse practitioner, or a physician assistant to perform an appropriate medical examination of a patient on the same day that the physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic; requiring a physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third degree for any person to register or attempt to register a pain-management clinic through misrepresentation or fraud; amending s. 458.327, F.S.; providing additional penalties; amending s. 458.331, F.S.; providing additional grounds for disciplinary action by the Board of Medicine; amending s. 459.003, F.S.; defining the term “dispensing physician” as it relates to the practice of osteopathic medicine in this state; amending s. 459.013, F.S.; providing additional penalties; amending s. 459.0137, F.S.; providing an exemption from the requirement that all privately owned pain-management clinics, facilities, or offices that advertise in any medium for any type of pain-management services, or employ an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the Department of Health; requiring a physician, an advanced registered nurse practitioner, or a physician

assistant to perform an appropriate medical examination of a patient on the same day that the physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic; requiring an osteopathic physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third degree for a licensee or other person who serves as the designated physician of a pain-management clinic to register a pain-management clinic through misrepresentation or fraud; amending s. 459.015, F.S.; providing additional grounds for disciplinary action by the Board of Osteopathic Medicine; amending s. 465.015, F.S.; prohibiting certain persons from knowingly failing to report to the local county sheriff's office the commission of a felony involving a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge under certain conditions; providing penalties; providing requirements for reporting the commission of a felony that involves a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge; providing that a licensed pharmacist or other person employed by or at a pharmacy is not subject to disciplinary action for reporting; amending s. 465.0276, F.S.; requiring a practitioner to register as a dispensing practitioner in order to dispense controlled substances; amending s. 766.101, F.S.; conforming a cross-reference; amending s. 810.02, F.S.; redefining the offense of burglary to include the theft of a controlled substance within a structure or conveyance; amending s. 812.014, F.S.; redefining the offense of theft to include the theft of a controlled substance; creating s. 893.021, F.S.; providing conditions in which a drug is considered adulterated; providing that a physician is not prevented from directing or prescribing a change to the recognized manufactured recommendations for use of any controlled substance for a patient under certain circumstances; requiring a prescribing physician to indicate on the original prescription any deviation of the recognized manufacturer's recommended use of a controlled substance; requiring a pharmacist or physician to indicate such deviation on the label of the prescription upon dispensing; amending s. 893.04, F.S.; revising the required information that must appear on the face of a prescription or written record of a controlled substance before it is dispensed by a pharmacist; amending s. 893.055, F.S.; requiring that the prescription drug monitoring program comply with the minimum requirements of the National All Schedules Prescription Electronic Reporting Act; requiring the Department of Health to establish a method to allow corrections to the database of the prescription drug monitoring program; requiring the number of refills ordered and whether the drug was dispensed as a refill or a first-time request to be included in the database of the prescription drug monitoring program; revising the number of days in which a dispensed controlled substance must be reported to the department through the prescription drug monitoring program; revising the list of acts of dispensing or administering which are exempt from reporting; requiring a pharmacy, prescriber, practitioner, or dispenser to register with the department by submitting a registering document in order to have access to certain information in the prescription drug monitoring program's database; requiring the department to approve the registering document before granting access to information in the prescription drug monitoring program's database; requiring criminal background screening for those persons who have direct access to the prescription drug monitoring program's database; authorizing the Attorney General to obtain confidential and exempt information for Medicaid fraud cases and Medicaid investigations; requiring certain documentation to be provided to the program manager in order to release confidential and exempt information from the prescription drug monitoring program's database to a patient, legal guardian, or a designated health care surrogate; authorizing the Agency for Health Care Administration to obtain confidential and exempt information from the prescription drug monitoring program's database for Medicaid fraud cases and Medicaid investigations involving controlled substances; deleting a provision requiring that administrative costs of the prescription drug monitoring program be funded through federal grants and private sources; requiring the State Surgeon General to enter into reciprocal agreements for the sharing of information in the prescription drug monitoring program with other states that have a similar prescription drug monitoring program; requiring the State Surgeon General to annually review a reciprocal agreement to determine its compatibility; providing requirements for compatibility; prohibiting the sharing of certain information; amending s. 893.0551, F.S.; requiring the Department of Health to disclose confidential and exempt information pertaining to the prescription drug monitoring program to the Attorney General and designee when working on Medicaid fraud cases and Medicaid investigations involving pre-

scribed controlled substances or when the Attorney General has initiated a review of specific identifiers that warrant a Medicaid investigation regarding prescribed controlled substances; prohibiting the Attorney General's Medicaid investigators from direct access to the prescription drug monitoring program's database; authorizing the Department of Health to disclose certain confidential and exempt information in the prescription drug monitoring program's database under certain circumstances involving reciprocal agreements with other states; prohibiting the sharing of information from the prescription drug monitoring program's database which is not for the purpose that is statutorily authorized or according to the State Surgeon General's determination of compatibility; amending s. 893.07, F.S.; requiring that a person report to the local sheriff's office the theft or loss of a controlled substance within a specified time; providing penalties; providing legislative intent; amending s. 893.13, F.S.; prohibiting a person from obtaining or attempting to obtain from a practitioner a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohibiting a health care provider from providing a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohibiting a person from adulterating a controlled substance for certain use without authorization by a prescribing physician; authorizing a law enforcement officer to seize as evidence the adulteration or off-label use of a prescribed controlled substance; providing that such adulterated or off-label use of the controlled substance may be returned to its owner only under certain conditions; providing penalties; prohibiting a prescribing practitioner from writing a prescription for a controlled substance and authorizing or directing the adulteration of the dispensed form of the controlled substance for the purpose of ingestion by means not medically necessary; amending s. 893.138, F.S.; providing circumstances in which a pain-management clinic may be declared a public nuisance; providing definitions; requiring the Board of Pharmacy to create a list of opioid analgesic drugs; providing requirements for the list of opioid analgesic drugs; providing an effective date.

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

By the Committee on Higher Education; and Senators Flores and Garcia—

CS for SB 1616—A bill to be entitled An act relating to the Dan Marino Foundation Florida Vocational College; establishing the Dan Marino Foundation Florida Vocational College in Broward County as a public residential postsecondary school for certain students who have developmental disabilities; providing funding for the school through the Department of Education; requiring that the school comply with the laws and rules applicable to state agencies unless otherwise provided by law; requiring that the school provide educational programs and services; requiring that the Auditor General conduct annual audits of the school's accounts and records; creating a board of trustees; providing membership, terms, and specifying powers and duties of the board; requiring that the board submit legislative budget requests for operations and fixed capital outlay; requiring that the board provide for the content and custody of student and employee personnel records; authorizing the board to provide legal services and reimbursement of expenses for officers and employees of the board; requiring notice and a public meeting under certain circumstances; requiring that all employees and applicants for employment with the board undergo personnel screening and security background investigations; providing a penalty for failure to disclose certain material facts and for use of confidential information for certain purposes; authorizing the employment of campus police and providing powers, duties, and qualifications; requiring reporting of on-campus crime statistics; amending s. 1000.04, F.S.; providing that the Dan Marino Foundation Florida Vocational College is a component of the delivery of public education within Florida's K-20 education system; amending s. 1001.20, F.S.; authorizing investigations by the Office of Inspector General within the Department of Education; providing an effective date.

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

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State CS for CS for SB 736 which he approved on March 24, 2011.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 7003; has passed by the required constitutional two-thirds vote of the members present HB 93, HB 7001 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Community & Military Affairs Subcommittee and Representative(s) Workman—

HB 7003—A bill to be entitled An act relating to affordable housing; reenacting s. 159.807(4), F.S., relating to the state allocation pool used to confirm private activity bonds; reenacting s. 193.018, F.S., relating to lands that are owned by a community land trust and used to provide affordable housing; reenacting s. 196.196(5), F.S., relating to a tax exemption provided to organizations that provide low-income housing; reenacting s. 196.1978, F.S., relating to a property exemption for affordable housing owned by a nonprofit entity; reenacting s. 212.055(2)(d), F.S., relating to the use of a local government infrastructure surtax; reenacting s. 163.3202(2), F.S., relating to requirements for local land development regulations; reenacting s. 420.503(25), F.S., relating to a definition under the Florida Housing Finance Corporation Act; reenacting s. 420.507(47), F.S., relating to powers of the corporation to select developers and general contractors; reenacting s. 420.5087(6)(c) and (l), F.S., relating to the State Apartment Incentive Loan Program; reenacting s. 420.622(5), F.S., relating to the State Office on Homelessness; reenacting s. 420.628, F.S., relating to affordable housing for children and young adults leaving foster care; reenacting s. 420.9071(4), (8), (16), (25), (29), and (30), F.S., relating to definitions under the State Housing Initiatives Partnership Act; reenacting s. 420.9072(6) and (7), F.S., relating to the distribution of funds under the State Housing Initiatives Partnership Program; reenacting s. 420.9073(1), (2), (5), (6), and (7), F.S., relating to distributions of local housing funds; reenacting s. 420.9075(1), (3), (5), (8), (10)(a) and (h), (13)(b), and (14), F.S., relating to local housing assistance plans; reenacting s. 420.9076(2)(h), (5), (6), and (7)(a), F.S., relating to the adoption of affordable housing incentive strategies by the governing board of a county or municipality; repealing s. 420.9078, F.S., relating to the state administration of funds remaining in the Local Government Housing Trust Fund; reenacting s. 420.9079, F.S., relating to the Local Government Housing Trust Fund; reenacting s. 1001.43(12), F.S., relating to the use by school districts of certain lands for affordable housing; providing for retroactive operation of the act with respect to provisions of law amended, created, or repealed by chapter 2009-96, Laws of Florida; providing for an exception under specified circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Representative(s) Steube, Boyd, Brandes, Corcoran, Grant—

HB 93—A bill to be entitled An act relating to security cameras; reenacting s. 163.31802, F.S., relating to prohibited standards for security cameras; providing for retroactive operation of the act; providing for an exception under specified circumstances; providing an effective date.

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

By Community & Military Affairs Subcommittee and Representative(s) Workman—

HB 7001—A bill to be entitled An act relating to growth management; reenacting s. 1, chapter 2009-96, Laws of Florida, relating to a short title; reenacting s. 163.3164(29) and (34), F.S., relating to the definition of "urban service area" and "dense urban land area" for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act; reenacting s. 163.3177(3)(b) and (f), (6)(h), and (12)(a) and (j), F.S., relating to certain required and optional elements of a comprehensive plan; reenacting s. 163.3180(5), (10), and (13)(b) and (e), F.S., relating to concurrency requirements for transportation facilities; reenacting s. 163.31801(3)(d), F.S., relating to a required notice for a new or increased impact fee; reenacting s. 163.3184(1)(b) and (3)(e), F.S., relating to the process for adopting a comprehensive plan or plan amendment; reenacting s. 163.3187(1)(b), (f), and (q), F.S., relating to amendments to a comprehensive plan; reenacting s. 163.32465(2), F.S., relating to a pilot program to provide an alternative to the state review process for local comprehensive plans; reenacting s. 171.091, F.S., relating to the recording of any change in municipal boundaries; reenacting s. 186.509, F.S., relating to a dispute resolution process for reconciling differences concerning planning and growth management issues; reenacting s. 380.06(7)(a), (24), (28), and (29), F.S., relating to preapplication procedures and certain exemptions from review provided for proposed developments of regional impact; reenacting ss. 13, 14, and 34 of chapter 2009-96, Laws of Florida, relating to a study and report concerning a mobility fee, the extension and renewal of certain permits issued by the Department of Environmental Protection or a water management district, and a statement of important state interest; providing a legislative finding of important state interest; providing for retroactive operation of the act with respect to provisions of law amended or created by chapter 2009-96, Laws of Florida; providing for an exception under specified circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 23 was corrected and approved.

CO-INTRODUCERS

Senators Bennett—SB 1108; Garcia—CS for SB 578, CS for SB 1616; Sobel—CS for SB 578; Storms—SB 1902

RECESS

On motion by Senator Thrasher, the Senate recessed at 5:03 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Tuesday, March 29 or upon call of the President.



Journal of the Senate

Number 10—Regular Session

Tuesday, March 29, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 10:00 a.m. A quorum present—38:

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Excused: Senators Bogdanoff and Bullard

PRAYER

The following prayer was offered by Lieutenant Colonel Kendric Conway, the 101st Air Operation Group, Florida Air National Guard. Chaplain Conway has over 24 years of service and has been deployed in support of numerous overseas operations:

Heavenly Father, we are so grateful and we are so thankful that you are a source in whom we have our faith, hope, and love. We gather in your name. We are gathering because we have a great heritage. We enjoy these great freedoms. You are our salvation. Our nation is great because of your presence in our lives and we say, "Thank you."

We thank you for watching over our country and for keeping us safe. May every one of us honor you and revere you. We ask, Father, that you continue to implant in our hearts a steadfast purpose to work as one and to stand together for freedom, justice and peace. We pray for our President, Vice President, Cabinet, Congress, Supreme Court, Governor, and Legislators. Safeguard their lives and protect them from every evil. For it is in wisdom and your divine understanding that they may lead us and guide us. Give them power and strength. Lord, we are so grateful for the men and women of our armed forces who serve this country who are devoted to making our lives better, and to protecting freedom. May we

never forget their sacrifices, and the challenges that they face. Thank you, Lord. Challenge us today to continue to make our state better. Challenge us today, O Lord, with new courage, boldness, and new ideas. Bless each leader and his or her team that we may come together. Thank you, Lord, for this Senate who is taking us into the twenty-first century. For it is in your holy name we completely trust and pray. Amen.

HONOR GUARD

At the direction of the President, the Sergeant at Arms opened the doors of the chamber and an Honor Guard of the Florida National Guard marched into the chamber bearing flags of the United States of America and the State of Florida.

The Honor Guard included the following members: First Sergeant Robert Ponder, Staff Sergeant Brian Presley, Sergeant Nicholas Devore, Master Sergeant Michael Grigsby, Master Sergeant Karrie Warren, and Staff Sergeant John Hartzell.

PLEDGE

First Lieutenant Ryan Hovatter led the Senate in the pledge of allegiance to the flag of the United States of America. Lieutenant Hovatter has six years of service, including a year in Kuwait with the 53rd Brigade Combat Team.

SPECIAL GUEST

Senator Thrasher introduced Major General Emmett R. Titshaw, Jr., Adjutant General of Florida. As the Adjutant General, Major General Titshaw supervises the administration, training, and operations of the Florida National Guard.

SPECIAL PERFORMANCE

The President introduced Kelly Goddard and her brother, Brian Durham. Kelly is a member of the President's professional staff, and she and her brother, Brian, are members of *The New 76ers* band. Kelly and Brian sang the National Anthem, *The Star-Spangled Banner*.

DOCTOR OF THE DAY

The President recognized Dr. Robert Pickard of South Miami, sponsored by Senator Diaz de la Portilla, as doctor of the day. Dr. Pickard is a Vietnam-era veteran with 28 years of service. Dr. Pickard specializes in Ear, Nose, and Throat.

ADOPTION OF RESOLUTIONS

On motion by Senator Fasano—

By Senator Fasano—

SR 2060—A resolution honoring the Florida National Guard and recognizing March 29, 2011, as "Florida National Guard Day."

WHEREAS, the Florida National Guard is the military arm of the Governor and the people of this state, and

WHEREAS, in times of crisis or emergency, the Florida National Guard stands ready to immediately respond to a call from the Governor, and

WHEREAS, the citizens of this state are assured that, when called to protect their lives and property, the Florida National Guard will respond, prepared to accomplish any task or mission, and

WHEREAS, the Florida Air National Guard deployed for Operation Noble Eagle to protect the skies over this state on September 11, 2001, and deployed again in support of Operation Iraqi Freedom, and

WHEREAS, elements of the Florida Army National Guard continue to deploy in support of Operation New Dawn and Operation Enduring Freedom, and

WHEREAS, the Florida National Guard is richly deserving of recognition for its immediate and effective response to man-made and natural disasters, as its soldiers and airmen stand ready to protect the citizens of this state, NOW, THEREFORE,

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

That the Senate commends the true and faithful service and constant readiness of the soldiers and airmen of the Florida National Guard and the sacrifices of their family members and, therefore, recognizes March 29, 2011, as "Florida National Guard Day."

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Major General Emmett R. Titshaw, Jr., Adjutant General of Florida, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Fasano, **SR 2060** was read the second time in full and adopted.

SPECIAL ORDER CALENDAR

On motion by Senator Gaetz—

CS for SB 94—A bill to be entitled An act relating to blood establishments; amending s. 381.06014, F.S.; redefining the term "blood establishment" and defining the term "volunteer donor"; prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit organization or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as for-profit organizations or not-for-profit organizations when determining service fees for selling blood or blood components; requiring that certain blood establishments disclose specified information on the Internet; authorizing the Department of Legal Affairs to assess a civil penalty against a blood establishment that fails to disclose specified information on the Internet; providing that the civil penalty accrues to the state and requiring that it be deposited as received into the General Revenue Fund; amending s. 499.003, F.S.; redefining the term "health care entity" to clarify that a blood establishment is a health care entity that may engage in certain activities; amending s. 499.005, F.S.; clarifying provisions that prohibit the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity or donated or supplied at a reduced price to a charitable organization, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted prescription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute under a restricted prescription drug distributor permit; authorizing the Department of Health to adopt rules regarding the distribution of prescription drugs by blood establishments; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 94** was placed on the calendar of Bills on Third Reading.

SM 358—A memorial to the Congress of the United States, urging Congress to honor the provisions of the Constitution of the United States and United States Supreme Court case law which limit the scope and exercise of federal power.

WHEREAS, the Tenth Amendment to the Constitution of the United States proclaims: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people," and

WHEREAS, the Tenth Amendment defines the scope of federal power as being that specifically granted by the Constitution of the United States and no more, and

WHEREAS, the limitation of power contained in the Tenth Amendment established the foundational principle that the Federal Government was created by the states specifically to be an agent of the states, and yet currently the states are demonstrably treated as agents of the Federal Government, and

WHEREAS, many federal laws are in direct violation of the Tenth Amendment, and

WHEREAS, the Tenth Amendment ensures that we, the people of the United States of America and each sovereign state in the Union of States, now have, and have always had, rights the Federal Government may not usurp, and

WHEREAS, Article IV, Section 4 of the Constitution of the United States begins: "The United States shall guarantee to every State in this Union a Republican Form of Government," and the Ninth Amendment to the Constitution of the United States declares: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people," and

WHEREAS, the United States Supreme Court ruled in *New York v. United States*, 112 S. Ct. 2408 (1992), that Congress does not have the authority to simply commandeer the states' legislative processes by compelling the states to enact and enforce federal regulatory programs, and

WHEREAS, a number of proposals from previous administrations and some proposals now pending from the present administration and from Congress may further violate the Constitution of the United States, NOW, THEREFORE,

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

That the Legislature claims sovereignty under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the Federal Government by the Constitution of the United States.

BE IT FURTHER RESOLVED that this memorial serves as a notice and a demand to the Federal Government, as our agent, to cease and desist, effective immediately, from issuing mandates that are beyond the scope of these constitutionally delegated powers.

BE IT FURTHER RESOLVED that all compulsory federal legislation that directs states to comply under threat of civil or criminal penalties or sanctions or requires states to pass legislation or lose federal funding be prohibited or repealed.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the presiding officers of each state legislature of the United States, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Evers, **SM 358** was adopted and certified to the House.

SB 1630—A bill to be entitled An act relating to traffic offenses; repealing s. 316.2024, F.S., which prohibits a motor vehicle coasting on a downgrade; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1630**, on motion by Senator Lynn, by two-thirds vote **HB 4019** was withdrawn from the Committee on Transportation.

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

HB 4019—A bill to be entitled An act relating to traffic offenses; repealing s. 316.2024, F.S., which prohibits a motor vehicle coasting on a downgrade; providing an effective date.

—a companion measure, was substituted for **SB 1630** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 4019** was placed on the calendar of Bills on Third Reading.

SB 172—A bill to be entitled An act relating to security cameras; reenacting s. 163.31802, F.S., relating to prohibited standards for security cameras; providing for retroactive operation of the act; providing for an exception under specified circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 172**, on motion by Senator Bennett, by two-thirds vote **HB 93** was withdrawn from the Committees on Community Affairs; Judiciary; and Budget.

On motion by Senator Bennett—

HB 93—A bill to be entitled An act relating to security cameras; reenacting s. 163.31802, F.S., relating to prohibited standards for security cameras; providing for retroactive operation of the act; providing for an exception under specified circumstances; providing an effective date.

—a companion measure, was substituted for **SB 172** and read the second time by title.

Pursuant to Rule 4.19, **HB 93** was placed on the calendar of Bills on Third Reading.

SB 174—A bill to be entitled An act relating to growth management; reenacting s. 1, chapter 2009-96, Laws of Florida, relating to a short title; reenacting s. 163.3164(29) and (34), F.S., relating to the definition of “urban service area” and “dense urban land area” for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act; reenacting s. 163.3177(3)(b) and (f), (6)(h), and (12)(a) and (j), F.S., relating to certain required and optional elements of a comprehensive plan; reenacting s. 163.3180(5), (10), and (13)(b) and (e), F.S., relating to concurrency requirements for transportation facilities; reenacting s. 163.31801(3)(d), F.S., relating to a required notice for a new or increased impact fee; reenacting s. 163.3184(1)(b) and (3)(e), F.S., relating to the process for adopting a comprehensive plan or plan amendment; reenacting s. 163.3187(1)(b), (f), and (q), F.S., relating to amendments to a comprehensive plan; reenacting s. 163.32465(2), F.S., relating to a pilot program to provide an alternative to the state review process for local comprehensive plans; reenacting s. 171.091, F.S., relating to the recording of any change in municipal boundaries; reenacting s. 186.509, F.S., relating to a dispute resolution process for reconciling differences concerning planning and growth management issues; reenacting s. 380.06(7)(a), (24), (28), and (29), F.S., relating to certain exemptions from review provided for proposed developments of regional impact; reenacting ss. 13, 14, and 34 of chapter 2009-96, Laws of Florida, relating to a study and report concerning a mobility fee, the extension and renewal of certain permits issued by the Department of Environmental Protection or a water management district, and a statement of important state interest; providing a legislative finding of important state interest; providing for retroactive operation of the act with respect to provisions of law amended or created by chapter 2009-96, Laws of Florida; providing for an exception under specified circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 174**, on motion by Senator Bennett, by two-thirds vote **HB 7001** was withdrawn from the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

On motion by Senator Bennett—

HB 7001—A bill to be entitled An act relating to growth management; reenacting s. 1, chapter 2009-96, Laws of Florida, relating to a short title; reenacting s. 163.3164(29) and (34), F.S., relating to the definition of “urban service area” and “dense urban land area” for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act; reenacting s. 163.3177(3)(b) and (f), (6)(h), and (12)(a) and (j), F.S., relating to certain required and optional elements of a comprehensive plan; reenacting s. 163.3180(5), (10), and (13)(b) and (e), F.S., relating to concurrency requirements for transportation facilities; reenacting s. 163.31801(3)(d), F.S., relating to a required notice for a new or increased impact fee; reenacting s. 163.3184(1)(b) and (3)(e), F.S., relating to the process for adopting a comprehensive plan or plan amendment; reenacting s. 163.3187(1)(b), (f), and (q), F.S., relating to amendments to a comprehensive plan; reenacting s. 163.32465(2), F.S., relating to a pilot program to provide an alternative to the state review process for local comprehensive plans; reenacting s. 171.091, F.S., relating to the recording of any change in municipal boundaries; reenacting s. 186.509, F.S., relating to a dispute resolution process for reconciling differences concerning planning and growth management issues; reenacting s. 380.06(7)(a), (24), (28), and (29), F.S., relating to preapplication procedures and certain exemptions from review provided for proposed developments of regional impact; reenacting ss. 13, 14, and 34 of chapter 2009-96, Laws of Florida, relating to a study and report concerning a mobility fee, the extension and renewal of certain permits issued by the Department of Environmental Protection or a water management district, and a statement of important state interest; providing a legislative finding of important state interest; providing for retroactive operation of the act with respect to provisions of law amended or created by chapter 2009-96, Laws of Florida; providing for an exception under specified circumstances; providing an effective date.

—a companion measure, was substituted for **SB 174** and read the second time by title.

Pursuant to Rule 4.19, **HB 7001** was placed on the calendar of Bills on Third Reading.

SB 176—A bill to be entitled An act relating to affordable housing; reenacting s. 159.807(4), F.S., relating to the state allocation pool used to confirm private activity bonds; reenacting s. 193.018, F.S., relating to lands that are owned by a community land trust and used to provide affordable housing; reenacting s. 196.196(5), F.S., relating to a tax exemption provided to organizations that provide low-income housing; reenacting s. 196.1978, F.S., relating to a property exemption for affordable housing owned by a nonprofit entity; reenacting s. 212.055(2)(d), F.S., relating to the use of a local government infrastructure surtax; reenacting s. 163.3202(2), F.S., relating to requirements for local land development regulations; reenacting s. 420.503(25), F.S., relating to a definition under the Florida Housing Finance Corporation Act; reenacting s. 420.507(47), F.S., relating to powers of the corporation to select developers and general contractors; reenacting s. 420.5087(6)(c) and (l), F.S., relating to the State Apartment Incentive Loan Program; reenacting s. 420.622(5), F.S., relating to the State Office on Homelessness; reenacting s. 420.628, F.S., relating to affordable housing for children and young adults leaving foster care; reenacting s. 420.9071(4), (8), (16), (25), (29), and (30), F.S., relating to definitions under the State Housing Initiatives Partnership Act; reenacting s. 420.9072(6) and (7), F.S., relating to the distribution of funds under the State Housing Initiatives Partnership Program; reenacting s. 420.9073(1), (2), (5), (6), and (7), F.S., relating to distributions of local housing funds; reenacting s. 420.9075(1), (3), (5), (8), (10)(a) and (h), (13)(b), and (14), F.S., relating to local housing assistance plans; reenacting s. 420.9076(2)(h), (5), (6), and (7)(a), F.S., relating to the adoption of affordable housing incentive strategies by the governing board of a county or municipality; repealing s. 420.9078, F.S., relating to the state administration of funds remaining in the Local Government Housing Trust Fund; reenacting s. 420.9079, F.S., relating to the Local Government Housing Trust Fund; reenacting s. 1001.43(12), F.S., relating to the use by school districts of certain lands for affordable housing; providing for retroactive operation of the act with respect to provisions of law amended, created, or repealed by chapter 2009-96, Laws of Florida; providing for an exception under specified circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 176**, on motion by Senator Bennett, by two-thirds vote **HB 7003** was withdrawn from the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

On motion by Senator Bennett—

HB 7003—A bill to be entitled An act relating to affordable housing; reenacting s. 159.807(4), F.S., relating to the state allocation pool used to confirm private activity bonds; reenacting s. 193.018, F.S., relating to lands that are owned by a community land trust and used to provide affordable housing; reenacting s. 196.196(5), F.S., relating to a tax exemption provided to organizations that provide low-income housing; reenacting s. 196.1978, F.S., relating to a property exemption for affordable housing owned by a nonprofit entity; reenacting s. 212.055(2)(d), F.S., relating to the use of a local government infrastructure surtax; reenacting s. 163.3202(2), F.S., relating to requirements for local land development regulations; reenacting s. 420.503(25), F.S., relating to a definition under the Florida Housing Finance Corporation Act; reenacting s. 420.507(47), F.S., relating to powers of the corporation to select developers and general contractors; reenacting s. 420.5087(6)(c) and (l), F.S., relating to the State Apartment Incentive Loan Program; reenacting s. 420.622(5), F.S., relating to the State Office on Homelessness; reenacting s. 420.628, F.S., relating to affordable housing for children and young adults leaving foster care; reenacting s. 420.9071(4), (8), (16), (25), (29), and (30), F.S., relating to definitions under the State Housing Initiatives Partnership Act; reenacting s. 420.9072(6) and (7), F.S., relating to the distribution of funds under the State Housing Initiatives Partnership Program; reenacting s. 420.9073(1), (2), (5), (6), and (7), F.S., relating to distributions of local housing funds; reenacting s. 420.9075(1), (3), (5), (8), (10)(a) and (h), (13)(b), and (14), F.S., relating to local housing assistance plans; reenacting s. 420.9076(2)(h), (5), (6), and (7)(a), F.S., relating to the adoption of affordable housing incentive strategies by the governing board of a county or municipality; repealing s. 420.9078, F.S., relating to the state administration of funds remaining in the Local Government Housing Trust Fund; reenacting s. 420.9079, F.S., relating to the Local Government Housing Trust Fund; reenacting s. 1001.43(12), F.S., relating to the use by school districts of certain lands for affordable housing; providing for retroactive operation of the act with respect to provisions of law amended, created, or repealed by chapter 2009-96, Laws of Florida; providing for an exception under specified circumstances; providing an effective date.

—a companion measure, was substituted for **SB 176** and read the second time by title.

Pursuant to Rule 4.19, **HB 7003** was placed on the calendar of Bills on Third Reading.

On motion by Senator Evers—

CS for SB 618—A bill to be entitled An act relating to juvenile justice; repealing ss. 985.02(5), 985.03(48), 985.03(56), 985.47, 985.483, 985.486, and 985.636, F.S., relating to, respectively, legislative intent for serious or habitual juvenile offenders in the juvenile justice system, definitions of terms for a training school and the serious or habitual juvenile offender program, the serious or habitual juvenile offender program in the juvenile justice system, the intensive residential treatment program for offenders less than 13 years of age, and the designation of persons holding law enforcement certification within the Office of the Inspector General to act as law enforcement officers; amending s. 985.494, F.S.; requiring a child who is adjudicated delinquent, or for whom adjudication is withheld, to be committed to a maximum-risk residential program for an act that would be a felony if committed by an adult if the child has completed two different high-risk residential commitment programs; repealing s. 985.445, F.S., relating to cases involving grand theft of a motor vehicle committed by a child; amending ss. 985.0301, 985.47, and 985.565, F.S.; conforming references to changes made by the act; amending s. 985.66, F.S.; removing all references to the Juvenile Justice Standards and Training Commission; requiring the Department of Juvenile Justice to be responsible for staff development and training; specifying the duties and responsibilities of the department for staff development and training; removing obsolete provisions to conform to changes made by the act; repealing s. 985.48(8), F.S., relating to activities of the Juvenile Justice Standards and Training Commission with

respect to training and treatment services for juvenile sexual offenders; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 618** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bennett—

SB 410—A bill to be entitled An act relating to impact fees; reenacting s. 163.31801(5), F.S., relating to the burden of proof required by the government in an action challenging an impact fee; providing for retroactive operation of the act; providing for an exception under specified circumstances; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 410** was placed on the calendar of Bills on Third Reading.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Tuesday, March 29, 2011: CS for SB 94, SM 358, SB 1630, SB 172, SB 174, SB 176, CS for SB 618, SB 410.

Respectfully submitted,
John Thrasher, Chair

The Committee on Judiciary recommends the following pass: SB 1152

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Community Affairs recommends the following pass: SJR 592; SB 1792; SB 2042; SB 2044

The Committee on Criminal Justice recommends the following pass: SB 714; CS for SB 734; SB 1390

The Committee on Judiciary recommends the following pass: SB 104; CS for SB 438; SB 978; CS for SB 1300

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

The Committee on Criminal Justice recommends the following pass: SB 1850

The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Health Regulation recommends the following pass: SB 292 with 1 amendment

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

The Committee on Health Regulation recommends the following pass: SB 1156

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

The Committee on Judiciary recommends the following pass: SJR 1664

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

The Committee on Criminal Justice recommends the following pass: SB 1146 with 1 amendment

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

The Committee on Criminal Justice recommends the following pass: SB 1272

The Committee on Health Regulation recommends the following pass: SB 720; SB 1324 with 1 amendment

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

The Committee on Community Affairs recommends the following pass: SB 884; SB 1248 with 1 amendment; SB 1722

The Committee on Criminal Justice recommends the following pass: SB 458; SB 494

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

The Committee on Community Affairs recommends the following pass: CS for SB 426

The Committee on Rules Subcommittee on Ethics and Elections recommends the following pass: SB 2056

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

The Committee on Judiciary recommends the following pass: SM 1344

The bill was placed on the Calendar.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1226

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 236

The Committee on Military Affairs, Space, and Domestic Security recommends a committee substitute for the following: CS for SB 1228

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 794

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 950

The bill with committee substitute attached was referred to the Committee on Communications, Energy, and Public Utilities under the original reference.

The Committee on Military Affairs, Space, and Domestic Security recommends committee substitutes for the following: SB 1110; SB 1502

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 890

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

The Committee on Agriculture recommends a committee substitute for the following: SB 1312

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1904

The bill with committee substitute attached was referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Community Affairs recommends committee substitutes for the following: CS for SB 530; SJR 1954

The Committee on Criminal Justice recommends committee substitutes for the following: SB 416; SB 1206

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Communications, Energy, and Public Utilities recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Public Service Commission	
Appointees: Balbis, Eduardo E.	01/01/2015
Brisé, Ronald A.	01/01/2014
Brown, Julie I.	01/01/2015
Graham, Art	01/01/2014

The appointments were referred to the Rules Subcommittee on Ethics and Elections under the original reference.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Environmental Preservation and Conservation; and Senators Hays, Detert, and Jones—

CS for SB 236—A bill to be entitled An act relating to state parks; amending s. 258.0145, F.S.; providing for the parents of certain deceased veterans and the spouse and parents of law enforcement officers and firefighters who die in the line of duty to receive annual entrance passes to state parks at no charge; designating the Jack Mashburn Marina at St. Andrews State Park in Bay County; directing the Department of Environmental Protection to erect suitable markers; exempting parks within the state park system which have free-roaming animal populations from the liability provisions in s. 588.15, F.S.; providing an effective date.

By the Committee on Criminal Justice; and Senator Bogdanoff—

CS for SB 416—A bill to be entitled An act relating to public records; providing a definition; providing an exemption from public-records requirements for photographs and video and audio recordings that depict or record the killing of a person; authorizing access to such photographs or video or audio recordings by specified members of the immediate family of the deceased subject of the photographs or video or audio recordings; providing for access to such records by local governmental entities or state or federal agencies in furtherance of official duties; providing for access pursuant to court order; providing guidelines of the court in issuing an order authorizing such photographs or video or audio recordings to be viewed, copied, or heard; requiring specified notice of a court petition to view or copy such records; providing penalties; exempting criminal or administrative proceedings from the act; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a finding of public necessity; providing an effective date.

By the Committees on Community Affairs; and Regulated Industries; and Senator Fasano—

CS for CS for SB 530—A bill to be entitled An act relating to condominium, cooperative, and homeowners' associations; amending s. 633.0215, F.S.; exempting certain residential buildings from a requirement to install a manual fire alarm system; amending s. 718.111, F.S.; revising provisions relating to the official records of condominium associations; providing for disclosure of employment agreements or compensation paid to association employees; amending s. 718.112, F.S.; revising provisions relating to bylaws; providing that board of administration meetings discussing personnel matters are not open to unit members; revising requirements for electing the board of directors; providing for continued office and for filling vacancies under certain circumstances; specifying unit owner eligibility for board membership; requiring that certain educational curriculum be completed within a specified time before the election or appointment of a board director; amending s. 718.113, F.S.; authorizing the board of a condominium association to install impact glass or other code-compliant windows under certain circumstances; amending s. 718.114, F.S.; requiring the vote or written consent of a majority of the voting interests before a condominium association may enter into certain agreements to acquire leaseholds, memberships, or other possessory or use interests; amending s. 718.116, F.S.; revising provisions relating to condominium assessments; authorizing the association to charge for collection services for delinquent accounts; authorizing a claim of lien to secure reasonable expenses for collection services for a delinquent account; requiring any rent payments received by an association from a tenant to be applied to the oldest delinquent monetary obligation of a unit owner; amending s. 718.117, F.S.; providing a procedure for the termination of ownership of a condominium if the units have been totally destroyed or demolished; providing procedures and requirements for partial termination of a condominium property; requiring that a lien against a condominium unit being terminated be transferred to the proceeds of sale for that property; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner or occupant; providing for the suspension of certain rights of use or voting rights; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 718.703, F.S.; redefining the term "bulk assignee" for purposes of the Distressed Condominium Relief Act; amending s. 718.704, F.S.; revising provisions relating to the assignment of developer rights by a bulk assignee; amending s. 718.705, F.S.; revising provisions relating to the transfer of control of a condominium board of administration to unit owners; amending s. 718.706, F.S.; revising provisions relating to the offering of units by a bulk assignee or bulk buyer; amending s. 718.707, F.S.; revising the time limitation for classification as a bulk assignee or bulk buyer; amending s. 719.108, F.S.; authorizing an association to charge for collection services for delinquent accounts; authorizing a claim of lien to secure reasonable expenses for collection services for a delinquent account; requiring any rent payments received by a cooperative association from a tenant to be applied to the oldest delinquent monetary obligation of a unit owner; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner or occupant; providing for the suspension of certain rights of use or voting rights; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 720.301, F.S.; revising the definition

of the term "declaration of covenants"; amending s. 720.303, F.S.; revising provisions relating to records that are not accessible to members of a homeowners' association; providing for disclosure of employment agreements and compensation paid to association employees; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a delinquent member of a homeowners' association; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 720.306, F.S.; providing limitations on who may serve on the board of directors of a homeowners' association; amending s. 720.3085, F.S.; authorizing an association to charge for collection services for delinquent accounts; authorizing a claim of lien to secure expenses for collection services for a delinquent account; requiring any rent payments received by an association from a tenant to be applied to the oldest delinquent monetary obligation of a parcel owner; amending s. 720.309, F.S.; providing for the allocation of communication services by a homeowners' association; providing for the cancellation of communication contracts; providing that hearing-impaired or legally blind owners and owners receiving certain supplemental security income or food stamps may discontinue the service without incurring costs; providing that residents may not be denied access to available franchised, licensed, or certificated cable or video service providers; providing an effective date.

By the Committee on Criminal Justice; and Senator Diaz de la Portilla—

CS for SB 794—A bill to be entitled An act relating to controlled substances; amending s. 893.13, F.S.; prohibiting specified offenses within 1,000 feet of the real property comprising a homeless shelter; defining the term "homeless shelter"; providing criminal penalties; amending s. 921.0022, F.S.; ranking offenses on the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

By the Committee on Community Affairs; and Senator Dean—

CS for SB 890—A bill to be entitled An act relating to public safety telecommunicators; amending s. 401.465, F.S.; providing for sworn state-certified law enforcement officers to serve as temporary 911 public safety telecommunicators; providing training requirements; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Bennett—

CS for SB 950—A bill to be entitled An act relating to water and wastewater utilities; creating s. 367.0819, F.S.; providing for the recovery of costs through a surcharge for certain water and wastewater system improvement projects; defining the term "nonrevenue-producing project"; requiring utilities to submit surcharge tariffs reflecting the surcharge calculation for recovery of such costs to the Florida Public Service Commission for approval and to provide specified notice of such surcharge tariff filings; providing for the automatic approval of the surcharge tariff within a specified period after filing the surcharge tariff with the commission; requiring the utility to file a sworn affirmation as to the accuracy of the figures and calculations; providing for penalties; requiring the utility to submit an annual report regarding the rate of return to the commission; allowing the commission to order the utility to make refunds, with interest, under certain circumstances; requiring that the surcharge notice be presented as a separate line item on the customer's bill; specifying a limitation on the surcharge amount; providing requirements for billing, reconciliation, and quarterly adjustment of the surcharge; specifying a limitation on the recovery of project costs; providing project eligibility criteria; specifying water and wastewater treatment criteria; providing requirements for notice, maintenance, and availability of certain records; authorizing the commission to review specified projects; providing that the surcharge is subject to refund under certain conditions; providing an effective date.

By the Committee on Military Affairs, Space, and Domestic Security; and Senators Dean, Gaetz, and Flores—

CS for SB 1110—A bill to be entitled An act relating to commemoration of the 40th anniversary of the end of the United States'

involvement in the Vietnam War; amending s. 683.01, F.S.; designating March 25, 2013, the 40th anniversary of the end of the United States' involvement in the Vietnam War, as a legal holiday; creating s. 683.025, F.S.; designating a date for the observance of the anniversary; providing for the annual observance of "Vietnam Veterans' Day," commencing on a specified date; specifying purpose of the observance; creating s. 292.075, F.S.; requiring the Department of Veterans' Affairs to administratively promote and support the efforts of counties, municipalities, and veterans' organizations that voluntarily hold special community events commemorating the 40th anniversary of the end of the United States' involvement in the Vietnam War and subsequent observances of Vietnam Veterans' Day; authorizing solicitation of private donations to fund grants to counties, municipalities, and veterans' organizations that voluntarily hold activities in support of such commemoration; providing for rulemaking of the department; providing for the creation of a special volunteer advisory board to the department for the purpose of reviewing and making recommendations with respect to activities and expenditures of private funds raised in support of such commemoration; amending ss. 320.08056 and 320.08058, F.S.; creating the Vietnam Veterans license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

By the Committee on Criminal Justice; and Senator Negron—

CS for SB 1206—A bill to be entitled An act relating to eyewitness identification; providing a short title; defining terms; requiring state, county, municipal, and other law enforcement agencies that conduct lineups to follow certain specified procedures; requiring the eyewitness to sign an acknowledgement that he or she received the instructions about the lineup procedures from the law enforcement agency; specifying remedies for failing to adhere to the eyewitness identification procedures; requiring the Criminal Justice Standards and Training Commission to create educational materials and conduct training programs on how to conduct lineups in compliance with the act; providing an effective date.

By the Committee on Criminal Justice; and Senators Joyner and Gaetz—

CS for SB 1226—A bill to be entitled An act relating to health care fraud; amending s. 456.0635, F.S.; revising the grounds under which the Department of Health or corresponding board is required to refuse to admit a candidate to an examination and refuse to issue or renew a license, certificate, or registration of a health care practitioner; providing an exception; amending s. 456.036, F.S.; requiring a delinquent licensee whose license becomes delinquent before the final resolution of a case regarding Medicaid fraud to affirmatively apply by submitting a complete application for active or inactive status during the licensure cycle in which the case achieves final resolution by order of the court; providing that failure by a delinquent licensee to become active or inactive before the expiration of that licensure cycle renders the license null; requiring that any subsequent licensure be as a result of applying for and meeting all requirements imposed on an applicant for new licensure; providing an effective date.

By the Committees on Military Affairs, Space, and Domestic Security; and Health Regulation; and Senators Altman and Evers—

CS for CS for SB 1228—A bill to be entitled An act relating to temporary certificates and licenses for certain health care practitioners; amending s. 456.024, F.S.; providing for issuance of a temporary license to specified health care practitioners who are spouses of active duty members of the Armed Forces under certain circumstances; providing for criminal history checks; providing fees; providing for expiration of a temporary license; requiring a person who is issued a temporary license to be subject to certain general licensing requirements; providing that certain persons are ineligible for such license; providing for revocation of such license; requiring certain temporary licensees to practice under the indirect supervision of other licensees; amending ss. 458.315 and 459.0076, F.S.; naming the temporary certificates issued to physicians who practice in areas of critical need after Rear Admiral LeRoy Collins, Jr.; providing an effective date.

By the Committee on Agriculture; and Senators Siplin and Gaetz—

CS for SB 1312—A bill to be entitled An act relating to school nutrition programs; providing a short title; transferring and reassigning functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources for the administration of the school food and nutrition programs from the Department of Education to the Department of Agriculture and Consumer Services; creating s. 570.98, F.S.; requiring the Department of Agriculture and Consumer Services to conduct, supervise, and administer all school food and nutrition programs; requiring the department to cooperate fully with the United States Government; authorizing the department to act as agent of, or contract with, the Federal Government, other state agencies, or any county or municipal government for the administration of the school food and nutrition programs; transferring, renumbering, and amending s. 1006.06, F.S., relating to school food service programs; conforming provisions to changes made by the act; deleting obsolete provisions; transferring, renumbering, and amending ss. 1006.0606 and 1010.77, F.S., relating to the children's summer nutrition program and the Food and Nutrition Services Trust Fund, respectively; conforming provisions to changes made by the act; deleting obsolete provisions; amending s. 1003.453, F.S.; requiring each school district to send an updated copy of its wellness policy and physical education policy to the Department of Education and the Department of Agriculture and Consumer Services; deleting obsolete provisions; requiring certain information to be accessible from the website of the Department of Agriculture and Consumer Services; creating the Healthy Schools for Healthy Lives Council within the Department of Agriculture and Consumer Services; requiring the Commissioner of Agriculture to appoint members of the council; providing duties of the council; providing requirements for the meetings, powers, duties, procedures, and recordkeeping of the council; providing an effective date.

By the Committee on Military Affairs, Space, and Domestic Security; and Senator Simmons—

CS for SB 1502—A bill to be entitled An act relating to an ad valorem tax exemption for deployed servicemembers; creating s. 196.173, F.S.; providing for certain servicemembers who receive a homestead exemption and who are deployed in a military operation designated by the Legislature to receive an additional ad valorem tax exemption; specifying the calculation to be used in determining the exemption amount; requiring that a servicemember apply to the property appraiser to receive the exemption in the year following the year of a qualifying deployment; providing for the application forms to be prescribed by the Department of Revenue and furnished to an applicant by the property appraiser; requiring that a property appraiser consider applications for an exemption within a certain time; requiring the Secretary of the Senate and the Clerk of the House of Representatives to transmit a copy of a concurrent resolution designating qualifying military operations to the Department of Revenue; requiring the Department of Revenue to notify property appraisers and tax collectors of the designated military operations; requiring the Department of Military Affairs to submit a report annually of military operations to the President of the Senate, the Speaker of the House of Representatives, and the tax committees of each house of the Legislature; providing a definition; authorizing the Department of Revenue to adopt emergency rules; amending s. 194.011, F.S.; requiring a person appealing the denial of a deployed service member exemption to the value adjustment board to file the appeal within a certain time; amending s. 196.011, F.S.; providing requirements for the forms used for claims for the exemption for deployed servicemembers; authorizing the Department of Revenue to adopt emergency rules; providing for application of the act to qualifying deployments in the 2010 calendar year; providing for the act to apply to tax rolls beginning in 2011; providing an effective date.

By the Committee on Community Affairs; and Senator Altman—

CS for SB 1904—A bill to be entitled An act relating to growth management; amending s. 163.3164, F.S.; making conforming amendments; amending s. 163.3177, F.S.; making conforming amendments; amending s. 163.3180, F.S.; making conforming amendments; amending s. 163.3245, F.S.; renaming optional sector plans as "sector plans"; increasing the minimum size of geographic areas that qualify for the use of sector plans; revising terminology relating to such plans; deleting obsolete provisions; renaming long-term conceptual buildout overlays as

“long-term master plans”; revising the content required to be included in long-term master plans and detailed specified area plans; requiring identification of water development projects and transportation facilities to serve future development needs; exempting certain developments from the requirement to develop a detailed specific area plan; providing that detailed specific area plans shall be adopted by local development orders; requiring that detailed specific area plans include a buildout date and precluding certain changes in the development until after that date; authorizing certain development agreements between the developer and the local government; providing for continuation of certain existing land uses; amending ss. 163.3246, 380.06, and 380.115, F.S.; making conforming amendments; providing an effective date.

By the Committee on Community Affairs; and Senator Garcia—

CS for SJR 1954—A joint resolution proposing an amendment to Section 6 of Article VIII of the State Constitution to authorize amendments or revisions to the home rule charter of Miami-Dade County by special law approved by a vote of the electors; providing requirements for a bill proposing such a special law.

**REFERENCE CHANGES
PURSUANT TO RULE 4.7(2)**

By the Committee on Transportation; and Senator Diaz de la Portilla—

CS for SB 792—A bill to be entitled An act relating to driving without a valid driver’s license; amending s. 318.18, F.S.; providing an additional fine for a violation of specified provisions relating to driving with a canceled, suspended, or revoked driver’s license or driving privilege; providing increased fine amounts for second or subsequent violations; amending s. 318.21, F.S.; providing for distribution of such fines collected; amending s. 322.34, F.S.; deleting a knowledge element for conviction of the offense of driving while a person’s driver’s license or driving privilege is canceled, suspended, or revoked; requiring immediate impoundment of the motor vehicle; conforming provisions; revising penalties for knowingly driving while the driver’s license or driving privilege is canceled, suspended, or revoked; revising procedures for impoundment of the vehicle; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By the Committee on Judiciary; and Senator Latvala—

CS for SB 1072—A bill to be entitled An act relating to the recording of real property documents; creating s. 695.28, F.S.; establishing that certain electronic documents accepted for recordation are validly recorded; providing legislative intent; providing for prospective and retroactive application; providing an effective date.

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

By the Committee on Agriculture; and Senators Siplin and Gaetz—

CS for SB 1312—A bill to be entitled An act relating to school nutrition programs; providing a short title; transferring and reassigning functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources for the administration of the school food and nutrition programs from the Department of Education to the Department of Agriculture and Consumer Services; creating s. 570.98, F.S.; requiring the Department of Agriculture and Consumer Services to conduct, supervise, and administer all school food and nutrition programs; requiring the department to cooperate fully with the United States Government; authorizing the department to act as agent of, or contract with, the Federal Government, other state agencies, or any county or municipal government for the administration of the school food and nutrition programs; transferring, renumbering, and amending s. 1006.06, F.S., relating to school food service programs; conforming provisions to changes made by the act; deleting obsolete provisions; transferring, renumbering, and amending ss. 1006.0606 and 1010.77, F.S., relating to the children’s summer nutrition program and the Food and Nutrition Services Trust Fund, re-

spectively; conforming provisions to changes made by the act; deleting obsolete provisions; amending s. 1003.453, F.S.; requiring each school district to send an updated copy of its wellness policy and physical education policy to the Department of Education and the Department of Agriculture and Consumer Services; deleting obsolete provisions; requiring certain information to be accessible from the website of the Department of Agriculture and Consumer Services; creating the Healthy Schools for Healthy Lives Council within the Department of Agriculture and Consumer Services; requiring the Commissioner of Agriculture to appoint members of the council; providing duties of the council; providing requirements for the meetings, powers, duties, procedures, and recordkeeping of the council; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Oversight and Accountability; and Budget.

By the Committee on Transportation; and Senator Latvala—

CS for SB 1434—A bill to be entitled An act relating to the Office of Motor Carrier Compliance; amending s. 20.23, F.S.; creating a motor carrier weight inspection area of program responsibility within the Department of Transportation, which replaces motor carrier compliance; amending s. 20.24, F.S.; creating the Office of Motor Carrier Compliance within the Division of the Florida Highway Patrol within the Department of Highway Safety and Motor Vehicles; amending ss. 110.205, 311.115, 316.302, 316.3025, 316.3026, 316.516, 316.545, 316.640, 320.18, 321.05, and 334.044, F.S.; conforming provisions to changes made by the act; creating the Law Enforcement Consolidation Task Force; providing for membership; requiring the task force to make recommendations and submit a report to the Legislature by a certain date; providing for future expiration; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Criminal Justice; and Budget.

**MESSAGES FROM THE GOVERNOR AND
OTHER EXECUTIVE COMMUNICATIONS**

The Governor advised that he had filed with the Secretary of State SB 916, SB 924, SB 944 and SB 946 which he approved on March 25, 2011.

**MESSAGES FROM THE HOUSE OF
REPRESENTATIVES**

FIRST READING

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 4019 and requests the concurrence of the Senate.

Robert L. “Bob” Ward, Clerk

By Representative(s) Workman—

HB 4019—A bill to be entitled An act relating to traffic offenses; repealing s. 316.2024, F.S., which prohibits a motor vehicle coasting on a downgrade; providing an effective date.

—was referred to the Committee on Transportation.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 24 was corrected and approved.

CO-INTRODUCERS

Senators Altman—SB 1190; Benacquisto—SB 1190; Braynon—SB 1190; Bullard—CS for SB 524; Detert—SB 1108, SB 1724; Diaz de la Portilla—SB 1190; Evers—SB 672, SB 1190; Fasano—SB 1190; Garcia—SB 1190; Jones—SR 2066; Joyner—SB 590, CS for SB 782; Latvala—SB 844, SB 1190; Lynn—CS for SB 246, CS for SB 336, CS for CS for SB 818, SB 1190, SB 1448; Margolis—SB 346; Montford—SB 1190;

Norman—SB 1190; Sachs—SB 346, SJR 1706; Sobel—CS for SB 1594;
Storms—SB 1190

SENATE PAGES

March 28-April 1, 2011

RECESS

On motion by Senator Thrasher, the Senate recessed at 10:44 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:30 a.m., Wednesday, March 30 or upon call of the President.

McKenzie Altman, Rockledge; Jasmyne Arnold, Tallahassee; Austin Benacquisto, Wellington; Andrew Chico, Tallahassee; Mackenzie Dummer, Melbourne; Christian Griffin, Madison; Colleen Heeney, Lake City; Katherine Horne, Fleming Island; Connor Larkin, St. Augustine; Ashley Meade, St. Augustine; Marisa McGlone, Port St. Lucie; Taylor Munson, Apopka; Cassandra Pereda, Bascom; Samuel Sundook, Wellington; Sarah Unatin, Ormond Beach



Journal of the Senate

Number 11—Regular Session

Wednesday, March 30, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 10:30 a.m.
A quorum present—38:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Excused: Senators Bullard and Ring

PRAYER

The following prayer was offered by Father Jack Gray, Chaplain, Catholic Community of Pensacola Naval Air Station and Corry Station:

Almighty Father, we commend to your guidance and protection this morning the distinguished members of the Senate of the State of Florida. Our request of you this day, Lord, is to keep them faithful.

Keep them faithful to the oath they have taken to preserve and defend the Constitution of the United States and the State of Florida. Keep them faithful to their consciences and the moral and spiritual tenets which have guided their lives. Keep them faithful in representing the needs of the elderly, the young, and the working men and women of Florida.

Keep them faithful, Lord, to those principles and those values which have developed this great nation, and have made Florida the finest state in America. God bless America, and God bless the Senate and the people of Florida. Amen.

PLEDGE

Senate Pages Cassandra Pereda of Bascom; Mackenzie Dummer of Melbourne; Austin Benacquisto, son of Senator Benacquisto of Wellington; and McKenzie Altman, daughter of Senator Altman of Rockledge, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Hays—

By Senator Hays—

SR 2058—A resolution recognizing March 30, 2011, as “Dentists’ Day on the Hill.”

WHEREAS, the Florida Dental Association, a statewide professional membership organization representing nearly 7,000 licensed dentists in this state, was established in 1884 to advance the public health through professional education and public advocacy while promoting high practice standards and improving the professional practice environment, and

WHEREAS, studies show that good oral health may help prevent heart disease, arterial blockage, stroke, diabetes, preterm delivery, low-birth-weight babies, and bacterial pneumonia, and

WHEREAS, the Florida Dental Association is promoting “Dentistry: Gateway to Good Health” to emphasize that oral health is directly linked to a person’s overall health, and

WHEREAS, the Florida Dental Association has developed “Mouth Wise,” a dental health education kit for elementary students designed to give children a basic understanding of their teeth, mouths, and gums, the importance of preventive dentistry, and the relationship of preventive dentistry to overall health care, and

WHEREAS, the Florida Dental Association has also developed a “Mouth Wise” dental health education kit for middle school students which teaches the importance of dental health care and includes information on nutrition and soda consumption, the use of mouth guards and smokeless tobacco, and oral piercing, and

WHEREAS, in 1996, the Florida Dental Association joined efforts with the Department of Health’s Volunteer Health Care Provider Program to create “Project: Dentists’ Care,” a dental access program that, in 2010, provided care for underserved adults and children statewide for an estimated \$10 million in donated services, and

WHEREAS, in February 2011 dentists in this state volunteered dental services for the annual “Give Kids A Smile” event, NOW, THEREFORE,

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

That March 30, 2011, is recognized as “Dentists’ Day on the Hill.”

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Florida Dental Association as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Hays, **SR 2058** was read the second time in full and adopted.

BILLS ON THIRD READING

CS for SB 94—A bill to be entitled An act relating to blood establishments; amending s. 381.06014, F.S.; redefining the term “blood establishment” and defining the term “volunteer donor”; prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit organization or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as for-profit organizations or not-for-profit organizations when determining service fees for selling blood or blood components; requiring that certain blood establishments disclose specified information on the Internet; authorizing the Department of Legal Affairs to assess a civil penalty against a blood establishment that fails to disclose specified information on the Internet; providing that the civil penalty accrues to the state and requiring that it be deposited as received into the General Revenue Fund; amending s. 499.003, F.S.; redefining the term “health care entity” to clarify that a blood establishment is a health care entity that may engage in certain activities; amending s. 499.005, F.S.; clarifying provisions that prohibit the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity or donated or supplied at a reduced price to a charitable organization, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted prescription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute under a restricted prescription drug distributor permit; authorizing the Department of Health to adopt rules regarding the distribution of prescription drugs by blood establishments; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for SB 94** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richtman
Benacquisto	Gardiner	Sachs
Bennett	Hays	Simmons
Bogdanoff	Hill	Siplin
Braynon	Jones	Smith
Dean	Joyner	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

HB 4019—A bill to be entitled An act relating to traffic offenses; repealing s. 316.2024, F.S., which prohibits a motor vehicle coasting on a downgrade; providing an effective date.

—was read the third time by title.

On motion by Senator Lynn, **HB 4019** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Detert	Gardiner
Alexander	Diaz de la Portilla	Hays
Altman	Dockery	Hill
Benacquisto	Evers	Jones
Bennett	Fasano	Joyner
Bogdanoff	Flores	Latvala
Braynon	Gaetz	Lynn
Dean	Garcia	Margolis

Montford	Richter	Sobel
Negron	Sachs	Storms
Norman	Simmons	Thrasher
Oelrich	Siplin	Wise
Rich	Smith	

Nays—None

HB 93—A bill to be entitled An act relating to security cameras; reenacting s. 163.31802, F.S., relating to prohibited standards for security cameras; providing for retroactive operation of the act; providing for an exception under specified circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **HB 93** was passed by the required constitutional two-thirds vote of the membership and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Rich
Bennett	Gardiner	Richtman
Bogdanoff	Hays	Sachs
Braynon	Hill	Simmons
Dean	Jones	Siplin
Detert	Joyner	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise

Nays—None

Vote after roll call:

Yea—Smith

HB 7001—A bill to be entitled An act relating to growth management; reenacting s. 1, chapter 2009-96, Laws of Florida, relating to a short title; reenacting s. 163.3164(29) and (34), F.S., relating to the definition of “urban service area” and “dense urban land area” for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act; reenacting s. 163.3177(3)(b) and (f), (6)(h), and (12)(a) and (j), F.S., relating to certain required and optional elements of a comprehensive plan; reenacting s. 163.3180(5), (10), and (13)(b) and (e), F.S., relating to concurrency requirements for transportation facilities; reenacting s. 163.31801(3)(d), F.S., relating to a required notice for a new or increased impact fee; reenacting s. 163.3184(1)(b) and (3)(e), F.S., relating to the process for adopting a comprehensive plan or plan amendment; reenacting s. 163.3187(1)(b), (f), and (q), F.S., relating to amendments to a comprehensive plan; reenacting s. 163.32465(2), F.S., relating to a pilot program to provide an alternative to the state review process for local comprehensive plans; reenacting s. 171.091, F.S., relating to the recording of any change in municipal boundaries; reenacting s. 186.509, F.S., relating to a dispute resolution process for reconciling differences concerning planning and growth management issues; reenacting s. 380.06(7)(a), (24), (28), and (29), F.S., relating to preapplication procedures and certain exemptions from review provided for proposed developments of regional impact; reenacting ss. 13, 14, and 34 of chapter 2009-96, Laws of Florida, relating to a study and report concerning a mobility fee, the extension and renewal of certain permits issued by the Department of Environmental Protection or a water management district, and a statement of important state interest; providing a legislative finding of important state interest; providing for retroactive operation of the act with respect to provisions of law amended or created by chapter 2009-96, Laws of Florida; providing for an exception under specified circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **HB 7001** was passed by the required constitutional two-thirds vote of the membership and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Fasano	Montford
Alexander	Flores	Negron
Altman	Gaetz	Norman
Benacquisto	Garcia	Richter
Bennett	Gardiner	Simmons
Bogdanoff	Hays	Siplin
Dean	Hill	Smith
Detert	Jones	Storms
Diaz de la Portilla	Lynn	Thrasher
Evers	Margolis	Wise

Nays—7

Braynon	Latvala	Sobel
Dockery	Rich	
Joyner	Sachs	

Vote after roll call:

Yea—Oelrich

Yea to Nay—Storms

HB 7003—A bill to be entitled An act relating to affordable housing; reenacting s. 159.807(4), F.S., relating to the state allocation pool used to confirm private activity bonds; reenacting s. 193.018, F.S., relating to lands that are owned by a community land trust and used to provide affordable housing; reenacting s. 196.196(5), F.S., relating to a tax exemption provided to organizations that provide low-income housing; reenacting s. 196.1978, F.S., relating to a property exemption for affordable housing owned by a nonprofit entity; reenacting s. 212.055(2)(d), F.S., relating to the use of a local government infrastructure surtax; reenacting s. 163.3202(2), F.S., relating to requirements for local land development regulations; reenacting s. 420.503(25), F.S., relating to a definition under the Florida Housing Finance Corporation Act; reenacting s. 420.507(47), F.S., relating to powers of the corporation to select developers and general contractors; reenacting s. 420.5087(6)(c) and (l), F.S., relating to the State Apartment Incentive Loan Program; reenacting s. 420.622(5), F.S., relating to the State Office on Homelessness; reenacting s. 420.628, F.S., relating to affordable housing for children and young adults leaving foster care; reenacting s. 420.9071(4), (8), (16), (25), (29), and (30), F.S., relating to definitions under the State Housing Initiatives Partnership Act; reenacting s. 420.9072(6) and (7), F.S., relating to the distribution of funds under the State Housing Initiatives Partnership Program; reenacting s. 420.9073(1), (2), (5), (6), and (7), F.S., relating to distributions of local housing funds; reenacting s. 420.9075(1), (3), (5), (8), (10)(a) and (h), (13)(b), and (14), F.S., relating to local housing assistance plans; reenacting s. 420.9076(2)(h), (5), (6), and (7)(a), F.S., relating to the adoption of affordable housing incentive strategies by the governing board of a county or municipality; repealing s. 420.9078, F.S., relating to the state administration of funds remaining in the Local Government Housing Trust Fund; reenacting s. 420.9079, F.S., relating to the Local Government Housing Trust Fund; reenacting s. 1001.43(12), F.S., relating to the use by school districts of certain lands for affordable housing; providing for retroactive operation of the act with respect to provisions of law amended, created, or repealed by chapter 2009-96, Laws of Florida; providing for an exception under specified circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **HB 7003** was passed by the required constitutional two-thirds vote of the membership and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Alexander	Altman
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Benacquisto	Gaetz	Norman
Bennett	Garcia	Oelrich
Bogdanoff	Gardiner	Rich
Braynon	Hays	Richter
Dean	Hill	Sachs
Detert	Jones	Simmons
Diaz de la Portilla	Joyner	Siplin
Dockery	Lynn	Smith
Evers	Margolis	Sobel
Fasano	Montford	Thrasher
Flores	Negron	Wise

Nays—2

Latvala	Storms
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CS for SB 618—A bill to be entitled An act relating to juvenile justice; repealing ss. 985.02(5), 985.03(48), 985.03(56), 985.47, 985.483, 985.486, and 985.636, F.S., relating to, respectively, legislative intent for serious or habitual juvenile offenders in the juvenile justice system, definitions of terms for a training school and the serious or habitual juvenile offender program, the serious or habitual juvenile offender program in the juvenile justice system, the intensive residential treatment program for offenders less than 13 years of age, and the designation of persons holding law enforcement certification within the Office of the Inspector General to act as law enforcement officers; amending s. 985.494, F.S.; requiring a child who is adjudicated delinquent, or for whom adjudication is withheld, to be committed to a maximum-risk residential program for an act that would be a felony if committed by an adult if the child has completed two different high-risk residential commitment programs; repealing s. 985.445, F.S., relating to cases involving grand theft of a motor vehicle committed by a child; amending ss. 985.0301, 985.47, and 985.565, F.S.; conforming references to changes made by the act; amending s. 985.66, F.S.; removing all references to the Juvenile Justice Standards and Training Commission; requiring the Department of Juvenile Justice to be responsible for staff development and training; specifying the duties and responsibilities of the department for staff development and training; removing obsolete provisions to conform to changes made by the act; repealing s. 985.48(8), F.S., relating to activities of the Juvenile Justice Standards and Training Commission with respect to training and treatment services for juvenile sexual offenders; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **CS for SB 618** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

SB 410—A bill to be entitled An act relating to impact fees; reenacting s. 163.31801(5), F.S., relating to the burden of proof required by the government in an action challenging an impact fee; providing for retroactive operation of the act; providing for an exception under specified circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **SB 410** was passed by the required constitutional two-thirds vote of the membership and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Sachs
Bennett	Hays	Simmons
Bogdanoff	Hill	Siplin
Braynon	Jones	Smith
Dean	Joyner	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—1

Latvala

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Thrasher, the rules were waived and the following bills were placed on the agenda for expedited consideration at the Committee on Budget meetings scheduled for March 31, April 1, and April 2, 2011: **CS for SB 138, SB 240, CS for CS for SB 244, CS for SB 246, CS for SB 312, SB 330, CS for SB 382, CS for SB 400, SB 464, SB 514, SB 626, SB 634, SB 636, SB 638, SB 702, CS for SB 960, CS for SB 968, and SB 1142.** The deadline for amendments to these bills was set for 2:00 p.m. this day; and the deadline for amendments to amendments and substitute amendments was set for 5:00 p.m. this day.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Jones, by two-thirds vote **SB 1708** was withdrawn from the committees of reference and further consideration.

On motion by Senator Thrasher, by two-thirds vote **CS for SB 1312** was withdrawn from the Committee on Governmental Oversight and Accountability and referred to the Committees on Budget; and Rules.

MOTIONS

On motion by Senator Alexander, the rules were waived and the amendment deadlines adopted by the Senate were applied to the Committee on Budget meetings scheduled for April 1 and April 2, 2011, for consideration of the General Appropriations Act, the Appropriations Implementing Bill, and the appropriations conforming bills.

On motion by Senator Alexander, the rules were waived and the deadlines and policies included in the memorandum distributed by the Committee on Budget were applied to the full Senate consideration of the General Appropriations Bill, **SB 2000**; and the Implementing Bill, **SB 2002**.

REPORTS OF COMMITTEES

The Committee on Commerce and Tourism recommends the following pass: SM 852

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

The Committee on Banking and Insurance recommends the following pass: SB 1826

The Committee on Commerce and Tourism recommends the following pass: CS for SB 1224

The Committee on Transportation recommends the following pass: CS for SB 1140; SB 1974

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

The Committee on Regulated Industries recommends the following pass: SB 854

The bill was referred to the Committee on Commerce and Tourism under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 1348

The Committee on Transportation recommends the following pass: SB 672

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 404

The Committee on Commerce and Tourism recommends the following pass: SB 1588 with 1 amendment

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 2062; SB 2064

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

The Committee on Rules recommends the following pass: CS for SB 1618

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

The Committee on Banking and Insurance recommends the following pass: CS for SB 670

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

The Committee on Rules recommends the following pass: SB 16; SB 22; SB 306; CS for SB 650; CS for SB 782

The bills were placed on the Calendar.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 100

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: CS for SB 1194; SB 1372; SB 1622; SB 1902

The Committee on Commerce and Tourism recommends committee substitutes for the following: SB 1318; SB 1506; CS for SB 1524

The Committee on Health Regulation recommends a committee substitute for the following: SB 546

The Committee on Judiciary recommends committee substitutes for the following: SB 664; SB 998; SJR 1538

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1428

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1460

The Committee on Judiciary recommends a committee substitute for the following: SB 888

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Communications, Energy, and Public Utilities under the original reference.

The Committee on Commerce and Tourism recommends committee substitutes for the following: SB 296; SB 1528

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

The Committee on Health Regulation recommends a committee substitute for the following: SB 1386

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1122

The Committee on Health Regulation recommends a committee substitute for the following: SB 1698

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1158

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: CS for SB 364

The Committee on Criminal Justice recommends committee substitutes for the following: SB 488; SB 1334

The Committee on Health Regulation recommends a committee substitute for the following: CS for SB 432

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1196

The Committee on Rules recommends a committee substitute for the following: SB 242

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

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 450

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1824

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

The Committee on Commerce and Tourism recommends the following not pass: SB 1482

The Committee on Regulated Industries recommends the following not pass: SB 1096

The Committee on Rules recommends the following not pass: SB 532

The bills were laid on the table.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Regulated Industries recommends that the Senate confirm the following appointment made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
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Secretary of the Department of the Lottery

Appointee: O'Connell, Cynthia F.	Pleasure of Governor
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The appointment was referred to the Committee on Ethics and Elections under the original reference.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

SR 2066—Introduced out of order and adopted March 24.

Senate Bills 2068-2074—Not referenced.

By the Committee on Agriculture—

SB 2076—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 14.24, F.S.; deleting provisions related to per diem and travel expenses for members of the Florida Commission on the Status of Women; amending s. 20.14, F.S.; deleting the Division of Dairy within the Department of Agriculture and Consumer Services; amending s. 215.981, F.S.; exempting certain direct-support organizations and citizen support organizations for the Department of Agriculture and Consumer Services from obtaining an independent audit; amending s. 253.02, F.S.; providing for the grantee of easements for electrical transmission to pay the lead manager of the state-owned lands or, when there is no lead manager, the Department of Environmental Protection if suitable replacement uplands cannot be identified; amending s. 261.04, F.S.; deleting provisions related to per diem and travel expenses for members of the Off-Highway Vehicle Recreation Advisory Committee within the Division of Forestry; repealing s. 472.007(5), F.S., relating to per diem and travel expenses of a member or former member of a Board of Professional Surveyors and Mappers; amending s. 482.051, F.S.; providing rule changes that allow operators to provide certain emergency notice to the Department of Agriculture and Consumer Services by facsimile or electronic means; amending s. 482.071, F.S.; increasing the minimum insurance coverage for bodily injury and property damage required for pest control businesses; creating s. 482.072, F.S.; providing for licensure by the department of pest control customer contact centers; providing application requirements; providing for fees, licensure renewal, penalties, licensure expiration, and

transfer of licenses; requiring the department to adopt rules; providing for disciplinary action; creating s. 482.157, F.S.; providing for the certification of commercial wildlife trappers; providing requirements for certification, examination, and fees; limiting the scope of work permitted by certificate holders; clarifying that certificateholders who practice accepted pest control methods are immune from liability for violating laws prohibiting cruelty to animals; providing that the provisions of s. 482.157, F.S. do not exempt any person from the rules, orders, or regulations of the Florida Fish and Wildlife Conservation Commission; amending s. 482.226, F.S.; increasing the minimum financial responsibility requirements for licensees that perform wood-destroying organism inspections; amending s. 482.243, F.S.; deleting provisions relating to reimbursement for expenses for members of the Pest Control Enforcement Advisory Council within the department; amending s. 487.041, F.S.; providing that registration, supplemental, and late fees related to the registration of pesticide brands with the department are non-refundable; providing requirements for label revisions of pesticide brands; providing requirements for label revisions that must be reviewed by the United States Environmental Protection Agency; requiring payments of pesticide registration fees to be submitted electronically; amending s. 487.0615, F.S.; deleting reference relating to per diem and travel for the Pesticide Review Council within the Department of Agriculture and Consumer Services; amending s. 500.70, F.S.; requiring certain persons that produce, harvest, pack, or repack tomatoes to register each location of a tomato farm, tomato greenhouse, tomato packinghouse, or tomato repacker by a specified date on a form prescribed by the department; requiring the department to set a registration fee; providing for funds collected to be deposited into the General Inspection Trust Fund; amending s. 527.22, F.S.; deleting provisions relating to per diem and travel expenses for members of the Florida Propane Gas Education, Safety, and Research Council within the department; amending s. 559.9221, F.S.; deleting provisions relating to per diem and travel expenses for members of the Motor Vehicle Repair Advisory Council within the department; amending s. 570.07, F.S.; revising the powers and duties of the Department of Agriculture and Consumer Services regarding pollution control and the prevention of wildfires; amending s. 570.0705, F.S.; deleting provisions relating to per diem and travel expenses for members of any advisory committee that the Commissioner of Agriculture may appoint; amending s. 570.074, F.S.; revising the name of the Office of Water Coordination to the Office of Energy and Water; amending s. 570.23, F.S.; deleting provisions relating to per diem and travel expenses for members of the State Agricultural Advisory Council within the department; repealing s. 570.29(6), F.S., relating to the Division of Dairy Industry within the department; amending s. 570.38, F.S.; deleting provisions relating to per diem and travel expenses for members of the Animal Industry Technical Council within the department; amending s. 570.382, F.S.; deleting provisions relating to per diem and travel expenses for members of the Arabian Horse Council within the department; repealing s. 570.40, F.S., relating to the powers and duties of the Division of Dairy within the department; repealing s. 570.41, F.S., relating to the qualifications and duties of the Director of the Division of Dairy within the department; amending s. 570.42, F.S.; deleting provisions relating to per diem and travel expenses for members of the Dairy Industry Technical Council within the department; amending s. 570.50, F.S.; requiring the Division of Food Safety within the department to inspect dairy farms and enforce the provisions of ch. 502, F.S.; requiring the Division of Food Safety to inspect milk plants, milk product plants, and plants engaged in the manufacture and distribution of frozen desserts and frozen dessert mixes; requiring the Division of Food Safety to analyze and test samples of milk, milk products, frozen desserts, and frozen dessert mixes; amending s. 570.543, F.S.; deleting provisions relating to per diem and travel expenses for members of the Florida Consumers' Council within the department; repealing s. 570.954(3), F.S., relating to the requirement that the Department of Agriculture and Consumer Services coordinate with and solicit the expertise of the state energy office when developing the farm-to-fuel initiative; amending s. 571.28, F.S.; deleting provisions relating to per diem and travel expenses for members of the Florida Agricultural Promotional Campaign Advisory Council within the department; amending s. 573.112, F.S.; deleting provisions relating to per diem and travel expenses for members of the advisory council that administers the marketing order that is issued to the department; amending s. 576.091, F.S.; deleting provisions relating to per diem and travel expenses for members of the Fertilizer Technical Council within the department; amending s. 580.151, F.S.; deleting provisions relating to per diem and travel expenses for members of the Commercial Feed Technical Council within the department; amending s. 581.186, F.S.; deleting provisions relating

to per diem and travel expenses for members of the Endangered Plant Advisory Council within the department; amending s. 586.161, F.S.; deleting provisions relating to per diem and travel expenses for members of the Honeybee Technical Council within the department; amending s. 589.101, F.S.; authorizing the Department of Agriculture and Consumer Services to lease gas, oil, and other mineral interests of lands leased to the department; authorizing the Board of Trustees of the Internal Improvement Trust Fund to review proposed leases; amending s. 590.015, F.S.; defining the term "department," "open burning," and "broadcast burning" as they relate to forest protection; redefining the term "fire management services"; amending s. 590.02, F.S.; renaming the Division of Forestry to the Florida Forest Services; conforming terminology to changes made by the act; authorizing forest-operations administrators to be certified as forestry firefighters; providing the status of Selected Exempt Service to an aviation manager and a training coordinator for the Florida Forest Service; authorizing the department to have exclusive authority over the Florida Building Code as it pertains to wildfire and law enforcement facilities under the jurisdiction of the department; authorizing the department to retain, transfer, warehouse, bid, destroy, scrap or dispose of surplus equipment and vehicles used for wildland firefighting; authorizing the department to retain any moneys received from the disposition of state-owned equipment and vehicles used for wildland firefighting; providing that moneys received may be used for the acquisition of exchange and surplus equipment used for wildland firefighting and all necessary operating expenditures related to the equipment; requiring the department to maintain records of the accounts into which the money is deposited; giving the Florida Forest Service exclusive authority to require and issue authorizations for broadcast burning, agricultural pile burning, and silvicultural pile burning; preempting other governmental entities from adopting laws, rules, or policies pertaining to broadcast burning, agricultural pile burning, or silvicultural pile burning unless an emergency order has been declared; authorizing the department to delegate its authority to a county or municipality to issue authorizations for the burning of yard trash and debris from land clearing operations; amending s. 590.125, F.S.; defining and redefining terms relating to open-burning authorizations by the Florida Forest Services; specifying purposes of certified prescribed burning; requiring the authorization of the Florida Forest Service for certified pile burning; providing pile burning requirements; limiting the liability of property owners or agents engaged in pile burning; providing penalties for violations by certified pile burners; requiring the Florida Forest Service to adopt rules to regulate certified pile burning; revising notice requirements for wildfire hazard reduction treatments; providing for approval of local governments' open-burning-authorization programs; providing program requirements; authorizing the Florida Forest Service to resume administration of a local government's program under certain circumstances; providing penalties for violations of local government's open-burning requirements; amending s. 590.14, F.S.; authorizing an employee of the Florida Forest Service to issue a notice of violation for any rule adopted by the Florida Forest Service; authorizing the department to impose an administrative fine for a violation of any rule adopted by the Florida Forest Service; providing a criminal penalty; providing legislative intent; repealing s. 597.005(4), F.S., deleting provisions relating to per diem and travel expenses for members of the Aquaculture Review Council within the department; amending s. 599.002, F.S.; deleting provisions relating to per diem and travel expenses for members of the Viticulture Advisory Council within the department; amending s. 616.252, F.S.; providing for the appointment of a youth member to serve on the Florida State Fair Authority as a nonvoting member; providing a term of service for the youth member of the Florida State Fair Authority; prohibiting reimbursement for travel expenses for members of the Florida State Fair Authority; excluding the youth member from compensation for special or full-time service performed on behalf of the authority; amending s. 812.014, F.S.; providing that it is a grand theft of the third degree and a felony of the third degree if bee colonies of a registered bee keeper are stolen; amending s. 812.015, F.S.; redefining the term "farmer" as it relates to a person who grows or produces honey; redefining the term "farm theft" to include the unlawful taking possession of equipment and associated materials used to grow or produce farm products; providing an effective date.

—was referred to the Committees on Agriculture; and Budget.

By the Committee on Communications, Energy, and Public Utilities—

SB 2078—A bill to be entitled An act relating to energy; amending s. 366.82, F.S.; requiring all public utilities to perform a free energy audit of the business structures of commercial customers; providing that the audit is deemed satisfied under certain conditions; amending s. 255.252, F.S.; requiring the Department of Management Services to prioritize buildings for an energy audit and retrofits and to proceed with performing those audits and retrofits; amending s. 366.92, F.S.; deleting obsolete provisions; providing new conditions for full cost recovery for regulated electric utilities for the costs of renewable energy projects; providing a mechanism for providers to recover costs to produce or purchase renewable energy through the environmental cost-recovery clause under certain conditions; requiring providers to make reports; creating s. 366.95, F.S.; providing for the development of a state energy resources plan by the Public Service Commission; establishing requirements for the plan; requiring the Public Service Commission to make certain determinations; providing criteria; requiring the additional renewable energy resources to be obtained pursuant to the bid process; providing for cost recovery for new facilities developed under the plan; providing that a determination by the commission constitutes a determination of need and the required agency report; requiring the commission to review the state energy resources plan biennially; transferring all of the powers, property, unexpended balances of appropriations, allocations, and administrative authority of the Florida Energy and Climate Commission to the Florida Energy Office by a type two transfer; amending s. 377.6015, F.S.; locating the Florida Energy Office within the Department of Environmental Protection; specifying that the office is not subject to control, supervision, or direction by the Department of Environmental Protection and exempting the office from certain provisions; providing for the administrative structure of the Florida Energy Office; providing for the powers and duties of the Florida Energy Office; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Governmental Oversight and Accountability; and Budget.

Senate Resolutions 2080-2082—Not referenced.

By the Committee on Judiciary—

SJR 2084—A joint resolution proposing an amendment to Section 2 of Article V of the State Constitution to reduce the vote threshold required for the Legislature to enact a law repealing a rule of court and to prohibit the Supreme Court from readopting a rule repealed by the Legislature for a prescribed period.

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

By the Committee on Rules Subcommittee on Ethics and Elections—

SB 2086—A bill to be entitled An act relating to elections; amending s. 99.095, F.S.; allowing a candidate to obtain the required number of signatures from any registered voter regardless of district boundaries in a year of apportionment; amending s. 101.161, F.S.; specifying a time period to initiate an action to challenge an amendment to the State Constitution proposed by the Legislature; requiring the court, including an appellate court, to accord the case priority over other cases; requiring the Attorney General to revise a ballot title or ballot summary for an amendment proposed by the Legislature under certain circumstances; requiring the Department of State to furnish a designating number and the revised ballot title and substance to the supervisors of elections; providing that a defect in a ballot title or ballot summary in an amendment proposed by the Legislature is not grounds to remove the amendment from the ballot; amending s. 101.591, F.S.; removing the audit requirement by the canvassing board if a manual recount is undertaken; amending s. 101.62, F.S.; extending the time for requesting an absentee ballot to the end of the calendar year of the next regularly scheduled general election; removing requirements that an elector provide certain information when requesting an absentee ballot from the county supervisor of elections; amending s. 101.68, F.S.; extending the time for canvassing and processing absentee ballots to 15 days before the election; amending s. 106.011, F.S.; revising the definition of the term “independent expenditure”; amending s. 106.022, F.S.; requiring a poli-

tical committee, committee of continuous existence, or electioneering communications organization to file a statement of appointment with the filing officer rather than with the Division of Elections; authorizing an entity to change its appointment of registered agent or registered office by filing a written statement with the filing officer; requiring a registered agent who resigns to execute a written statement of resignation and file it with the filing officer; amending s. 106.023, F.S.; revising the form of the statement of candidate to require a candidate to acknowledge that he or she has been provided access to and understands the requirements of ch. 106, F.S.; amending s. 106.04, F.S.; transferring a requirement that certain committees of continuous existence file campaign finance reports in special elections; requiring a committee of continuous existence that makes a contribution or expenditure to influence the results of certain county or municipal elections to file specified reports; subjecting a committee of continuous existence that fails to file a report or to timely file a report with the Division of Elections or a county or municipal filing officer to a fine; requiring a committee of continuous existence to include transaction information from credit card purchases in a report filed with the Division of Elections; requiring a committee of continuous existence to report changes in information previously reported to the Division of Elections within 10 days after the change; requiring the Division of Elections to revoke the certification of a committee of continuous existence that fails to file or report certain information; requiring the division to adopt rules to prescribe the manner in which the certification is revoked; increasing the amount of a fine to be levied on a committee of continuous existence that fails to timely file certain reports; providing for the deposit of the proceeds of the fines; including the registered agent of a committee of continuous existence as a person whom the filing officer may notify that a report has not been filed; providing criteria for deeming delivery complete of a notice of fine; requiring a committee of continuous existence that appeals a fine to file a copy of the appeal with the filing officer; defining the term “repeated late filing”; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; amending s. 106.07, F.S.; creating an exception for reports due in the third calendar quarter immediately preceding a general election from a requirement that the campaign treasurer report contributions received and expenditures made on the 10th day following the end of each calendar quarter; revising reporting requirements for a statewide candidate who receives funding under the Florida Election Campaign Financing Act and candidates in a race with a candidate who has requested funding under that act; deleting a requirement for a committee of continuous existence to file a campaign treasurer’s report relating to contributions or expenditures to influence the results of a special election; revising the methods by which a campaign treasurer may be notified of the determination that a report is incomplete to include certified mail and other methods using a common carrier that provides proof of delivery of the notice; extending the time the campaign treasurer has to file an addendum to the report after receipt of notice of why the report is incomplete; providing criteria for deeming delivery complete of a notice of incomplete report; deleting a provision allowing for notification by telephone of an incomplete report; requiring political committees that make a contribution or expenditure to influence the results of certain county or municipal elections to file campaign finance reports with the county or municipal filing officer and to include its contributions and expenditures in a report to the Division of Elections; revising the information that must be included in a report to include transaction information for credit card purchases; deleting a requirement for a campaign depository to return checks drawn on the account to the campaign treasurer; deleting a provision providing that the failure to file a copy of a report is not subject to a separate fine; specifying the amount of a fine for the failure to timely file reports after a special primary election or special election; specifying that the registered agent of a political committee is a person whom a filing officer may notify of the amount of the fine for filing a late report; providing criteria for deeming delivery complete of a notice of late report and resulting fine; defining the term “repeated late filing”; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; amending s. 106.0703, F.S.; defining the term “repeated late filing”; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; amending s. 106.0705, F.S.; requiring certain individuals to electronically file certain reports with the Division of Elections; conforming a cross-reference to changes made by the act; deleting an obsolete provision; amending s. 106.08, F.S.; deleting a requirement for the Department of State to notify candidates as to whether an independent or minor party candidate has obtained the required number of petition

signatures; deleting a requirement for certain unopposed candidates to return contributions; specifying the entities with which a political party's state executive committee and county executive committees must file a written acceptance of an in-kind contribution; amending s. 106.09, F.S.; specifying that the limitations on contributions by cash or cashier's check apply to the aggregate amount of contributions to a candidate or committee per election; amending s. 106.11, F.S.; revising the statement that must be contained on checks from a campaign account; deleting requirements relating to the use of debit cards; authorizing a campaign for a candidate to reimburse the candidate's loan to the campaign when the campaign account has sufficient funds; amending s. 106.141, F.S.; requiring candidates receiving public financing to return all surplus funds to the General Revenue Fund after paying certain monetary obligations and expenses; amending s. 106.143, F.S.; specifying disclosure statements that must be included in political advertisements paid for by a write-in candidate; prohibiting the inclusion of a person's political affiliation in advertisements for a nonpartisan office; clarifying the type of political advertisements that must be approved in advance by a candidate; deleting an exemption from the requirement to obtain a candidate's approval for messages designed to be worn; amending s. 106.18, F.S.; deleting a provision providing that a candidate will not be prevented from receiving a certificate of election for failing to file a report; amending s. 106.19, F.S.; providing that a candidate's failure to comply with ch. 106, F.S., has no effect on whether the candidate has qualified for office; amending s. 106.29, F.S.; requiring state and county executive committees that make contributions or expenditures to influence the results of a special election or special primary election to file campaign treasurer's reports; amending campaign finance reporting dates, to conform; deleting a requirement that each state executive committee file the original and one copy of its reports with the Division of Elections; deleting a provision prohibiting the assessment of a separate fine for failing to file a copy of a report, to conform; revising the due date for filing a report; providing criteria for deeming delivery complete of a notice of fine; defining the term "repeated late filing"; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; amending s. 106.35, F.S.; deleting a requirement that the Division of Election adopt rules relating to the format and filing of certain printed campaign treasurer's reports; providing an effective date.

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

By the Committee on Rules; and Senator Gaetz—

SB 2088—A bill to be entitled An act relating to ethics; amending s. 112.312, F.S.; redefining the term "gift" to exclude contributions or expenditures reported under federal election law; amending s. 112.3143, F.S.; providing for an exception to a provision authorizing a state public officer to vote in an official capacity on any matter, to conform to changes made by the act; creating s. 112.31435, F.S.; defining the term "relative"; prohibiting a member of the Legislature from voting upon any legislation inuring to his or her special private gain or loss; prohibiting a member of the Legislature from voting upon any legislation that the member knows would inure to the special private gain or loss of a principal by whom the member is retained or the corporate parent or subsidiary of a corporate principal by which the member is retained; prohibiting a member of the Legislature from voting on legislation that the member knows would inure to the special private gain or loss of a relative, a business associate, an employer, or a board upon which the member sits; requiring that a member disclose all such interests to the applicable legislative body or committee before the legislation is considered; requiring that the member disclose the specific nature of any such interests within a specified period after the date on which a vote on the legislation occurs; requiring that such disclosure be made by written memorandum and filed with the Secretary of the Senate or the Clerk of the House of Representatives; requiring that the memorandum be recorded in the journal of the house of which the legislator is a member; providing that the act does not prevent the member from voting on a General Appropriations Act or implementing legislation; amending s. 112.3144, F.S.; requiring the Commission on Ethics to review certain filings of full and public disclosure of financial interests made by certain public officers, including supporting documentation; requiring the commission to provide notice of the sufficiency of the financial disclosure; requiring that an amended or corrected disclosure be filed if the filing is insufficient; providing that the amended or corrected disclosure is not subject to sufficiency review; providing for a fine if the amended or corrected disclosure is not filed by

a certain date; relieving an officer of liability for fines and penalties if a complete and sufficient full and public disclosure of financial interests is filed by September 1; specifying that any full and public financial disclosure that is not timely received is not entitled to review; permitting the commission to delegate to the commission's staff the responsibilities to review and provide notices relating to the disclosure filings; amending s. 112.3145, F.S.; redefining the term "local officer" for the purposes of disclosing financial interests to include members of a community redevelopment agency board and any finance director of a county, municipality, or other political subdivision; amending s. 838.014, F.S.; deleting the definition of the term "corruptly" or "with corrupt intent" to conform provisions to changes made by the act; amending s. 838.015, F.S.; redefining the term "bribery" as it relates to the requisite mental state for the offense of bribery; amending ss. 838.016 and 838.022, F.S.; revising provisions relating to the requisite mental state for the offenses of unlawful compensation and reward for official behavior and official misconduct, to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; and Budget.

BILLS REFERRED TO SUBCOMMITTEE

March 30, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Rules Subcommittee on Ethics and Elections which will report to this standing committee within 60 days: SB 2086.

Senator John Thrasher, Chair
Committee on Rules

COMMITTEE SUBSTITUTES

FIRST READING

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

CS for SB 100—A bill to be entitled An act relating to autism; creating s. 381.986, F.S.; requiring that a physician refer a minor to an appropriate specialist for screening for autism spectrum disorder under certain circumstances; defining the term "appropriate specialist"; amending ss. 627.6686 and 641.31098, F.S.; defining the term "direct patient access"; requiring that certain insurers and health maintenance organizations provide direct patient access to an appropriate specialist for screening for or evaluation or diagnosis of autism spectrum disorder; requiring certain insurance policies and health maintenance organization contracts to provide a minimum number of visits per year for screening for or evaluation or diagnosis of autism spectrum disorder; providing an effective date.

By the Committee on Rules; and Senator Joyner—

CS for SB 242—A bill to be entitled An act relating to voter information cards; amending s. 97.071, F.S.; requiring that voter information cards contain the address of the polling place of the registered voter; requiring a supervisor of elections to issue a new voter information card to a voter upon a change in a voter's address of legal residence or a change in a voter's polling place address; providing instructions for implementation by the supervisors of elections; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Wise—

CS for SB 296—A bill to be entitled An act relating to household moving services; amending s. 507.01, F.S.; redefining the term "storage"; amending s. 507.03, F.S.; providing for the biennial renewal of mover and moving broker registrations; authorizing the Department of Agriculture and Consumer Services to extend registration expiration dates in order to establish staggered dates; requiring the calculation of biennial registration fees based on an annual rate; deleting a provision requiring certain movers and moving brokers to obtain a local license or registration and pay the state registration fee; amending s. 507.07, F.S.; prohibiting a mover or moving broker from conducting business without

being registered with the department; providing penalties; amending s. 507.13, F.S.; preempting local ordinances and regulations except in certain counties; restricting the levy or collection of local registration fees and taxes of movers and moving brokers; providing for local registration and bonding; exempting local business taxes from preemption; providing an effective date.

By the Committees on Commerce and Tourism; and Children, Families, and Elder Affairs; and Senator Latvala—

CS for CS for SB 364—A bill to be entitled An act relating to child care facilities; amending s. 402.281, F.S.; revising the criteria for a childcare facility, large family child care home, or family day care home to obtain and maintain a designation as a Gold Seal Quality Care provider; amending s. 402.302, F.S.; revising and providing definitions; providing for certain household children to be included in calculations regarding the capacity of licensed family day care homes and large family child care homes; providing conditions for supervision of household children of operators of family day care homes and large family child care homes; amending s. 402.316, F.S.; requiring that the health, safety, and sanitation standards of an accrediting agency applicable to child care facilities that are exempt from licensure meet or exceed the minimum health, safety, and sanitation standards set forth by the Department of Children and Family Services; requiring a child care facility to prominently display a certificate indicating that the facility qualifies for a religious exemption from licensure; prohibiting an accrediting agency for religious exemption from owning, operating, or administering a child care program that it accredits, including a program owned by relatives; providing that application of the accrediting standards does not authorize the department to regulate or control the governance, curriculum, testing or assessments, evaluation procedures, academic requirements of the staff or the disciplinary or hiring practices of any child care program; amending s. 402.318, F.S.; revising advertising requirements applicable to child care facilities; providing penalties; amending s. 411.01, F.S., relating to school readiness programs; conforming a cross-reference; providing an effective date.

By the Committees on Health Regulation; and Criminal Justice; and Senator Evers—

CS for CS for SB 432—A bill to be entitled An act relating to the privacy of firearm owners; creating s. 790.338, F.S.; providing that a licensed medical care provider or health care facility may not record information regarding firearm ownership in a patient's medical record; providing an exception for relevance of the information to the patient's medical care or safety; providing that unless the information is relevant to the patient's medical care or safety, inquiries regarding firearm ownership or possession should not be made by licensed health care providers or health care facilities; providing that a patient may decline to provide information regarding the ownership or possession of firearms; clarifying that a physician's authorization to choose his or her patients is not altered by the act; prohibiting discrimination by licensed health care providers or facilities based solely upon a patient's firearm ownership or possession; prohibiting harassment of a patient regarding firearm ownership by a licensed health care provider or facility during an examination; providing for disciplinary action; amending s. 381.026, F.S.; providing that unless the information is relevant to the patient's medical care or safety, inquiries regarding firearm ownership or possession should not be made by licensed health care providers or health care facilities; providing that a patient may decline to provide information regarding the ownership or possession of firearms; clarifying that a physician's authorization to choose his or her patients is not altered by the act; prohibiting discrimination by licensed health care providers or facilities based solely upon a patient's firearm ownership or possession; prohibiting harassment of a patient regarding firearm ownership during an examination by a licensed health care provider or facility; amending s. 456.072, F.S.; including the violation of the provisions of s. 790.338, F.S., as grounds for disciplinary action; prohibiting denial of insurance coverage, increased premiums, or any other form of discrimination by insurance companies issuing policies pursuant to ch. 627, F.S., on the basis of an insured's or applicant's ownership, possession, or storage of firearms or ammunition; providing an effective date.

By the Committees on Judiciary; and Military Affairs, Space, and Domestic Security; and Senator Bennett—

CS for CS for SB 450—A bill to be entitled An act relating to emergency management; creating s. 252.515, F.S.; providing a short title; providing immunity from civil liability for providers of temporary housing and aid to emergency first responders and their immediate family members following a declared emergency; providing definitions; providing nonapplicability; authorizing specified registration with a county emergency management agency as a provider of housing and aid for emergency first responders; providing an effective date.

By the Committee on Criminal Justice; and Senator Fasano—

CS for SB 488—A bill to be entitled An act relating to sexual offenses; providing a short title; amending s. 90.404, F.S.; revising offenses that are considered "child molestation" for purposes of admitting evidence of other crimes, wrongs, or acts in a criminal case involving child molestation; providing for admission of evidence of other crimes, wrongs, or acts in cases involving a sexual offense; defining the term "sexual offense"; requiring certain property or material that is used in a criminal proceeding to remain in the care, custody, and control of the law enforcement agency, the state attorney, or the court; prohibiting the reproduction of such property or material by the defendant when specified criteria are met by the state attorney; permitting access to the materials by the defendant; amending s. 395.1021, F.S.; requiring a licensed facility that provides emergency room services to arrange for the gathering of forensic medical evidence required for investigation and prosecution from a victim who has reported a sexual battery to a law enforcement agency or who requests that such evidence be gathered for a possible future report; amending s. 775.15, F.S.; providing that a prosecution for video voyeurism in violation of specified provisions may, in addition to existing time periods, be commenced within 1 year after the victim of video voyeurism obtains actual knowledge of the existence of such a recording or the recording is confiscated by a law enforcement agency, whichever occurs first; providing that dissemination of a recording before such knowledge or confiscation does not affect such a time period; amending s. 794.052, F.S.; requiring a law enforcement officer to provide or arrange for transportation of a victim of sexual battery to an appropriate facility for medical treatment or forensic examination; providing for a review of a police officer's final report by a victim and an opportunity for a statement by a victim; amending ss. 794.056 and 938.085, F.S.; requiring that an additional court cost or surcharge be assessed against a defendant who pleads guilty or nolo contendere to, or is found guilty of, regardless of adjudication, certain criminal offenses; providing for proceeds of the additional court cost or surcharge to be deposited into the Rape Crisis Program Trust Fund; reenacting s. 20.435(21)(a), F.S., relating to the Rape Crisis Program Trust Fund, to incorporate the amendment made to s. 794.056, F.S., in a reference thereto; reenacting s. 794.055(3)(b), F.S., relating to access to services for victims of sexual battery, to incorporate the amendment made to s. 938.085, F.S., in a reference thereto; amending s. 960.003, F.S.; providing for hepatitis testing of persons charged with certain offenses; amending s. 960.198, F.S.; authorizing relocation assistance awards to certain victims of sexual violence; amending s. 1003.42, F.S.; requiring that public schools provide comprehensive health education that addresses concepts of Internet safety; providing an effective date.

By the Committee on Health Regulation; and Senators Hays, Sobel, and Gaetz—

CS for SB 546—A bill to be entitled An act relating to dentists; amending s. 627.6474, F.S.; prohibiting contracts between health insurers and dentists from containing certain fee requirements set by the insurer under certain circumstances; providing a definition; prohibiting a contract from containing a provision that prohibits a dentist from billing a patient the difference between the amount reimbursed by the insurer and the dentist's normal rate for services under certain circumstances; prohibiting a health insurer from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 636.035, F.S.; prohibiting contracts between prepaid limited health service organizations and dentists from containing certain fee requirements set by the organization under certain circumstances; providing a definition; prohibiting the prepaid limited health service organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 641.315, F.S.;

prohibiting contracts between health maintenance organizations and dentists from containing certain fee requirements set by the organization under certain circumstances; providing a definition; prohibiting the health maintenance organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; providing for application of the act; providing an effective date.

By the Committee on Judiciary; and Senators Benacquisto, Negron, Margolis, Smith, Dockery, Evers, and Dean—

CS for SB 664—A bill to be entitled An act relating to missing person investigations; amending s. 937.0201, F.S.; defining terms; amending s. 937.021, F.S.; providing that certain specified persons are immune from civil liability for damages for complying with the request to release Silver Alert information to appropriate agencies; providing a presumption that a person recording, reporting, transmitting, displaying, or releasing such information acted in good faith; amending s. 937.022, F.S., relating to the Missing Endangered Persons Information Clearinghouse; authorizing only the law enforcement agency having jurisdiction over a case to request that the clearinghouse activate a state Silver Alert involving a missing adult who is suspected by a law enforcement agency of meeting the criteria for activation of the Silver Alert Plan; providing an effective date.

By the Committee on Judiciary; and Senator Dean—

CS for SB 888—A bill to be entitled An act relating to the offense of sexting; providing that a minor commits the offense of sexting if he or she knowingly uses a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any photograph or video of any person which depicts nudity and is harmful to minors; providing noncriminal and criminal penalties; providing that the transmission or distribution of multiple photographs or videos is a single offense if the transmission occurs within a 24-hour period; providing that the act does not prohibit prosecution of a minor for conduct relating to material that includes the depiction of sexual conduct or sexual excitement or for stalking; defining the term “found to have committed”; providing an effective date.

By the Committee on Judiciary; and Senators Simmons, Hays, Thrasher, Wise, Bennett, Alexander, Dean, Gaetz, Evers, Haridopolos, and Siplin—

CS for SB 998—A bill to be entitled An act relating to property rights; amending s. 70.001, F.S.; redefining the terms “inordinate burden” and “inordinately burdened” as they relate to the Bert J. Harris, Jr., Private Property Rights Protection Act” to specify that a moratorium on development in effect for longer than a specified period constitutes an inordinate burden; revising the time within which a property owner who seeks compensation must present the claim in writing to the head of the governmental entity; revising the time within which a governmental entity must make a written settlement offer to a claimant; revising the time within which a governmental entity that has provided notice must issue a written statement of allowable uses, rather than a ripeness decision, which identifies the allowable uses to which the subject property may be put; providing that the failure of the governmental entity to issue a written statement of allowable uses during the applicable revised notice requirement is deemed a denial for purposes of allowing a property owner to file an action in the circuit court; providing that if a written statement of allowable uses is issued, it constitutes the last prerequisite to judicial review; conforming terminology to changes made by the act; providing that enacting a law or adopting a regulation does not constitute the application of the law or regulation to a property; providing for application of sovereign immunity; providing for application of the act; providing an effective date.

By the Committee on Community Affairs; and Senator Bennett—

CS for SB 1122—A bill to be entitled An act relating to growth management; amending s. 163.3161, F.S.; redesignating the “Local Government Comprehensive Planning and Land Development Regulation Act” as the “Community Planning Act”; revising and providing intent and purpose of act; amending s.163.3162, F.S.; redesignating the “Agricultural Lands and Practices Act” as the “Agricultural Lands and

Practices” section; replacing presumption of consistency with rule 9J-5.006(5), Florida Administrative Code with presumption of not being urban sprawl as defined in s. 163.3164, F.S.; amending s. 163.3164, F.S.; revising and providing definitions relating to the Community Planning Act; amending s. 163.3167, F.S.; revising scope of the act; removing regional planning agencies from responsibility to prepare comprehensive plans; prohibiting initiative or referendum processes in regard to development orders, local comprehensive plan amendments, and map amendments; prohibiting local governments from requiring a super majority vote on comprehensive plan amendments; deleting retroactive effect; creating s. 163.3168, F.S.; encouraging local governments to apply for certain innovative planning tools; directing and authorizing the state land planning agency and other appropriate state and regional agencies to use direct and indirect technical assistance; amending s. 163.3171, F.S.; providing legislative intent; removing the state land planning agency’s power to enter into joint local agreements; amending s. 163.3174, F.S.; deleting certain notice requirements relating to the establishment of local planning agencies by a governing body; amending s. 163.3177, F.S.; revising and providing duties of local governments; revising and providing required and optional elements of comprehensive plans; revising requirements of schedules of capital improvements; revising and providing provisions relating to capital improvements elements; revising major objectives of, and procedures relating to, the local comprehensive planning process; revising and providing required and optional elements of future land use plans; providing required transportation elements; revising and providing required sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge elements; revising and providing required conservation elements; revising and providing required housing elements; revising and providing required coastal management elements; revising and providing required intergovernmental coordination elements; removing optional comprehensive plan elements and related requirements and Legislative findings; amending s. 163.31777, F.S.; revising requirements relating to public schools’ interlocal agreements; deleting duties of the Office of Educational Facilities, the state land planning agency, and local governments relating to such agreements; deleting an exemption; amending s. 163.3178, F.S.; deleting authority for local governments to comply with rule 9J-5.012(3)(b)6. and 7., Florida Administrative Code; amending s. 163.3180, F.S.; revising and providing provisions relating to concurrency; revising concurrency requirements; revising application and findings; revising local government requirements; revising and providing requirements relating to transportation concurrency, proportionate share, transportation concurrency exception areas, urban infill, urban redevelopment, urban service, downtown revitalization areas, transportation concurrency management areas, long-term transportation and school concurrency management systems, development of regional impact, school concurrency, service areas, financial feasibility, interlocal agreements, and multimodal transportation districts; removing duties of the Office of Program Policy Analysis, local governments, and the state land planning agency; providing requirements for local plans; limiting the liability of local governments under certain conditions; reenacting s. 163.31801(5), F.S., and amending s. 163.31801, F.S.; prohibiting new impact fees by local governments for a specified period of time; amending s. 163.3182, F.S.; revising the definition of the term “transportation concurrency backlog” to “transportation deficiency”; revising other definitions and provisions to conform; revising provisions relating to transportation deficiency plans; revising requirements for transportation sufficiency plans; amending s. 163.3184, F.S.; providing a definition for “reviewing agencies”; amending the definition of “in compliance”; providing requirements for comprehensive plans and plan amendments; providing exceptions; removing references to procedural rules established by the state land planning agency; deleting provisions relating to community vision and urban boundary plan amendments, urban infill and redevelopment plan amendments, and housing incentive strategy plan amendments; amending s. 163.3187, F.S.; deleting provisions relating to the amendment of adopted comprehensive plans; revising the process for adopting updated comprehensive plans by statute rather than administrative rule; amending s. 163.3191, F.S., relating to the evaluation and appraisal of comprehensive plans; providing an exception for certain local governments; encouraging local governments to incorporate visioning; providing and revising local government requirements; removing regional planning councils and the state land planning agency from preparation of evaluation and appraisal reports; amending s. 163.3194, F.S.; regulating development orders for signs authorized by s. 479.07, F.S.; providing definitions; amending s. 163.3220, F.S.; conforming reference to the Community Planning Act; amending s. 163.3221, F.S.; conforming references to the Community Planning Act;

amending s. 163.3229, F.S.; revising limitations on duration of development agreements; amending s. 163.3235, F.S.; revising requirements for periodic reviews of a development agreements; amending s. 163.3239, F.S.; revising recording requirements for development agreements; amending s. 163.3243, F.S.; removing the state land planning agency from parties who may file an action for injunctive relief; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; renaming ‘optional sector plans’ as ‘sector plans’; removing state land planning agency involvement in approval of sector plans; authorizing the adoption of sector plans under certain circumstances; providing and revising local government requirements including notice, amendments, and scoping meetings; revising and providing elements of sector plans; providing guidelines for adoption of long-term master plans; repealing s. 163.3246, F.S., relating to local government comprehensive planning certification program; creating s. 163.3248, F.S.; providing for the designation of rural land stewardship areas; providing purposes and requirements for the establishment of such areas; providing for the creation of rural land stewardship overlay zoning district and transferable rural land use credits; providing certain limitation relating to such credits; providing for incentives; providing legislative intent; amending s. 163.32465, F.S.; revising legislative findings related to local government comprehensive planning; revising the process for amending a comprehensive plan; making the expedited review process applicable statewide and removing its status as a pilot program; revising the process and requirements for expedited review of plan amendments; amending ss. 163.360 and 163.516, F.S., to conform to changes made by the act; amending s. 186.504, F.S.; revising membership requirements of regional planning councils; amending ss. 186.513, 186.515, 189.415, 190.004, 190.005, 193.501, and 287.042, F.S., to conform to changes made by the act; amending s. 288.063, F.S.; revising factors to be considered by the Office of tourism, Trade, and Economic Development in approving transportation projects for funding; amending ss. 288.975, 290.0475, 311.07, and 331.319, F.S., to conform to changes made by the act; amending s. 339.155, F.S.; removing level-of-service-standards requirements from additional transportation plans; amending s. 339.2819, F.S.; removing long-term concurrency management system from the Transportation Regional Incentive Program; amending s. 367.021, F.S.; providing definitions for the terms “large landowner” and “need”; amending s. 369.303, F.S., to conform to changes made by the act; amending s. 369.321, F.S.; removing reference to chapter 163 and chapter 9J-5, Florida Administrative Code, relating to Wekiva Study Area; amending ss. 378.021 and 380.031, F.S., to conform to changes made by the act; amending s. 380.06, F.S.; revising exemptions relating to developments of regional impact; revising provisions to conform to changes made by this act; requiring the Office of Economic and Demographic Research within the Legislature to calculate and publish population density; amending ss. 380.061, 380.065, 380.115, 403.50665, 420.9071, 420.9076, 720.403, and 1013.33, F.S., to conform to changes made by the act; repealing rules 9J-5 and 9J-11.023, Florida Administrative Code, relating to minimum criteria for review of local government comprehensive plans and plan amendments, evaluation and appraisal reports, land development regulations, and determinations of compliance; extending permits and other authorizations extended under s. 14 of chapter 2009-96, Laws of Florida; providing a finding that the act fulfills an important state interest; requiring the state land planning agency to review pending actions filed by the agency for consistency with part II of chapter 163, F.S.; providing instructions for the construing of the act; providing a directive to the Division of Statutory Revision; providing effective dates.

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

CS for SB 1158—A bill to be entitled An act relating to a teaching agency for home and community-based care; creating s. 430.81, F.S.; providing a definition; authorizing the Department of Elderly Affairs to designate a home health agency as a teaching agency for home and community-based care; establishing criteria for qualification; authorizing a teaching agency to be affiliated with an academic research university in the state that meets certain criteria; authorizing a teaching agency to be affiliated with an academic health center; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; and Higher Education; and Senator Oelrich—

CS for CS for SB 1194—A bill to be entitled An act relating to postsecondary education; amending s. 1004.68, F.S.; deleting provisions relating to the use of test scores for assessment of college-level communication and computation skills; amending s. 1007.01, F.S.; providing legislative intent and requirements relating to articulation; requiring the establishment of the Articulation Coordinating Committee and providing its responsibilities; amending s. 1007.25, F.S.; deleting provisions relating to the CLAST and authorized examinations that demonstrate mastery of certain academic competencies; revising degree requirements; amending ss. 1007.264 and 1007.265, F.S.; deleting provisions that exclude students with intellectual disabilities from eligibility for substitute requirements for admission to or graduation from a public postsecondary educational institution; amending s. 1008.30, F.S.; revising requirements of the common placement testing program; requiring access to approved remedial instruction; requiring rules for remediation opportunities, retesting, and academic competencies; requiring that students be advised of academic requirements, financial aid eligibility, and certain costs; amending s. 1008.345, F.S.; deleting Department of Education duties relating to tests and assessment procedures that measure student achievement of college-level communication and computation skills; amending s. 1008.38, F.S.; revising and conforming provisions relating to the articulation process; amending s. 1009.534, F.S.; revising provisions relating to approval of community service work for eligibility for the Florida Academic Scholars award; amending ss. 1001.64 and 1011.30, F.S.; removing provisions requiring that a budget of a community college be transmitted to the Department of Education for approval; amending s. 467.009, F.S.; deleting provisions relating to the CLAST; repealing s. 6 of chapter 2006-58, Laws of Florida; abrogating the repeal of s. 1004.226, F.S., which created the 21st Century World Class Scholars Program; providing an effective date.

By the Committee on Regulated Industries; and Senator Bogdanoff—

CS for SB 1196—A bill to be entitled An act relating to construction liens; amending s. 713.10, F.S.; specifying that a lessor’s interest in property is not subject to a construction lien for improvements made by a lessee if certain documents containing specific information and meeting certain criteria are recorded in the official records of the county before the recording of a notice of commencement; authorizing certain contractors and lienors to demand that a lessor serve verified copies of a lease prohibiting liability for improvements made by a lessee; subjecting the interest of a lessor to a specified lien for failing to serve such verified copies or serving a false or fraudulent copy; requiring that the demand include a specified warning; amending s. 713.13, F.S.; revising the form for notice of commencement to include information relating to the obligations of a lessee who contracts for improvements to property; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Benacquisto—

CS for SB 1318—A bill to be entitled An act relating to the tax refund program for qualified target industry businesses; amending s. 288.106, F.S.; revising the criteria for the determination of target industry businesses by the Office of Tourism, Trade, and Economic Development; providing for notification by a municipal governing board of private-sector wage calculation; providing an effective date.

By the Committee on Criminal Justice; and Senator Bogdanoff—

CS for SB 1334—A bill to be entitled An act relating to sentences of inmates; amending s. 893.135, F.S.; removing all references to imposing mandatory minimum sentences for defendants convicted of trafficking in controlled substances; amending s. 945.091, F.S.; providing legislative intent to encourage the Department of Corrections, to the extent possible, to place inmates in the community to perform paid employment for community work; providing that an inmate may leave the confinement of prison to participate in a supervised reentry program in which the inmate is housed in the community while working at paid employment or participating in other programs that are approved by the department; requiring the inmate to live at a department-approved residence while

participating in the supervised reentry program; specifying the conditions for participating in the supervised reentry program; requiring that the department adopt rules to operate the supervised reentry program; providing legislative intent to encourage the department to place inmates in paid employment in the community for not less than 6 months before the inmate's sentence expires; defining the terms "department" and "nonviolent offender"; directing the Department of Corrections to develop and administer a reentry program for nonviolent offenders which is intended to divert nonviolent offenders from long periods of incarceration; requiring that the program include intensive substance abuse treatment and rehabilitative programming; providing for the minimum length of service in the program; providing that any portion of a sentence before placement in the program does not count as progress toward program completion; specifying eligibility criteria for a nonviolent offender to be placed into the reentry program; directing the department to notify the nonviolent offender's sentencing court to obtain approval before the nonviolent offender is placed into the reentry program; requiring the department to notify the state attorney; authorizing the state attorney to file objections to placing the offender into the reentry program within a specified period; requiring the sentencing court to notify the department of the court's decision to approve or disapprove the requested placement within a specified period; providing that failure of the court to timely notify the department of the court's decision constitutes approval by the requested placement; requiring the nonviolent offender to undergo an education assessment and a full substance abuse assessment if admitted into the reentry program; requiring the offender to be enrolled in an adult education program in specified circumstances; requiring that assessments of vocational skills and future career education be provided to the offender; requiring that certain reevaluation be made periodically; providing that the nonviolent offender is subject to the disciplinary rules of the department; specifying the reasons for which the offender may be terminated from the reentry program; requiring that the department submit a report to the sentencing court at least 30 days before the nonviolent offender is scheduled to complete the reentry program; setting forth the issues to be addressed in the report; requiring the sentencing court to issue an order modifying the sentence imposed and place the nonviolent offender on drug offender probation if the nonviolent offender's performance is satisfactory; authorizing the court to revoke probation and impose the original sentence in specified circumstances; authorizing the court to require the offender to complete a postadjudicatory drug court program in specified circumstances; directing the department to implement the reentry program using available resources; requiring the department to submit an annual report to the Governor and Legislature detailing the extent of implementation of the reentry program and outlining future goals and recommendations; authorizing the department to enter into contracts with qualified individuals, agencies, or corporations for services for the reentry program; authorizing the department to impose administrative or protective confinement as necessary; authorizing the department to establish a system of incentives within the reentry program which the department may use to promote participation in rehabilitative programs and the orderly operation of institutions and facilities; directing the department to develop a system for tracking recidivism, including, but not limited to, rearrests and recommitment of nonviolent offenders who successfully complete the reentry program, and to report on recidivism in its annual report of the program; directing the department to adopt rules; amending s. 944.275, F.S.; authorizing the Department of Corrections to grant up to 10 days per month of incentive gain-time applicable to sentences imposed for offenses committed on or after a specified date; providing an exception under certain circumstances; reenacting s. 775.084(4)(k), F.S., relating to violent career criminals, to incorporate the amendment made to s. 944.275, F.S., in a reference thereto; providing an effective date.

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

CS for SB 1372—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.125, F.S.; requiring the Department of Children and Family Services to submit its recommended order to the Agency for Persons with Disabilities at the conclusion of an administrative hearing; requiring that the agency issue the final agency order; amending s. 393.506, F.S.; requiring a registered nurse or physician to assess and validate a direct service provider's competency in all

routes of medication administration at an onsite setting with an actual client; providing an exception; providing an effective date.

By the Committee on Health Regulation; and Senator Bogdanoff—

CS for SB 1386—A bill to be entitled An act relating to controlled substances; amending s. 400.9905, F.S.; redefining the terms "clinic" and "portable equipment provider" for purposes of the Health Care Clinic Act; amending s. 456.037, F.S.; conforming provisions to changes made by the act; amending s. 456.057, F.S.; authorizing the Department of Health to obtain patient records pursuant to a subpoena and without notification to the patient from a controlled-substance medical clinic under certain circumstances; amending s. 458.3265, F.S.; renaming pain-management clinics as "controlled-substance medical clinics"; prohibiting controlled-substance medical clinics from advertising services related to the dispensing of medication; revising the criteria requiring registration with the department as a controlled-substance medical clinic; conforming provisions to changes made by the act; revising the circumstances in which the department may revoke the certificate of registration for a controlled-substance medical clinic; providing an exception for revoking and suspending a certificate of registration for a controlled-substance medical clinic; revising the responsibilities of a physician who provides professional services in a controlled-substance medical clinic; deleting the requirement that the Board of Medicine adopt a rule establishing the maximum number of prescriptions that can be written for certain controlled substances within a specified time; revising the rules setting forth the standards of practice that the board is required to adopt; deleting the provision that describes when a physician is primarily engaged in the treatment of pain; amending s. 458.327, F.S.; conforming provisions to changes made by the act; amending s. 458.331, F.S.; conforming provisions to changes made by the act; revising the acts that constitute grounds for disciplinary action for a licensee who serves as a designated physician of a controlled-substance medical clinic; amending s. 459.0137, F.S.; renaming pain-management clinics as "controlled-substance medical clinics"; prohibiting controlled-substance medical clinics from advertising services related to the dispensing of medication; revising the criteria requiring registration with the department as a controlled-substance medical clinic; conforming provisions to changes made by the act; revising the circumstances in which the department may revoke the certificate of registration for a controlled-substance medical clinic; providing an exception for revoking and suspending a certificate of registration for a controlled-substance medical clinic; revising the responsibilities of an osteopathic physician who provides professional services in a controlled-substance medical clinic; deleting the requirement that the Board of Osteopathic Medicine adopt a rule establishing the maximum number of prescriptions that can be written for certain controlled substances within a specified time; revising the rules setting forth the standards of practice that the board is required to adopt; deleting the provision that describes when an osteopathic physician is primarily engaged in the treatment of pain; amending s. 459.015, F.S.; conforming provisions to changes made by the act; revising the acts that constitute grounds for disciplinary action for a licensee who serves as a designated osteopathic physician of a controlled-substance medical clinic; amending s. 465.0276, F.S.; deleting the provision that prohibits a dispensing practitioner from dispensing a specified amount of a controlled substance under certain circumstances; amending s. 893.055, F.S.; redefining the term "patient advisory report" as it relates to the prescription drug monitoring program; revising the date by which the department is required to establish a comprehensive electronic database system; revising the responsibilities of the dispenser and the prescriber with regard to the electronic database system; revising the circumstances in which the department is required to adopt rules regarding reporting, accessing the database, evaluation, management, development, implementation, operation, security, and storage of information within the electronic database system; deleting the Office of Drug Control as one of the organizations that the department is required to work with in developing rules for the prescription drug monitoring program; requiring that a dispensed controlled substance be reported to the department within a specified number of hours; authorizing law enforcement agencies to request certain confidential and exempt information from the electronic database system upon determination that probable cause exists that a crime is being committed and issuance of a search warrant; providing that all costs incurred by the department in administering the prescription drug monitoring program be funded through federal grants, dispensing registration fees, or private funding applied for or received by the state; requiring the department rather

than the Office of Drug Control to establish a direct-support organization; requiring the State Surgeon General to appoint the board of directors for the direct-support organization; requiring the direct-support organization to operate under written contract with the department; revising requirements for the contract; requiring the activities of the direct-support organization to be consistent with the goals and mission of the department; authorizing the department to permit use of certain services, property, and facilities of the department by the direct-support organization; prohibiting the department from permitting the use of any administrative services, property, or facilities of the state by the direct-support organization under certain conditions; requiring the department rather than the Office of Drug Control to study the feasibility of enhancing the prescription drug monitoring program for specified purposes; requiring the direct-support organization to provide funding for the department rather than the Office of Drug Control to conduct training in using the prescription drug monitoring program; revising the date in which the department must adopt rules; amending s. 893.0551, F.S.; authorizing a law enforcement agency to disclose certain confidential and exempt information received from the department to a criminal justice agency pursuant to a search warrant; providing an effective date.

By the Committee on Regulated Industries; and Senator Latvala—

CS for SB 1428—A bill to be entitled An act relating to veterinary practice; amending s. 474.202, F.S.; defining the term “limited service veterinary vaccination clinic”; amending s. 474.215, F.S.; revising terminology; requiring that the Board of Veterinary Medicine establish minimum standards for limited service veterinary vaccination clinics rather than limited service veterinary medical practices; amending ss. 455.2185 and 456.023, F.S.; deleting provisions that limit the practice privileges of out-of-state or foreign health care professionals or veterinarians who are in this state for a specific sporting event; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Bennett—

CS for SB 1460—A bill to be entitled An act relating to energy economic zones; amending s. 163.32465, F.S.; including energy economic zones in the pilot program implementing an alternative state review process; amending s. 212.08, F.S.; exempting certain machinery and equipment used in the production of renewable energy in an energy economic zone from the tax on sales, use, and other transactions; authorizing the Department of Revenue to adopt rules; exempting certain building materials used in the rehabilitation of real property located in an energy economic zone from the tax on sales, use, and other transactions; authorizing the Department of Revenue to adopt rules; providing for expiration of the tax exemption for energy economic zones; exempting certain business property used in an energy economic zone from the tax on sales, use, and other transactions; authorizing the Department of Revenue to adopt rules; providing for expiration of the tax exemption for energy economic zones; exempting electrical energy used in an energy economic zone from the tax on sales, use, and other transactions; providing for expiration of the tax exemption for energy economic zones; amending s. 212.096, F.S.; providing a credit against sales tax for eligible businesses in energy economic zones; providing the method of calculating the credit; requiring the local governing body to develop an application form; providing criteria; authorizing the local governing body to review and approve completed applications submitted by eligible businesses; amending s. 220.181, F.S.; providing a credit against income tax for eligible businesses that create jobs in an energy economic zone; providing criteria for qualifying jobs; providing the method of calculating the credit; requiring the local governing body to develop an application form; authorizing the local governing body to review and approve completed applications submitted by eligible businesses; providing for expiration of the tax credit; amending s. 220.182, F.S.; providing a credit against property tax for eligible businesses in an energy economic zone; providing the method of calculating the credit; requiring the local governing body to develop an application form; authorizing the local governing body to review and approve completed applications submitted by eligible businesses; providing for expiration of the tax credit; amending s. 220.183, F.S.; including a local governing body having jurisdiction of an energy economic zone as an eligible sponsor under community contribution tax credits; expanding the eligibility criteria to include location in an area designated as an energy economic zone; amending s. 288.047,

F.S.; including energy economic zones in the Workforce Florida, Inc., Quick-Response Training Program; amending s. 288.063, F.S.; expanding the criteria by which transportation projects are reviewed and certified by the Office of Tourism, Trade, and Economic Development to include projects located in an energy economic zone; amending s. 288.106, F.S.; including the term “energy economic zone” in the definitions that apply to tax refund programs for qualified target industry businesses; revising the definition of the term “target industry business” to include certain businesses in energy economic zones; waiving certain minimum average wage requirements for target industry businesses located in an energy economic zone; excluding qualified target industry businesses within an energy economic zone from the minimum average wage requirements; amending s. 377.809, F.S.; extending to February 15, 2015, the deadline for submission by the Department of Community Affairs of its report evaluating the energy economic zone pilot program; expanding the Energy Economic Zone Pilot Program to provide fiscal and regulatory incentives for eligible businesses; providing criteria for receiving fiscal and regulatory incentives; allowing public utilities to grant certain discounts to small businesses located in an energy economic zone; providing for additional incentives; giving priority ranking to certain business located in energy economic zones for grants administered by the Florida Energy and Climate Commission or for other grants or programs; clarifying terms relating to energy economic zone eligibility criteria; requiring the local governing body to certify to the Department of Revenue, the Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development the pilot community’s developments and businesses eligible for the incentives in specified circumstances; authorizing the local governing body to revise boundaries of the energy economic zone in specified circumstances; requiring a community within an energy economic zone pilot program to adopt an ordinance authorizing certain tax incentives; providing additional criteria that may be included in the ordinance; limiting the amount of tax incentives available; providing circumstances and criteria for the transfer of tax credits; amending s. 445.003, F.S.; specifying eligibility for reimbursement grants under the Incumbent Worker Training Program to businesses in an energy economic zone; amending s. 220.191, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Ring—

CS for SB 1506—A bill to be entitled An act relating to the corporate income tax; amending s. 213.053, F.S.; allowing the Office of Tourism, Trade, and Economic Development access to confidential taxpayer information related to the single sales apportionment factor; amending s. 220.131, F.S.; conforming provisions to changes made by the act; creating s. 220.153, F.S.; providing for the apportionment of certain taxpayer’s adjusted federal income solely by the sales factor provided in s. 220.15, F.S.; providing for eligibility based on the taxpayer’s capital expenditures and number of full-time employees; providing an application process; authorizing the Department of Revenue to examine and verify that a taxpayer has correctly apportioned its taxes; authorizing the Office of Tourism, Trade, and Economic Development to approve and revoke approval of an application; providing for the recapture of unpaid taxes, interest, and penalties; authorizing the office and the department to adopt rules; providing an effective date.

By the Committees on Commerce and Tourism; and Communications, Energy, and Public Utilities; and Senators Simmons, Bennett, Thrasher, Oelrich, Smith, Gaetz, Braynon, Siplin, and Flores—

CS for CS for SB 1524—A bill to be entitled An act relating to telecommunications; creating the “Regulatory Reform Act”; amending s. 364.01, F.S.; revising legislative intent with respect to the jurisdiction of the Florida Public Service Commission; amending s. 364.011, F.S.; providing that certain basic and nonbasic telecommunication services are exempt from the jurisdiction of the Public Service Commission; amending s. 364.012, F.S.; requiring local exchange telecommunications companies to provide unbundled access to network elements; amending s. 364.0135, F.S.; providing legislative intent relating to the sustainable adoption of broadband Internet service; providing a definition of “sustainable adoption” as it relates to broadband Internet services; removing obsolete legislative intent; authorizing the Department of Management Services to work collaboratively with, and to receive staffing support and other resources from, Enterprise Florida, Inc., state agencies, local

governments, private businesses, and community organizations to encourage sustainable adoption of broadband Internet services; authorizing the department to adopt rules; amending s. 364.02, F.S.; removing the definition of “monopoly service” and adding a definition for “VoIP”; repealing ss. 364.025, 364.0251, and 364.0252, F.S., relating to uniform telecommunications service, a telecommunications consumer information program, and the expansion of consumer information programs, respectively; amending s. 364.04, F.S.; providing that the commission has no jurisdiction over the content, form, or format of rate schedules published by a telecommunications company; providing that a telecommunications company may undertake certain activities; repealing ss. 364.051, 364.052, 364.057, 364.058, 364.059, 364.06, 364.063, 364.07, and 364.08, F.S., relating to price regulation, regulatory methods for small local exchange telecommunications companies, experimental and transitional rates, limited proceedings, procedures for seeking a stay of proceedings, joint rates, tolls, and contracts, rate adjustment orders, intrastate interexchange service contracts, and unlawful charges against consumers, respectively; amending s. 364.10, F.S.; removing obsolete provisions; requiring an eligible telecommunications carrier to provide a Lifeline Assistance Plan to qualified residential subscribers; repealing s. 364.15, F.S., relating to repairs, improvements, and additions to telecommunication facilities; amending s. 364.16, F.S., relating to local interconnection, unbundling, and resale of telecommunication services; providing legislative intent; requiring the Public Service Commission to, upon request, arbitrate and enforce interconnection agreements; providing that certain services are exempt from the commission jurisdiction; providing that a competitive local exchange telecommunications company is entitled to interconnection with a local exchange telecommunications company for certain purposes; prohibiting a telecommunications company from knowingly delivering traffic for which terminating access service charges would otherwise apply; authorizing any party having a substantial interest to petition the commission for an investigation; requiring the commission to adopt rules to prevent the unauthorized changing of a subscriber’s telecommunications service; requiring the commission to conduct an expedited proceeding to resolve disputes; providing that the telecommunications company that asserts the existence of a local preferred carrier freeze has a certain burden of proof; removing obsolete provisions relating to local exchange telecommunications companies; repealing ss. 364.161 and 364.162, F.S., relating to unbundling and resale of telecommunication services and negotiated prices for interconnection services, respectively; amending s. 364.163, F.S.; conforming provisions to changes made by the act; amending s. 364.183, F.S.; revising provisions relating to access of the commission to certain records of a telecommunications company; repealing ss. 364.185, 364.19, and 364.27, F.S., relating to powers of the commission to investigate and inspect any premises of a telecommunications company, regulation of telecommunication contracts, and powers and duties as to interstate rates, respectively; amending s. 364.33, F.S., relating to the certificate of authority; prohibiting a person from providing any telecommunications service to the public without a certificate of necessity or a certificate of authority issued by the commission; providing that, after a specified date, the commission will no longer issue certificates of necessity; amending s. 364.335, F.S.; requiring an applicant to provide certain information when applying for a certificate of authority; describing the criteria necessary to be granted a certificate of authority; authorizing a telecommunications company to terminate a certificate of authority; repealing s. 364.337, F.S., relating to competitive local exchange companies; amending s. 364.3375, F.S., relating to pay telephone service providers; requiring pay telephone providers to obtain a certificate of authority from the commission; repealing ss. 364.3376, 364.3381, 364.3382, 364.339, 364.345, and 364.37, F.S., relating to operator services, cross-subsidization, cost disclosures, certificates for territories served, shared tenant services, and powers of the commission relating to service territories, respectively; amending s. 364.385, F.S.; removing obsolete provisions relating to saving clauses; amending s. 364.386, F.S.; revising the content to be included in the report to be filed with the Legislature; repealing ss. 364.501, 364.503, 364.506, 364.507, 364.508, 364.515, 364.516, 364.601, 364.602, 364.603, and 364.604, F.S., relating to the prevention of damages to underground telecommunication facilities, mergers or acquisitions, a short title for education facilities, legislative intent for advanced telecommunication services to eligible facilities, definitions, infrastructure investments, penalties for failing to provide advanced telecommunication services, the short title for telecommunication consumer protections, definitions, the methodology for protecting consumers for changing telecommunication providers, and billing procedures to inform and protect the consumer, respectively; amending ss. 196.012, 199.183, 212.08, 290.007, 350.0605,

364.105, 364.32, and 489.103, F.S.; revising cross-references to conform to changes made by the act; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Altman—

CS for SB 1528—A bill to be entitled An act relating to secondary metals recyclers; amending s. 538.18, F.S.; revising and providing definitions; amending s. 319.30, F.S.; conforming a cross-reference; amending s. 538.19, F.S.; revising the period required for secondary metals recyclers to maintain certain information regarding purchase transactions involving regulated metals property; revising requirements for the types of information that secondary metals recyclers must obtain and maintain regarding purchase transactions; limiting the liability of secondary metals recyclers for the conversion of motor vehicles to scrap metal under certain circumstances; amending s. 538.235, F.S.; revising requirements for payments made by secondary metals recyclers to sellers of regulated metals property, to which penalties apply; providing methods of payment for restricted regulated metals property; requiring that purchases of certain property be made by check or by electronic payment; amending s. 538.26, F.S.; prohibiting secondary metals recyclers from purchasing regulated metals property without maintaining certain records; deleting provisions prohibiting the purchase of regulated metals property from certain persons or at certain locations; prohibiting the purchase of specified restricted regulated metals property without obtaining certain proof of the seller’s ownership and authorization to sell the property; creating s. 538.27, F.S.; limiting civil liability of secondary metals recyclers under certain circumstances; establishing an inference that secondary metals recyclers do not commit theft or deal in stolen property under certain circumstances; creating s. 538.28, F.S.; preempting to the state the regulation of secondary metals recyclers and purchase transactions involving regulated metals property; exempting certain ordinances and regulations from preemption; amending s. 812.022, F.S.; establishing an inference that secondary metals recyclers do not commit theft or deal in stolen property under certain circumstances; providing an effective date.

By the Committee on Judiciary; and Senator Flores—

CS for SJR 1538—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution to generally prohibit public funding of abortions and prohibit the State Constitution from being interpreted to create broader rights to an abortion than those contained in the United States Constitution.

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

CS for SB 1622—A bill to be entitled An act relating to family support; amending s. 88.1011, F.S.; revising and defining terms; amending s. 88.1021, F.S.; designating the courts and other entities as the tribunals of the state and designating the Department of Revenue as the support enforcement agency of the state; amending s. 88.1031, F.S.; clarifying that the Uniform Interstate Family Support Act is not the exclusive method to establish or enforce a support order in this state; creating s. 88.1041, F.S.; providing for the application of certain parts of ch. 88, F.S., to a foreign support order, a foreign tribunal, or an obligee, obligor, or child residing in a foreign country; amending s. 88.2011, F.S.; providing a basis for personal jurisdiction over nonresidents in support cases; amending s. 88.2021, F.S.; providing that personal jurisdiction acquired by a tribunal of this state in a proceeding under ch. 88, F.S., or other law of this state relating to a support order continues under certain circumstances; amending s. 88.2031, F.S.; authorizing a tribunal of this state to serve as an initiating tribunal to forward proceedings to a tribunal of another state and as a responding tribunal for proceedings initiated in another state or foreign country; amending s. 88.2041, F.S.; providing that a tribunal of this state may exercise jurisdiction to establish a support order in a foreign country under certain circumstances; amending s. 88.2051, F.S.; providing that a tribunal of this state may continue its exclusive jurisdiction to modify a child support order only under certain circumstances; amending s. 88.2061, F.S.; providing that a tribunal of this state may continue its jurisdiction to enforce a child support order or money judgment under certain circumstances; amending s. 88.2071, F.S.; providing procedures for determining which child support order is recognized as the controlling support order; requiring the party requesting a determination of the controlling support

order to provide a copy of every child support order in effect, the applicable record of payments, and other specified documents; requiring that the parties recognize as the controlling support order any order made pursuant to the procedures of the act; amending s. 88.2081, F.S.; conforming provisions to changes made by the act; amending s. 88.2091, F.S.; requiring a tribunal of this state to credit support amounts collected for a particular period pursuant to a child support order against the amount owed for the same period under any other child support order; creating s. 88.2101, F.S.; authorizing a tribunal of this state exercising personal jurisdiction over a nonresident in a proceeding under the act to receive evidence from outside this state and communicate with a tribunal outside this state; creating s. 88.2111, F.S.; providing that a tribunal of this state issuing a spousal support order consistent with the law of this state has continuing, exclusive jurisdiction to modify the spousal support order throughout the existence of the obligation; prohibiting the tribunal from modifying a spousal support order issued by a tribunal of another state or foreign country having continuing, exclusive jurisdiction over that order; amending ss. 88.3011, 88.3021, and 88.3031, F.S.; conforming provisions to changes made by the act; amending s. 88.3041, F.S.; providing for the duties of the initiating tribunal when forwarding documents to a foreign tribunal; amending s. 88.3051, F.S.; providing for the duties and powers of a responding tribunal when requested to enforce a support order, arrears, or judgment or to modify a support order; amending s. 88.3061, F.S.; conforming provisions to changes made by the act; amending s. 88.3071, F.S.; specifying the duties of a support enforcement agency in this state; amending s. 88.3081, F.S.; authorizing the Governor and Cabinet to determine that a foreign country has established a reciprocal arrangement for child support with this state and take appropriate action for notification of the determination; amending s. 88.3101, F.S.; setting forth the duties of the Department of Revenue as the state information agency; amending s. 88.3111, F.S.; requiring a petitioner to verify a petition filed with the tribunal; amending s. 88.3121, F.S.; revising provisions prohibiting the disclosure of specific identifying information under certain circumstances; requiring that such information be sealed and not be disclosed to the other party or the public; authorizing the tribunal to disclose the information after a hearing; amending ss. 88.3131 and 88.3141, F.S.; conforming provisions to changes made by the act; amending s. 88.3161, F.S.; providing for special rules of evidence and procedures for non-resident parties; providing that a voluntary acknowledgment of paternity is admissible to establish parentage of a child; amending ss. 88.3171 and 88.3181, F.S.; conforming provisions to changes made by the act; amending s. 88.3191, F.S.; providing for the receipt and disbursement of payments; requiring that if the obligor, obligee, and child reside in this state, upon request from the support enforcement agency of this or another state, the support enforcement agency or tribunal direct that the support payment be made to the support enforcement agency in the state in which the obligee is receiving services and send to the obligor's employer a conforming income-withholding order or an administrative notice of change of payee, reflecting the redirected payments; amending s. 88.4011, F.S.; providing for the establishment of a support order under certain circumstances; providing that the tribunal may issue a temporary child support order under certain circumstances; amending ss. 88.5011, 88.5031, 88.5041, and 88.5051, F.S.; conforming provisions to changes made by the act; amending s. 88.5061, F.S.; providing that an obligor may contest the validity or enforcement of an income-withholding order issued in another state and received directly by an employer in this state by registering the order in a tribunal of this state and filing a contest to that order; amending ss. 88.5071 and 88.6011, F.S.; conforming provisions to changes made by the act; amending s. 88.6021, F.S.; specifying procedures to register a support order; providing procedures if two or more support orders are in effect; amending s. 88.6031, F.S.; revising provisions to conform to changes made by the act; amending s. 88.6041, F.S.; providing that the law of the state that issues the order governs the law of the case; providing for an exception; amending s. 88.6051, F.S.; specifying the content of the notice of the registration of a support order; amending s. 88.6061, F.S.; providing procedures to contest the validity or enforcement of a registered support order; amending ss. 88.6071, 88.6081, and 88.6101, F.S.; conforming provisions to changes made by the act; amending s. 88.6111, F.S.; providing for modifying a child support order; providing that the law of the state that issued the controlling order governs the duration of the obligation of support; amending s. 88.6121, F.S.; providing that if a child support order issued by a tribunal of this state is modified by a tribunal of another state which assumed jurisdiction pursuant to the Uniform Interstate Family Support Act, a tribunal of this state may enforce the order that was modified only as to arrears and interest accruing before

the modification; creating s. 88.6151, F.S.; providing that if a foreign country lacks jurisdiction or refuses to exercise jurisdiction to modify its child support order, a tribunal of this state may assume jurisdiction to modify the child support order and bind all persons subject to the personal jurisdiction of the tribunal whether or not the person consents to modification of the child support order; creating s. 88.6161, F.S.; specifying procedures to register a child support order; repealing s. 88.7011, F.S., relating to proceeding to determine parentage of a child; creating s. 88.7021, F.S.; providing that part VII of ch. 88, F.S., applies only to support proceedings involving a foreign country in which the convention is in force with respect to the United States; creating s. 88.7031, F.S.; designating the Department of Children and Family Services as the agency designated by the United States Central Authority to perform specific functions under the convention in this state; creating s. 88.7041, F.S.; designating the procedures the governmental entity must follow to initiate support proceedings under the convention; creating s. 88.7051, F.S.; authorizing a petitioner to file a direct request in a tribunal of this state to establish or modify a support order or determination of parentage; setting forth procedures for filing direct requests; creating s. 88.7061, F.S.; designating procedures for individuals and support enforcement agencies to register foreign support orders; specifying the documents to be included with the registration request; creating s. 88.7071, F.S.; providing procedures to contest the validity of a foreign support order; creating s. 88.7081, F.S.; providing for the recognition and enforcement of foreign support orders; creating s. 88.7091, F.S.; providing procedures for a tribunal to refuse to recognize or enforce a foreign support order; creating s. 88.7101, F.S.; directing a tribunal of this state to recognize and enforce a foreign support agreement registered in this state; requiring an application or direct request for recognition and enforcement of a foreign support agreement to be accompanied by certain documents; creating s. 88.7111, F.S.; prohibiting a tribunal of this state from modifying a foreign child support order if the obligee remains a resident of the foreign country where the support order was issued; providing exceptions; creating s. 88.7112, F.S.; providing for personal jurisdiction in spousal support proceedings; amending s. 88.9011, F.S.; providing for uniform construction of the act; creating s. 88.9021, F.S.; directing that the act applies to proceedings begun on or after a specified date to establish a support order, determine parentage of a child, or register, recognize, enforce, or modify a prior support order, determination, or agreement, whenever issued or entered; amending ss. 61.13 and 827.06, F.S.; conforming cross-references to changes made by the act; providing a contingent effective date.

By the Committee on Health Regulation; and Senator Dean—

CS for SB 1698—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; deleting legislative intent; defining the term “bedroom”; providing for any permit issued and approved by the Department of Health for the installation, modification, or repair of an onsite sewage treatment and disposal system to transfer with the title of the property; providing circumstances in which an onsite sewage treatment and disposal system is not considered abandoned; providing for the validity of an onsite sewage treatment and disposal system permit if rules change before final approval of the constructed system; providing that a system modification, replacement, or upgrade is not required unless a bedroom is added to a single-family home; deleting provisions requiring the Department of Health to administer an evaluation and assessment program of onsite sewage treatment and disposal systems and requiring property owners to have such systems evaluated at least once every 5 years; deleting provisions prohibiting the land application of septage and requiring the Department of Environmental Protection to recommend to the Governor and Legislature alternative methods for land application of septage; creating s. 381.00651, F.S.; requiring a county or municipality to adopt under certain circumstances a local ordinance creating a program for the periodic evaluation and assessment of onsite sewage treatment and disposal systems; requiring the county or municipality to notify the Secretary of State of the ordinance; authorizing a county or municipality, in specified circumstances, to opt out of certain requirements by a specified date; authorizing a county or municipality to adopt or repeal, after a specified date, an ordinance creating an evaluation and assessment program; providing criteria for evaluations, qualified contractors, repair of systems, exemptions, notifications, fees, and penalties; requiring that certain procedures be used for conducting tank and drainfield evaluations; providing for certain procedures in special circumstances; providing for assessment procedures; requiring the county or municipality to develop

a system for tracking the evaluations; providing criteria; requiring counties and municipalities to notify the Secretary of Environmental Protection that an evaluation program ordinance is adopted; requiring the department to notify those counties or municipalities of the use of, and access to, certain state and federal program funds; requiring the department to provide certain advice and technical assistance, within existing resources, upon request from a county or municipality; amending s. 381.00656, F.S.; extending the date by which the Department of Health is required to begin administering the grant program for the repair of onsite sewage treatment disposal systems; adding a cross-reference; amending s. 381.0066, F.S.; conforming a cross-reference; lowering the fees imposed by the department for evaluation reports; providing an effective date.

By the Committee on Regulated Industries; and Senator Hays—

CS for SB 1824—A bill to be entitled An act relating to regulated professions and occupations; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to release certain digital images to the Department of Business and Professional Regulation to identify certain persons; amending s. 455.213, F.S.; authorizing the Department of Business and Professional Regulation to grant waivers of renewal fees under certain circumstances; amending s. 455.271, F.S.; revising continuing education requirements for certain license reactivations; amending s. 475.42, F.S.; revising violations and penalties for real estate professionals; amending s. 477.0212, F.S.; revising continuing education requirements for cosmetology license reactivations; amending s. 477.0265, F.S.; revising prohibited acts for cosmetologists; amending s. 481.217, F.S.; revising continuing education requirements for license reactivation of architect or interior design licenses; amending s. 481.315, F.S.; revising continuing education requirements for landscape architect license reactivations; amending s. 489.116, F.S.; revising continuing education requirements for contractor license reactivations; amending s. 489.519, F.S.; revising continuing education requirements for electrical and alarm system contractor license reactivations; repealing s. 475.611(1)(v), F.S., relating to Uniform Standards of Professional Appraisal Practice; repealing s. 475.626(1)(b) and (c), F.S., relating to violations and penalties against registered appraisers; amending s. 475.624, F.S.; establishing professional standards for appraisers by board rule; amending s. 475.628, F.S.; authorizing the board to adopt rules establishing standards of professional appraisal practice; amending s. 509.032, F.S.; clarifying provisions relating to the preemption to the state of the regulation of public lodging and public food service establishments; amending s. 509.261, F.S.; providing for remedial training in response to certain violations by public lodging and food service establishments; amending s. 10, chapter 2010-84, Laws of Florida; delaying the effective date of provisions relating to the discipline of appraisal management companies; providing effective dates.

By the Committee on Children, Families, and Elder Affairs; and Senators Rich and Storms—

CS for SB 1902—A bill to be entitled An act relating to independent living; amending s. 39.013, F.S.; requiring the court to retain jurisdiction over a child until the child is 21 years of age if the child elects to receive Foundations First Program services; providing for an annual judicial review; amending s. 39.6012, F.S.; requiring assurance in a child's case plan that efforts were made to avoid a change in the child's school; requiring that the case plan contain procedures for an older child to directly access and manage a personal allowance; creating s. 39.6015, F.S.; providing purpose and legislative intent with respect to the provision of services for older children who are in licensed care; requiring the documentation of assurances that school stability is considered when a child in care is moved; providing for the same assurances for children with disabilities; defining the term "school of origin"; requiring that the Department of Children and Family Services or the community-based provider provide reimbursement for the costs of transportation provided for a child in care; requiring changes in a child's school to be minimally disruptive; specifying criteria to be considered by the department and community-based provider during the transition of a child to another school; requiring children in care to attend school; requiring scheduled appointments to consider the child's school attendance; providing penalties for caregivers who refuse or fail to ensure that the child attends school regularly; specifying who may serve as an education advocate; requiring documentation that an education advocate or surrogate parent

has been designated or appointed for a child in care; requiring a child in middle school to complete an electronic personal academic and career plan; requiring caregivers to attend school meetings; specifying requirements for individual education transition plan meetings for children with disabilities; requiring that a child be provided with information relating to the Road-to-Independence Program; requiring that the caregiver or education advocate attend parent-teacher conferences; requiring that a caregiver be provided with access to school resources in order to enable a child to achieve educational success; requiring the delivery of a curriculum model relating to self-advocacy; requiring documentation of a child's progress, the services needed, and the party responsible for providing services; specifying choices for a child with respect to diplomas and certificates for high school graduation or completion; providing that a child with a disability may stay in school until 22 years of age under certain circumstances; requiring caregivers to remain involved in the academic life of child in high school; requiring documentation of a child's progress, the services needed, and the party who is responsible for providing services; providing for a child to be exposed to job-preparatory instruction, enrichment activities, and volunteer and service opportunities, including activities and services offered by the Agency for Workforce Innovation; requiring that children in care be afforded opportunities to participate in the usual activities of school, community, and family life; requiring caregivers to encourage and support a child's participation in extracurricular activities; requiring that transportation be provided for a child; providing for the development of a transition plan; specifying the contents of a transition plan; requiring that the plan be reviewed by the court; requiring that a child be provided with specified documentation; requiring that the transition plan be coordinated with the case plan and a transition plan prepared pursuant to the Individuals with Disabilities Education Act for a child with disabilities; requiring the creation of a notice that specifies the options that are available to the child; requiring that community-based care lead agencies and contracted providers report specified data to the department and Legislature; amending s. 39.701, F.S.; conforming terminology; specifying the required considerations during judicial review of a child under the jurisdiction of the court; specifying additional documents that must be provided to a child and that must be verified at the judicial review; requiring judicial review of a transition plan; amending s. 409.1451, F.S., relating to the Road-to-Independence Program; creating the Foundations First Program for young adults who want to remain in care after reaching 18 years of age; providing eligibility, termination, and reentry requirements for the program; requiring a court hearing before termination; providing for the development of a transition plan; specifying the contents of the transition plan; requiring that a young adult be provided with specified documentation; requiring that the transition plan be coordinated with the case plan and a transition plan prepared pursuant to the Individuals with Disabilities Education Act for a young adult with disabilities; requiring the creation of a notice that specifies the options that are available to the young adult; requiring annual judicial reviews; creating the College Bound Program for young adults who have completed high school and have been admitted to an eligible postsecondary institution; providing eligibility requirements; providing for a stipend; requiring satisfactory academic progress for continuation of the stipend; providing for reinstatement of the stipend; providing for portability of services for a child or young adult who moves out of the county or out of state; specifying data required to be reported to the department and Legislature; conforming terminology relating to the Independent Living Services Advisory Council; providing rulemaking authority to the Department of Children and Family Services; amending s. 409.903, F.S.; conforming a cross-reference; requiring the department to amend the case plan and judicial social service review formats; providing for young adults receiving transition services to continue to receive existing services until their eligibility for that benefit program expires; requiring the department to develop a request for proposal for the creation of an education advocacy system; requiring the department to contract with a national nonprofit organization to administer the Road-to-Independence Program; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Health Regulation; and Senator Dean—

CS for SB 1698—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; deleting

legislative intent; defining the term “bedroom”; providing for any permit issued and approved by the Department of Health for the installation, modification, or repair of an onsite sewage treatment and disposal system to transfer with the title of the property; providing circumstances in which an onsite sewage treatment and disposal system is not considered abandoned; providing for the validity of an onsite sewage treatment and disposal system permit if rules change before final approval of the constructed system; providing that a system modification, replacement, or upgrade is not required unless a bedroom is added to a single-family home; deleting provisions requiring the Department of Health to administer an evaluation and assessment program of onsite sewage treatment and disposal systems and requiring property owners to have such systems evaluated at least once every 5 years; deleting provisions prohibiting the land application of septage and requiring the Department of Environmental Protection to recommend to the Governor and Legislature alternative methods for land application of septage; creating s. 381.00651, F.S.; requiring a county or municipality to adopt under certain circumstances a local ordinance creating a program for the periodic evaluation and assessment of onsite sewage treatment and disposal systems; requiring the county or municipality to notify the Secretary of State of the ordinance; authorizing a county or municipality, in specified circumstances, to opt out of certain requirements by a specified date; authorizing a county or municipality to adopt or repeal, after a specified date, an ordinance creating an evaluation and assessment program; providing criteria for evaluations, qualified contractors, repair of systems, exemptions, notifications, fees, and penalties; requiring that certain procedures be used for conducting tank and drainfield evaluations; providing for certain procedures in special circumstances; providing for assessment procedures; requiring the county or municipality to develop a system for tracking the evaluations; providing criteria; requiring counties and municipalities to notify the Secretary of Environmental Protection that an evaluation program ordinance is adopted; requiring the department to notify those counties or municipalities of the use of,

and access to, certain state and federal program funds; requiring the department to provide certain advice and technical assistance, within existing resources, upon request from a county or municipality; amending s. 381.00656, F.S.; extending the date by which the Department of Health is required to begin administering the grant program for the repair of onsite sewage treatment disposal systems; adding a cross-reference; amending s. 381.0066, F.S.; conforming a cross-reference; lowering the fees imposed by the department for evaluation reports; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 29 was corrected and approved.

CO-INTRODUCERS

Senators Alexander—CS for SB 1998, SB 2044; Bogdanoff—CS for SB 1998, SB 2044; Dean—CS for SB 1502; Flores—CS for SB 1524; Gaetz—SB 1190, SB 2088; Joyner—SB 346; Latvala—SB 118, SB 122, SB 468; Simmons—SB 1190; Sobel—CS for CS for SB 930; Thrasher—SB 1190

RECESS

On motion by Senator Thrasher, the Senate recessed at 10:57 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, April 6 or upon call of the President.



Journal of the Senate

Number 12—Regular Session

Tuesday, April 5, 2011

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REPORTS OF COMMITTEES

The Committee on Health Regulation recommends the following pass: SB 1590

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Banking and Insurance recommends the following pass: CS for SB 1072

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 794; CS for SB 1650; SB 1850

The Committee on Commerce and Tourism recommends the following pass: SB 942; SB 1632

The Committee on Community Affairs recommends the following pass: SB 880; CS for CS for SB 1086; CS for SB 1502; CS for SB 1570; SB 1942

The Committee on Criminal Justice recommends the following pass: SB 1886 with 1 amendment

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 850

The Committee on Health Regulation recommends the following pass: SB 1108; SB 1268

The Committee on Judiciary recommends the following pass: SB 844; SJR 2084

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 468

The Committee on Regulated Industries recommends the following pass: SB 1586

The Committee on Transportation recommends the following pass: SB 904; SB 1190

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

The Committee on Judiciary recommends the following pass: SB 1294

The bill was referred to the Committee on Commerce and Tourism under the original reference.

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 594

The Committee on Regulated Industries recommends the following pass: SB 838

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

The Committee on Agriculture recommends the following pass: SB 2032

The Committee on Regulated Industries recommends the following pass: CS for SB 328

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

The Committee on Transportation recommends the following pass: SB 2036

The bill was referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 726

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 1532

The bills contained in the foregoing reports were referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Community Affairs recommends the following pass: SB 1352; SB 1408

The Committee on Judiciary recommends the following pass: SJR 1438; SJR 1704

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 688; SB 690; SB 692

The Committee on Community Affairs recommends the following pass: SB 1788

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

The Committee on Community Affairs recommends the following pass: SB 534

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

The Committee on Commerce and Tourism recommends the following pass: SB 474

The Committee on Communications, Energy, and Public Utilities recommends the following pass: SB 212

The Committee on Community Affairs recommends the following pass: SB 982; SB 1010

The Committee on Education Pre-K - 12 recommends the following pass: SB 1176

The Committee on Health Regulation recommends the following pass: SB 1676

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

The Committee on Community Affairs recommends the following pass: SB 1564

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 726

The Committee on Health Regulation recommends the following pass: CS for SB 730

The Committee on Judiciary recommends the following pass: CS for SB 402

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

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 1190

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

The Committee on Budget recommends the following pass: CS for SB 138; SB 240; CS for CS for SB 244; CS for SB 246; CS for SB 312; SB 330; CS for SB 382; CS for SB 400; SB 464; SB 514; SB 626; SB 634; SB 636; SB 638; SB 702; CS for SB 960; CS for SB 968; SB 1142; CS for SB 1738

The Committee on Governmental Oversight and Accountability recommends the following pass: SM 954

The Committee on Rules recommends the following pass: CS for SB 670

The bills were placed on the Calendar.

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 1514

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

The Committee on Agriculture recommends a committee substitute for the following: SB 2076

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1714

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1916

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: CS for SB 888

The Committee on Community Affairs recommends committee substitutes for the following: SB 196; CS for SB 934; SB 1432; SB 1766

The Committee on Criminal Justice recommends committee substitutes for the following: SB 746; SB 1588; SB 2010

The Committee on Education Pre-K - 12 recommends committee substitutes for the following: SB 1320; SB 1388; SB 1696

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 512; CS for SB 1174; CS for SB 1290

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: CS for SB 516; CS for SB 666; SB 668; CS for SB 866; SB 882; CS for SB 1150

The Committee on Health Regulation recommends committee substitutes for the following: SB 1410; SB 1972

The Committee on Military Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 1230

The Committee on Transportation recommends committee substitutes for the following: SB 274; CS for SB 768; SB 900; SB 1180

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

The Committee on Military Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 1650

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Transportation recommends a committee substitute for the following: SB 560

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

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: CS for SB 1698

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

The Committee on Rules recommends a committee substitute for the following: SB 1504

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

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: CS for SB 1346; SB 1456

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: SB 2078

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1328

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 88

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1754

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

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1546

The Committee on Judiciary recommends a committee substitute for the following: SB 318

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1448

The Committee on Criminal Justice recommends committee substitutes for the following: SB 846; SB 1168

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 86

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 580

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

The Committee on Rules Subcommittee on Ethics and Elections recommends committee substitutes for the following: SB 2086; SB 2088

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

The Committee on Budget recommends committee substitutes for the following: CS for SB 1292; CS for SB 1314

The Committee on Rules recommends committee substitutes for the following: SB 34; SB 46; SB 70; SB 324

The bills with committee substitute attached were placed on the Calendar.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Criminal Justice recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment

For Term Ending

Secretary of Juvenile Justice

Appointee: Walters, Wansley Hancock

Pleasure of Governor

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment

For Term Ending

Governing Board of the Northwest Florida Water Management District

Appointee: Roberts, George

03/01/2014

The Committee on Governmental Oversight and Accountability recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment

For Term Ending

Secretary of Management Services

Appointee: Miles, John P.

Pleasure of Governor

Secretary of State

Appointee: Browning, Kurt S.

Pleasure of Governor

The Committee on Military Affairs, Space, and Domestic Security recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment

For Term Ending

Adjutant General of Florida National Guard

Appointee: Titshaw, Emmett R., Jr.

Pleasure of Governor

The appointments were referred to the Rules Subcommittee on Ethics and Elections under the original reference.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By the Committee on Budget—

SB 2000—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2011, and ending June 30, 2012, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2002—A bill to be entitled An act implementing the 2011-2012 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2011-2012 fiscal year; amending s. 216.292, F.S.; authorizing the transfer of funds between appropriation categories to fund fixed capital outlay projects for public schools upon certain approval; amending s. 394.908, F.S.; providing allocation requirements for specified funds appropriated for forensic mental health services; providing requirements relating to implementing phase 3 of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; requiring certain budget amendments recommending the release of funds to provide more notice and be subject to certain objection procedures; prohibiting an appropriation to pay for the lease of unneeded space due to reductions at the Department of Children and Family Services; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under the authority of the respective entity; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed

capacity under certain circumstances; amending s. 945.025, F.S.; requiring the Department of Corrections to obtain certain approval before closing any correctional institution; authorizing the Department of Legal Affairs to transfer certain funds to pay salaries and benefits; authorizing the Department of Legal Affairs to spend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund; requiring that the Department of Juvenile Justice comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed; defining the term "hospital" for purposes of such limitations; amending s. 44.108, F.S.; authorizing use of moneys in the Mediation and Arbitration Trust Fund as specified in the General Appropriations Act; relieving the state court system of certain loan repayment obligations; authorizing the chief justice to request a loan under certain circumstances; creating the Judicial Caseload Incentive Plan; providing the purpose, performance goals, and financial awards of the program; requiring a report to the Legislature; amending s. 282.709, F.S.; allowing funds from the State Agency Law Enforcement Radio System Trust Fund to be used for mutual aid buildout maintenance and sustainment; requiring the Department of Management Services to issue a competitive solicitation for the Statewide Law Enforcement Radio System by a certain date and award the contract by a certain date; requiring the Florida Catastrophic Storm Risk Management Center at Florida State University to conduct an analysis using certain data; amending s. 253.034, F.S.; authorizing the deposit of funds derived from the sale of property by the Department of Citrus into the Citrus Advertising Trust Fund; amending s. 373.59, F.S.; providing for the allocation of moneys from the Water Management Lands Trust Fund for certain purposes; amending s. 403.7095, F.S.; requiring that the Department of Environmental Protection award a specified amount in grants to certain counties for solid waste programs; authorizing the Department of Agriculture and Consumer Services to extend, revise, and renew current contracts or agreements created or entered into for the purpose of promotion of agriculture; providing that the disposition of state-owned lands is exempt from appraisal requirements and disposition requirements under certain circumstances; requiring state agencies to provide a list of lands that are immediately available for lease or are surplus lands; requiring that the proceeds from the sale of such lands be deposited into the Florida Forever Trust Fund; authorizing the transfer of funds and positions to implement the transfer of certain agencies and offices; amending s. 339.08, F.S.; delaying the expiration of provisions relating to the use of moneys in the State Transportation Trust Fund for certain administrative expenses; authorizing funds in the State Transportation Trust Fund to be used for the County Incentive Grant Program, the Small County Outreach Program, the Transportation Regional Incentive Program, and certain transportation project contracts; providing for all vehicles within the Office of Motor Carrier Compliance to be transferred to the Department of Highway Safety and Motor Vehicles without the payment of certain fees; amending s. 445.009, F.S.; providing that a participant in an adult or youth work experience activity under ch. 445, F.S., is an employee of the state for purposes of workers' compensation coverage; creating the Florida Base Realignment and Closure Task Force; specifying the mission of the task force; providing for membership; requiring a progress report and work plan; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.123, F.S.; providing that the state contribution toward the cost of a plan is the difference between the overall premium and the employee contribution; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency without reimbursement from the receiving agency; providing that the annual salary of the members of the Legislature be reduced by a specified percentage; reenacting and amending s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys in the General Revenue Fund from trust funds in the 2011-2012 General Appropriations Act; reenacting and amending s. 215.5601(4)(b), F.S., relating to the administration of the Lawton Chiles Endowment Fund; providing for the authorization and issuance of new debt; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing agencies scheduled for data center consolidation to accelerate such consolidation; authorizing the establishment of data center positions in exchange for agency

positions placed in reserve; authoring an agency to transfer funds in order to support its e-mail system until its system is transferred to the statewide service vendor; authorizing the Executive Office of the Governor to transfer funds between agencies in order to allocate a reduction relating to SUNCOM; authorizing the Executive Office of the Governor to transfer appropriations into categories for the purpose of tracking American Recovery and Reinvestment Act funds; amending s. 216.292, F.S.; authorizing the Executive Office of the Governor to recommend the initiation of fixed capital outlay projects funded through the American Recovery and Reinvestment Act of 2009; reenacting s. 110.12315(7)(a), F.S., relating to copayments for the state employees' prescription drug program; directing the Department of Management Services to use a tenant broker to renegotiate all leases involving multiple state agency tenants; requiring a report to the Legislative Budget Commission; requiring the department to renegotiate certain leases in order to achieve a reduction in cost and provide a report to the Governor and Legislature on such activities by a certain date; requiring the department to issue a solicitation for the Minnesota Multistate Contracting Alliance for Pharmacy agreement as a state term contract; requiring the department to use generic drugs where feasible in developing its preferred drug list; requiring the Agency for Health Care Administration to reprocure the Florida Discount Drug Card Program; providing requirements for the program; providing that revenues derived from the contract be deposited into the agency's Grants and Donations Trust Fund; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for reversion of statutory text of certain provisions; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

—was referred to the Calendar.

SR 2004—Introduced out of order and adopted March 23.

Senate Bills 2006-2028—Previously referenced.

SR 2030—Not referenced.

Senate Bills 2032-2044—Previously referenced.

SR 2046—Introduced out of order and adopted March 23.

Senate Bills 2048-2050—Previously referenced.

SR 2052—Introduced out of order and adopted March 24.

SR 2054—Not referenced.

SB 2056—Previously referenced.

SR 2058—Introduced out of order and adopted March 30.

SR 2060—Introduced out of order and adopted March 29.

SR 2066—Introduced out of order and adopted March 24.

SR 2068—Not referenced.

Senate Bills 2070-2074—Not referenced.

Senate Bills 2076-2078—Previously referenced.

Senate Resolutions 2080-2082—Not introduced.

Senate Bills 2084-2088—Previously referenced.

By the Committee on Governmental Oversight and Accountability—

SB 2090—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public-records requirements for bids, proposals, or replies submitted to an agency in response to a competitive solicitation; expanding the public-records exemption by extending the duration of the exemption; providing a definition; reorganizing provisions; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; amending s. 286.0113, F.S., which provides an exemption from public-meetings requirements for meetings at which a negotiation with a vendor is conducted and which provides an exemption from public-records requirements for recordings of exempt meetings; providing definitions; expanding the exemption to include meetings at which a negotiation with a vendor is conducted pursuant to a competitive solicitation, at which a vendor makes an oral presentation as part of a competitive solicitation, at which a vendor answers questions as part of a competitive solicitation, and at which team members discuss negotiation strategies; expanding the public-records exemption to include any records presented at an exempt meeting; reorganizing provisions; providing for future repeal and legislative review under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

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

By the Committee on Military Affairs, Space, and Domestic Security—

SB 2092—A bill to be entitled An act relating to emergency public shelters; creating s. 252.353, F.S.; requiring the Division of Emergency Management to submit a report to the Governor, Legislature, and Cabinet on compliance by school districts with public shelter requirements for educational facilities; requiring that the division create and administer a registry of newly constructed public shelters; requiring each county emergency management office to submit an annual report to the division on newly constructed educational facilities; requiring the school boards and the Department of Education to coordinate and implement the provisions of the act with the division and county emergency management offices; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Community Affairs; and Budget.

By the Committee on Budget—

SB 2094—A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2096—A bill to be entitled An act relating to state financial information; amending s. 11.45, F.S.; requiring the Auditor General to annually provide to the Legislature a list of school districts and water management districts that have failed to comply with certain financial transparency requirements, as identified pursuant to audit; amending s. 215.985, F.S., relating to the Transparency Florida Act; defining the term “department” to mean the Department of Financial Services; removing the term “committee”; redefining the term “governmental entity” to include public schools rather than public school districts; requiring the Chief Financial Officer to develop and maintain the transparency website; providing for the transition of the website to the department; requiring the department to recommend a format for school districts, charter schools, and charter technical career centers to use in collecting and displaying financial information; revising the schedule for adding

information to the state’s official website; requiring certain functional owners and governmental entities to provide information specified by the department; revising provisions exempting certain municipalities and special districts from the Transparency Florida Act; requiring each water management district to post certain information on its website; requiring the fiscal year of each water management district to be July 1 to June 30; requiring each water management district to maintain its financial data in a certain manner; requiring each water management district to submit monthly detailed financial reports to the department in a manner specified by the Chief Financial Officer; requiring the Chief Financial Officer to maintain the state’s financial data on the state website for a specified period; requiring a certified public accountant conducting an audit of a unit of local government to report compliance with the Transparency Florida Act; authorizing the department to adopt guidelines for administering the act; providing for public access to a state contract management system on the Transparency Florida website; requiring the collection of certain data; requiring that agency procurement staff update data in the state contract management system following a major change to a contract; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2098—A bill to be entitled An act relating to the consolidation of state information technology services; transferring, renumbering, and amending s. 14.204, F.S.; establishing the Agency for Enterprise Information Technology in the Department of Management Services rather than the Executive Office of the Governor; revising the duties of the agency to include the planning, project management, and implementation of the enterprise information technology services; requiring the agency to submit a plan to the Legislative Budget Commission for aggregating information technology purchases; deleting references to the Office of Information Security and the Agency Chief Information Officers Council; amending s. 282.0041, F.S.; revising definitions; amending s. 282.0056, F.S.; revising provisions relating to the agency’s annual work plan; amending s. 282.201, F.S.; revising the duties of the agency; deleting obsolete provisions; providing a schedule for the consolidations of state agency data centers; requiring agencies to update their service-level agreements and to develop consolidation plans; requiring the Agency for Enterprise Information Technology to submit a status report to the Governor and Legislature and to develop a comprehensive transition plan; requiring primary data centers to develop transition plans; revising agency limitations relating to technology services; amending s. 282.203, F.S.; deleting obsolete provisions; revising duties of primary data centers relating to state agency resources and equipment relinquished to the centers; requiring state agencies to relinquish all administrative access rights to certain resources and equipment upon consolidation; providing for the appointment of alternate board members; revising provisions relating to state agency representation on data center boards; conforming a cross-reference; amending s. 282.204, F.S.; establishing the Northwood Shared Resource Center in the Department of Management Services rather than the Department of Children and Family Services; creating s. 282.206, F.S.; establishing the Northwest Regional Data Center as a primary data center; providing for a board of trustees and subjecting the board to the rules of the Agency for Enterprise Information Technology; repealing s. 282.315, F.S., relating to the Agency Chief Information Officers Council; amending s. 282.318, F.S.; deleting references to the Office of Information Security with respect to responsibility for enterprise security; deleting obsolete provisions; amending s. 282.33, F.S.; deleting an obsolete provision; revising the schedule for the Agency for Enterprise Information Technology to submit certain recommendations to the Legislature; amending s. 282.34, F.S.; revising the schedule for migrating state agencies to the statewide e-mail system; revising limitations on state agencies; revising the requirements for rules adopted by the Agency for Enterprise Information Technology; creating s. 282.35, F.S.; providing for a statewide desktop service as an enterprise information technology service to be provided by the Department of Management Services; requiring the Agency for Enterprise Information Technology to develop a plan for the establishment of the service and submit such plan to the Governor and Legislature by a certain date; specifying the contents of the plan; providing agency limitations with respect to such services and exceptions from such limitations if granted by the agency; amending ss. 287.042 and 287.056, F.S.; directing the department to adopt rules establishing conditions under which an agency may be exempted from using a state term contract or

purchasing agreement; conforming provisions to changes made by the act; amending s. 287.057, F.S.; authorizing the department to adopt rules to be used by agencies to manage contracts; deleting a prohibition against an entity contracting to provide a feasibility study on certain subject matter from contracting with an agency for that subject matter; amending s. 45 of chapter 2010-151, Laws of Florida; providing that certain contracts are subject to transaction fees; transferring the Agency for Enterprise Information Technology and the Northwood Shared Resource Center to the Department of Management Services; requiring the agency to coordinate with the Southwood Shared Resource Center to provide a status report to the Executive Office of the Governor and to the Legislature; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2100—A bill to be entitled An act relating to retirement; amending ss. 110.123, 112.0801, 112.363, and 112.65, F.S.; conforming provisions to changes made by the act; amending s. 121.011, F.S.; requiring employee and employer contributions to the retirement system by a certain date; amending s. 121.021, F.S.; redefining the terms “system,” “prior service,” “compensation,” “average final compensation,” “normal retirement date,” “termination,” “benefit,” and “payee”; defining the term “division”; amending s. 121.051, F.S.; conforming provisions to changes made by the act; amending s. 121.0515, F.S.; providing that special risk employee contributions be used, if applicable, when purchasing credit for past service; conforming a cross-reference; amending s. 121.052, F.S., relating to the membership class of elected officers; conforming provisions to changes made by the act; providing for a refund of contributions under certain circumstances for an officer who leaves office; prohibiting such refund if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; conforming a cross-reference; amending s. 121.053, F.S.; conforming provisions to changes made by the act; amending s. 121.055, F.S., relating to the Senior Management Service Class; conforming provisions to changes made by the act; providing for refunds of employee refunds; prohibiting a refund of retirement contributions if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; deleting a prohibition against a retiree’s renewing membership in the Senior Management Service Optional Annuity Program; requiring employee and employer contributions for members in the Senior Management Service Optional Annuity Program after a certain date; limiting the payment of benefits before a member’s termination of employment; amending s. 121.071, F.S.; requiring employee and employer contributions to the retirement system beginning on a certain date; limiting the payment of benefits before a member’s termination of employment; requiring repayment plus interest of an invalid refund; amending s. 121.081, F.S.; providing requirements for contributions for prior service performed on or after a certain date; amending s. 121.091, F.S.; conforming a cross-reference; providing for refunds of employee refunds; limiting the payment of benefits before a member’s termination of employment; prohibiting a refund of retirement contributions if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; terminating participation in the Deferred Retirement Option Program after a certain date; conforming provisions to changes made by the act; amending s. 121.1001, F.S.; conforming provisions to changes made by the act; amending s. 121.101, F.S.; revising the cost-of-living adjustment depending on the date of retirement; amending s. 121.121, F.S., relating to the purchase of creditable service following an authorized leave of absence; requiring that service credit be purchased at the employee and employer contribution rates in effect during the leave of absence; reducing the interest rate on benefits payable under the Deferred Retirement Option Program for employees hired after a certain date; amending s. 121.122, F.S.; providing for renewed membership in the retirement system for retirees who are reemployed after a certain date; specifying requirements and limitations; amending s. 121.125, F.S.; conforming provisions to changes made by the act; assessing a penalty against employers for contributions not paid after a member becomes eligible for workers’ compensation; amending s. 121.35, F.S., relating to the optional retirement program for the State University System; con-

forming provisions to changes made by the act; requiring employee and employer contributions for members participating in the optional retirement program after a certain date; deleting certain requirements governing employer contributions to conform to changes made by the act; prohibiting certain benefits before termination from employment; conforming cross-references; amending s. 121.355, F.S.; conforming provisions to changes made by the act; amending s. 121.4501, F.S.; changing the name of the Public Employee Optional Retirement Program to the Florida Retirement System Investment Plan; limiting the option of enrolling in the State Retirement System’s defined benefit program or defined contribution program to public employees employed before a certain date; requiring public employees employed on or after a certain date to enroll in the investment plan; providing exceptions; requiring that plan members make contributions to the plan based on the employee’s membership class; revising definitions; revising the benefit commencement age for members of the special risk class; providing for contribution adjustments as a result of errors or corrections; deleting obsolete provisions relating to the 2002 optional transfer of public employees from the pension plan to the investment plan; providing for past employees who reenter the system; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; providing for a retiree to retain his or her prior plan choice following a return to employment; limiting certain refunds of contributions which exceed the amount that would have accrued had the member remained in the pension plan; providing certain requirements and limitations with respect to contributions; clarifying that employee and employer contributions are earmarked for specified purposes; providing duties of the third-party administrator; providing that a member is vested immediately with respect to employee contributions paid by the employee; providing for the forfeiture of nonvested employer contributions and service credit based on years of service; amending s. 121.4502, F.S.; conforming provisions to changes made by the act; amending s. 121.4503, F.S.; providing for the deposit of employee contributions into the Florida Retirement System Contributions Clearing Trust Fund; amending s. 121.571, F.S.; conforming provisions to changes made by the act; providing requirements for submitting employee contributions; amending s. 121.591, F.S.; prohibiting the payment of certain benefits before termination of employment; providing for the forfeiture of nonvested accumulations upon payment of certain vested benefits; providing that the distribution payment method selected by the member or beneficiary is irrevocable at the time of distribution; prohibiting a distribution of employee contributions if a qualified domestic relations order is filed against the member’s account; providing for the distribution of an employee’s contributions if the employee dies before being vested; conforming provisions to changes made by the act; amending ss. 121.5911 and 121.70, F.S.; conforming provisions to changes made by the act; amending s. 121.71, F.S.; providing for employee contributions to be deducted from the employee’s monthly salary, beginning on a specified date, and treated as employer contributions under certain provisions of federal law; clarifying that an employee may not receive such contributions directly; specifying the required contribution rate for all members of the Florida Retirement System; specifying the required employer retirement contribution rates for each membership class and subclass of the system in order to address unfunded actuarial liabilities of the system; requiring an assessment to be imposed if the employee contributions remitted are less than the amount required; providing for the employer to receive a credit for excess contributions remitted; conforming cross-references; amending s. 121.72, F.S.; revising certain requirements governing allocations to optional retirement program member accounts; conforming cross-references; amending s. 121.73, F.S., relating to disability coverage for members of the optional retirement program; conforming provisions to changes made by the act; amending ss. 121.74, 121.75, and 121.77, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 121.78, F.S.; revising certain requirements for administering the payment and distribution of contributions; requiring that certain fees be imposed for delinquent payment; providing that an employer is responsible for recovering any refund provided to an employee in error; revising the terms of an authorized waiver of delinquency; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; amending s. 175.121, F.S.; specifying other sources available to pay the expenses of the Department of Revenue for administering firefighters’ pension plans; amending s. 175.341, F.S.; conforming provisions to changes made by the act; amending s. 185.10, F.S.; specifying other sources available to pay the expenses of the department for administering police officers’ pension plans; amending s.

185.23, F.S.; conforming provisions to changes made by the act; amending s. 250.22, F.S.; providing that retirement pay for members of the Florida National Guard is determined on the date of retirement and may not be recomputed to reflect an increase in basic pay; directing the Division of Retirement to annually adjust retirement pay after a certain date; amending s. 1012.875, F.S.; requiring employee and employer contributions for members of the State Community College System Optional Retirement Program on a certain date; conforming cross-references; providing that the act fulfills an important state interest; providing a directive to the Division of Statutory Revision; requiring the State Board of Administration and the Department of Management Services to request a private letter ruling from the United States Internal Revenue Service regarding the act; providing employers the option of contributing to the retirement account of a reemployed retiree during a specified period; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2102—A bill to be entitled An act relating to health insurance benefits for state employees; amending s. 110.123, F.S.; deleting references to TRICARE supplemental insurance plans; deleting the definition of the term “state-contracted HMO”; deleting the Department of Management Services’ authorization to contract with health maintenance organizations for participation in the state group insurance program; authorizing the Department of Management Services to establish health maintenance incentive programs; providing for state contributions to health insurance coverage for employees and their families for the 2011-2012 fiscal year; repealing s. 110.12302, F.S., relating to the costing options for plan designs required for contract solicitations for health maintenance contracts and the requirement of the department to make recommendations to the Legislature regarding a procurement of services; creating s. 110.12303, F.S.; requiring the Department of Management Services to establish a health insurance risk pool for certain employees and retirees; amending s. 110.12315, F.S.; revising the conditions under which pharmacies are provided reimbursement for prescription medicines that are dispensed to members of the state group health insurance plan under the state employees’ prescription drug program; amending s. 112.0801, F.S.; deleting the authority of state agencies to allow certain former personnel and their eligible dependents the option of continuing to participate in certain group insurance plans or self-insurance plans; specifying the parameters for the health insurance plans and their funding for the state group insurance program administered by the Department of Management Services; providing the premiums to be charged under the state group insurance program to employees and retirees for specified periods; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2104—A bill to be entitled An act relating to the Office of Drug Control; amending s. 14.2019, F.S.; relocating the Statewide Office for Suicide Prevention into the Department of Children and Family Services; requiring the director of the Statewide Office for Suicide Prevention to employ a coordinator for the office; requiring revenues from grants accepted by the Statewide Office for Suicide Prevention to be deposited into the Grants and Donations Trust Fund within the Department of Children and Family Services rather than the Executive Office of the Governor; amending s. 14.20195, F.S.; requiring the director of the Statewide Office for Suicide Prevention, rather than the director of the Office of Drug Control, to appoint members to the Suicide Prevention Coordinating Council; providing that the director of the Statewide Office for Suicide Prevention is a nonvoting member of the coordinating council; repealing s. 311.115, F.S., relating to Seaport Security Standards Advisory Council within the Office of Drug Control; amending s. 311.12, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to maintain a sufficient number of copies of the standards for seaport security at its offices for distribution to the public and provide copies to each affected seaport upon request; conforming provisions to changes made by the act; amending s. 311.123, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to create a maritime domain security awareness training program; amending s. 397.331, F.S.; conforming provisions to changes made by the act; re-

pealing s. 397.332, F.S., relating to the creation of the Office of Drug Control; amending s. 397.333, F.S.; relocating the Statewide Drug Policy Advisory Council into the Department of Health; requiring the Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to be a nonvoting, ex officio member of the advisory council; requiring the department to provide staff support for the advisory council; revising the state officials that are appointed to serve on the advisory council; amending s. 893.055, F.S.; conforming provisions to changes made by the act; requiring the State Surgeon General to appoint a board of directors for the direct-support organization to provide assistance, funding, and promotional support for the activities authorized for the prescription drug monitoring program; requiring the State Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to provide guidance to members of the board of directors; requiring the direct-support organization to operate under written contract with the Department of Health rather than the Office of Drug Control; requiring the activities of the direct-support organization to be consistent with the goals and mission of the department rather than the Office of Drug Control; requiring the direct-support organization to obtain a written approval from the State Surgeon General or his or her designee rather than the director of the Office of Drug Control for any activities in support of the prescription drug monitoring program before undertaking the activities; prohibiting the state from permitting use of any of its administrative services, property, or facilities by a direct-support organization under certain circumstances; amending s. 943.031, F.S.; revising the membership of the Florida Violent Crime and Drug Control Council; conforming provisions to changes made by the act; revising the membership of the Drug Control Strategy and Criminal Gang Committee; amending s. 943.042, F.S., relating to the Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account; conforming provisions to changes made by the act; repealing s. 1006.07(7), F.S., relating to suicide prevention education; requesting the Division of Statutory Revision of the Office of Legislative Services to prepare a reviser’s bill to conform the Florida Statutes to the changes made by the act; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2106—A bill to be entitled An act relating to the Florida Energy and Climate Commission; amending ss. 213.053, 220.192, 288.1089, 288.9607, 366.82, and 366.92, F.S.; eliminating the Florida Energy and Climate Commission and transferring its duties with respect to a tax credit, an incentive program, and the state’s renewable energy policy to the Department of Environmental Protection; repealing s. 377.6015, F.S., relating to the Florida Energy and Climate Commission; amending ss. 377.602, 377.603, 377.604, 377.605, 377.606, 377.608, 377.701, 377.703, 377.803, 377.804, 377.806, 377.807, 377.808, 377.809, 403.44, 526.207, and 1004.648, F.S.; amending ss. 1 and 2 of chapter 2010-282, Laws of Florida; transferring the duties of the Florida Energy and Climate Commission with respect to planning and developing the state’s energy policy and its duties under the Florida Energy and Climate Protection Act to the Department of Environmental Protection; providing for the transfer of the commission’s duties and records, personnel, property, unexpended balances of appropriations, allocations, and other funds, administrative authority, administrative rules, pending issues, and existing contracts to the Department of Environmental Protection; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2108—A bill to be entitled An act relating to the welfare of children; repealing s. 39.001(6), (7), (8), (9), and (12), F.S., relating to the Office of Adoption and Child Protection within the Executive Office of the Governor; amending s. 39.0014, F.S.; requiring all state, county, and local agencies to cooperate, assist, and provide information to the Department of Children and Family Services rather than the Office of Adoption and Child Protection; repealing s. 39.01(46), F.S., relating to the definition of the term “office” as it relates to the Office of Adoption and Child Protection; amending s. 39.302, F.S.; conforming a cross-reference; amending s. 402.56, F.S.; relocating the Children and Youth Cabinet from the Executive Office of the Governor to the Department of

Children and Family Services; revising the membership of the cabinet; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2110—A bill to be entitled An act relating to the Auditor General; amending s. 11.45, F.S.; redefining the term “financial audit” to conform with applicable auditing standards; defining the term “operational audit” to provide the objectives of such audits; clarifying the requirement for the Auditor General to conduct financial audits of the accounts and records of all district school boards in counties of a specified size once every 3 years; revising duties and responsibilities of the Auditor General; requiring that the Auditor General conduct operational audits at least every 3 years of certain additional state entities and district school boards and report on the activities of the ad valorem tax program of the Department of Revenue; amending ss. 25.075 and 28.35, F.S.; revising the duties of the Auditor General with respect to responsibilities for auditing certain reports made to the State Supreme Court and the operations of the Florida Clerks of Court Operations Corporation, respectively; repealing s. 195.096(7), F.S., relating to the Auditor General’s responsibility for conducting a performance audit of the Department of Revenue’s administration of ad valorem tax laws; amending s. 218.31, F.S.; redefining the term “financial audit” to conform with applicable auditing standards; amending s. 273.05, F.S.; revising requirements to issue rules for surplus property; repealing ss. 365.173(3) and 943.25(3), F.S., relating to the Auditor General’s responsibilities for auditing the Emergency Communications Number E911 System Fund and criminal justice trust funds, respectively; amending s. 1002.36, F.S.; conforming provisions to changes made by the act; amending s. 1009.53, F.S.; requiring colleges and universities that receive Florida Bright Futures Scholarship Program moneys to submit to the Department of Education a financial audit prepared by an independent certified public accountant or the Auditor General if the college or university expended more than a specified amount of program money; requiring that the audit include an examination of the institute’s administration of the program; providing that the audit be submitted to the department within a certain time; requiring any institution that is not subject to the audit to attest, under penalty of perjury, that the moneys were used in compliance with the law; providing for the attestation be made annually in a form and format determined by the Department of Education; reenacting s. 11.40(3), F.S., relating to the Legislative Auditing Committee, to incorporate the amendments made to s. 11.45, F.S., in a reference thereto; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2112—A bill to be entitled An act relating to juvenile detention facilities; amending s. 985.686, F.S.; exempting a county that covers the costs of detention care for pre-adjudicated juveniles within its jurisdiction or other jurisdictions from certain requirements for sharing the costs for juvenile detention; amending s. 985.688, F.S.; providing that a county or county sheriff that meets certain prerequisites with respect to the operation of its juvenile detention facility is exempt from certain requirements of law governing the administration of such facilities; authorizing a county or county sheriff to operate regional detention facilities; requiring that the facility comply with federal requirements to separate juvenile inmates from adult inmates; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2114—A bill to be entitled An act relating to juvenile justice; creating s. 985.665, F.S.; providing legislative intent; defining the term “regional coordinating agency”; providing requirements for a regional coordinating agency; requiring the Department of Juvenile Justice to contract with regional coordinating agencies for specified services relating to juvenile justice; giving hiring preference to current department employees who meet provider qualifications if they apply for employment with the regional coordinating agencies; providing that the de-

partment may maintain certain statewide contracts in place on the effective date of the act; providing for annual measurement and reporting concerning the outcomes and effectiveness of community-based juvenile justice services; requiring regional coordinating agencies to comply with specified requirements; providing for liability of regional coordinating agencies and contracted providers with respect to the treatment of juvenile offenders; providing for governance of regional coordinating agencies; providing for 2-year pilot programs in specified judicial circuits; requiring that the regional coordinating agencies participating in the pilot programs be established organizations within the circuit; requiring the pilot programs to commence by a specified date; requiring annual evaluation reports to the Governor and Legislature; requiring reports; amending s. 985.441, F.S.; prohibiting a court from committing certain youth at a restrictiveness level other than minimum-risk non-residential; authorizing a court to commit certain youth to a low- or moderate-risk residential placement; amending ss. 985.0301, 985.033, and 985.46, F.S.; conforming cross-references; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2116—A bill to be entitled An act relating to the state judicial system; creating the Judicial Caseload Incentive Plan; prescribing the purpose of the plan; providing for performance goals for each judicial circuit; authorizing financial awards to certain judges based on the performance of the circuit in meeting the goals; amending s. 27.511, F.S.; authorizing each office of criminal conflict and civil regional counsel to create a direct-support organization; prescribing requirements related to the creation and operation of the direct-support organization; amending s. 27.5304, F.S.; authorizing the Office of the State Courts Administrator to pay private court-appointed counsel if a court orders payment above specified flat-fee amounts; providing for a portion of such payments to be paid from funds appropriated to the office for that purpose; amending s. 318.18, F.S.; requiring the clerk of court and the Florida Clerks of Court Operations Corporation to submit reports on local traffic assessments in an electronic format; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2118—A bill to be entitled An act relating to criminal justice; repealing s. 16.61, F.S., relating to the Cybercrime Office within the Department of Legal Affairs; amending s. 943.13, F.S.; limiting the number of hours in the basic recruit training program required for correctional officers, unless the officer is otherwise exempt; creating s. 943.0415, F.S.; creating the Cybercrime Office within the Department of Law Enforcement to investigate certain violations of state law pertaining to the sexual exploitation of children; repealing ss. 951.231(1)(c) and 958.045, F.S., relating to the basic training program for youthful offenders within the Department of Corrections; transferring and reassigning functions and responsibilities of the Cybercrime Office from the Department of Legal Affairs to the Department of Law Enforcement; transferring, renumbering, and amending s. 938.25, F.S.; requiring a court to assess an additional amount against a defendant who pleads guilty or nolo contendere to, or who is convicted of, violating certain specified offenses, and the services of a criminal analysis laboratory are used in the investigation of the offense; providing for the proceeds of the assessment to be deposited into the Operating Trust Fund of the Department of Law Enforcement and used by the statewide criminal analysis laboratory system; prohibiting the court from waiving the assessment; amending ss. 921.187 and 943.361, F.S.; conforming cross-references; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2120—A bill to be entitled An act relating to K-12 education funding; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information regarding the gross receipts tax to the State Board of Education, the Division of Bond Finance, and the Office of Economic and Demographic Research; amending s. 215.61, F.S.;

requiring that, for purposes of servicing public education capital outlay bonds, the State Board of Education disregard the effects on the gross receipts tax revenues collected during a tax period of a refund resulting from a specified settlement agreement; amending s. 1001.25, F.S.; requiring that the Department of Education provide a means of extending educational services through educational television or other electronic media; amending s. 1001.271, F.S.; requiring that the Commissioner of Education facilitate and coordinate the use of the Florida Information Resource Network by school districts, educational institutions in the Florida College System, state universities, and other eligible users; amending s. 1001.28, F.S.; deleting a reference to the Florida Knowledge Network as it relates to the department's distance learning duties; amending s. 1001.451, F.S.; revising provisions relating to incentive grants for regional consortium service organizations; authorizing regional consortium service organizations to use various means to generate revenue for future activities; amending s. 1002.33, F.S.; revising provisions relating to charter schools; providing for an additional student population to be included for enrollment in a charter school; providing that a charter school system may be designated as a local educational agency for funding purposes if certain requirements are met; amending s. 1002.34, F.S.; conforming a cross-reference; amending s. 1003.01, F.S.; redefining the terms "core-curricula courses" and "extra-curricular courses"; amending s. 1003.03, F.S.; deleting a reference to the State Constitution regarding class size maximums; requiring that class size maximums be satisfied on or before the October student membership survey each year; requiring that the class size maximums be maintained after the October student membership survey unless certain conditions occur; providing that a student who enrolls in a school after the October student membership survey may be assigned to classes that temporarily exceed class size maximums if the school board determines that not assigning the student would be impractical, educationally unsound, or disruptive to student learning; providing for a specified number of students to be assigned above the maximum if the district school board makes this determination; requiring that the district school board develop a plan providing that the school will be in full compliance with the maximum class size requirements by the next October student membership survey; amending s. 1004.02, F.S.; revising the definition of the term "adult student"; creating s. 1006.282, F.S.; authorizing each district school board to designate schools to implement a pilot program for the transition to instructional materials in an electronic or digital format; providing definitions; providing requirements for the designation of pilot schools; providing exemptions for such schools; requiring that the district school board report to the department by a specified date each year; requiring that the report include certain information; requiring that each district school board submit a review of the pilot program to the department, the Executive Office of the Governor, and the chairs of the legislative appropriations committees by a specified date each year; amending s. 1011.62, F.S.; revising provisions relating to district funding for the operation of schools; deleting provisions relating to the coenrollment of high school students; providing the maximum full-time equivalent membership value for students completing an industry-certified career and professional academy program; requiring that the Department of Education assign the appropriate full-time equivalent value for each certification based on rigor and employment value; requiring that the State Board of Education include the assigned values in the Industry Certification Funding List under rules adopted by the state board; creating s. 1011.621, F.S.; requiring that the Department of Education, upon request by a school district and verification by the Department of Juvenile Justice, direct a school district receiving funds through the Florida Education Finance Program to transfer a pro rata share of the funds to another district that served the same students during the same survey period but were unable to report the students for funding purposes; requiring that the amount of the transfer be based on the percentage of the survey period in which the students were served by each district; amending s. 1011.685, F.S.; revising provisions relating to class size reduction operational categorical funds; authorizing a school district that meets the maximum class size requirement to use the funds for any lawful operating expenditure; amending s. 1011.71, F.S.; revising provisions relating to the district school tax; providing for future expiration of provisions relating to additional millage levied by district school boards; authorizing district school boards to levy additional millage if approved by the voters; providing that the local funds generated by the additional millage not be included in the calculation of funding through the Florida Education Finance Program; amending s. 1012.225, F.S.; discontinuing state funding for the Merit Award Program for Instructional Personnel and School-Based Administrators; amending s. 1013.737, F.S.; changing the name of the Class Size Reduction Lottery

Revenue Bond Program to the Class Size Reduction and Educational Facilities Lottery Revenue Bond Program; authorizing the issuance of educational facilities bonds; adopting by reference the alternate compliance calculation amounts to the class size operating categorical, as submitted by the Governor on behalf of the Department of Education for approval by the Legislative Budget Commission; requiring that the Commissioner of Education modify payments to school districts for the 2010-2011 fiscal year consistent with the amendment; providing effective dates.

—was referred to the Calendar.

By the Committee on Budget—

SB 2122—A bill to be entitled An act relating to consumer protection; amending s. 20.14, F.S.; removing the Division of Dairy Industry within the department; amending s. 320.90, F.S.; requiring the Department of Legal Affairs, rather than the Department of Agriculture and Consumer Services, to distribute free of charge a motor vehicle consumer's rights pamphlet; amending s. 501.160, F.S.; providing for the state attorneys and the Department of Legal Affairs, rather than the Department of Agriculture and Consumer Services, to enforce the law prohibiting price gouging; reenacting s. 570.18, F.S., relating to the organization of the Department of Agriculture and Consumer Services, to incorporate the amendment made to s. 570.29, F.S., in a reference thereto; amending s. 570.20, F.S.; removing the time limitations on provisions authorizing moneys in the General Inspection Trust Fund to be used for programs operated by the Department of Agriculture and Consumer Services; amending s. 570.29, F.S.; removing the Division of Dairy Industry, to conform, and adding the Division of Licensing as a division within the department; repealing ss. 570.40 and 570.41, F.S., relating to the powers and duties of the Division of Dairy Industry; amending s. 570.50, F.S.; adding the inspection of dairy farms, milk plants, and milk product plants and other specified functions to the duties of the Division of Food Safety within the department; amending s. 601.15, F.S.; requiring review and approval by the Legislative Budget Commission of any proposal by the Citrus Commission to increase the box tax rate; repealing s. 681.102(7), F.S., relating to the definition of the term "division"; amending ss. 681.103, 681.108, 681.109, 681.1095, 681.1096, 681.110, 681.112, 681.114, 681.117, and 681.118, F.S.; providing for the Department of Legal Affairs, rather than the Division of Consumer Services of the Department of Agriculture and Consumer Services, to enforce the state Lemon Law; consolidating enforcement duties under the Motor Vehicle Warrant Enforcement Act within the Department of Legal Affairs; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2124—A bill to be entitled An act relating to the Department of Revenue; amending s. 195.096, F.S.; extending from once every 2 years to once every 3 years the requirement that the department conduct an in-depth review of the assessment roll of each county; providing for a study of certain classifications constituting 5 percent or more of the total assessed value of real property on the previous assessment roll; replacing assessed value with just value of all real property that the department may combine for purposes of assessment ration studies; amending s. 212.05, F.S.; imposing a tax on the charges for the use of coin-operated amusement machines operated on the licensed premises of a pari-mutuel facility located in certain cities or counties; amending s. 213.69, F.S.; exempting the department from paying charges imposed by the clerks of the court for recording tax liens; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2126—A bill to be entitled An act relating to the Department of Management Services; amending s. 110.181, F.S.; providing for the reimbursement to the department of actual costs for coordinating the Florida State Employee's Charitable Campaign; amending ss. 216.0158 and 216.043, F.S.; requiring the cost factors for a fixed capital outlay project to include an estimate for the finishing of interiors; amending s.

216.182, F.S.; requiring the standards for use of a project to include an analysis of the cost of the constructed space; amending s. 216.301, F.S.; requiring that cost savings realized when actual costs are less than the projected costs for a fixed capital outlay project be used to reduce the overall construction costs; specifying that additional purchases may not be made if they are not included in the approved plan; amending s. 255.043, F.S.; defining the term “art”; prohibiting the purchase of art using public funds except as authorized by law; amending s. 255.29, F.S.; requiring the department to adopt standards for materials and components used in the construction of a fixed capital outlay project; providing criteria; requiring written justification and analysis if a material or component does not meet the standards; amending s. 255.30, F.S.; clarifying the meaning of supervisory authority in the context of the delegation of authority to a state agency by the department; amending s. 273.055, F.S.; deleting provisions requiring department approval for the disposal of state-owned aircraft; amending s. 282.0041, F.S.; revising a cross-reference; amending s. 282.702, F.S.; revising the powers and duties of the department relating to state telecommunications; requiring additional items relating to SUNCOM to be included in the department’s annual report; requiring the department to submit an annual benchmark comparison of SUNCOM rates to other rates to the Governor and Legislature; requiring the department to work with the Agency for Enterprise Information Technology to produce a feasibility analysis for reprocurring the telecommunications network and to submit the analysis to the Governor and the Legislature by a certain date; requiring state agencies to cooperate with the department; requiring the Department of Transportation to provide certain information to assist the department in conducting the feasibility analysis and to develop procedures for disposing of property at less than fair market value; requiring the Department of Transportation to establish certain procedures in the state’s right-of-way manual, providing criteria; amending s. 282.703, F.S.; prohibiting state agencies from creating a telecommunications network outside the SUNCOM network; requiring violations to be reported; requiring the department to develop a competitive solicitation to procure end-to-end network services by a certain date; requiring vendors to respond by a certain date; providing the specifications for the procurement; requiring all state agencies to complete the transition to the network services by a certain date; requiring state agencies to cooperate in the procurement; amending s. 287.16, F.S.; removing references to state-owned or leased aircraft; removing a requirement that the department report to the Legislature on the use of aircraft in the executive pool; repealing s. 287.161, F.S., relating to the executive aircraft pool; amending s. 287.17, F.S.; removing the provision that authorizes certain persons to use state-owned aircraft; removing the provision requiring payment by certain persons for the use of state-owned aircraft; amending ss. 318.18 and 318.21, F.S.; delaying the expiration of provisions imposing a surcharge on certain offenses and traffic violations, the proceeds of which are deposited into the State Agency Law Enforcement Radio System Trust Fund of the department; creating s. 760.12, F.S.; requiring that an aggrieved person pay a filing fee when requesting an administrative hearing under ch. 760, F.S., relating to discrimination in the treatment of persons; providing an exception for a person who is indigent; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2128—A bill to be entitled An act relating to the Public Employees Relations Commission; amending s. 447.205, F.S.; requiring that the commission be composed of a chair and two part-time members rather than two full-time members; providing for the chair of the commission to remain as a full-time appointment; prohibiting the part-time members from engaging in any business, vocation, or employment that conflicts with their duties while in such office; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2130—A bill to be entitled An act relating to pollution control; amending s. 403.1835, F.S.; revising requirements for the deposit of funds used in providing financial assistance for water pollution control; requiring that such funds be deposited into the department’s Federal Grants Trust Fund rather than the department’s Grants and Donations

Trust Fund; specifying additional uses of moneys deposited into the Federal Grants Trust Fund; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2132—A bill to be entitled An act relating to the Department of Financial Services; repealing ss. 17.53 and 17.556, F.S., relating to the Chief Financial Officer’s authorization to operate a personal check-cashing service or a remote financial service unit at the capitol and to employ additional persons to assist in performing such services; abolishing appropriations from the General Revenue Fund to pay the salaries of the additional employees; amending s. 20.121, F.S.; revising the duties of the Division of Consumer Services; amending ss. 284.01 and 284.36, F.S.; revising the criteria for premiums charged to agencies and departments for purposes of the State Risk Management Trust Fund; amending s. 284.42, F.S.; revising requirements for reports concerning the state insurance program; requiring the Division of Risk Management to analyze and report on certain agency return-to-work programs and activities; amending s. 284.50, F.S.; requiring certain agencies to establish and maintain return-to-work programs for certain employees; providing program goals; requiring the Division of Risk Management to evaluate agency risk management programs; requiring reports; requiring agencies to respond to the division’s evaluation and recommendations; requiring the division to submit certain evaluation reports to the legislative appropriations committees; amending s. 440.13, F.S.; revising requirements for determining the amount of reimbursement for repackaged or relabeled prescription medication; providing limitations; amending s. 440.50, F.S.; providing for reversion of certain unencumbered and undisbursed funds to the Workers’ Compensation Administration Trust Fund; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2134—A bill to be entitled An act relating to the Citizens Property Insurance Corporation; repealing s. 627.351(6)(e) and (f), F.S., relating to the procurement of goods and services by the corporation; creating s. 627.3514, F.S.; providing standards for procurements by Citizens Property Insurance Corporation; providing legislative intent; providing definitions; providing general purchasing rules for the procurement of goods or services by the Citizens Property Insurance Corporation; requiring the corporation’s legal department and purchasing department to jointly prepare a contract for the procurement of goods or services; requiring the legal department to review and approve a contract before it is executed; providing that certain procurements of goods or services are subject to competitive solicitation; providing that a public bid opening is not required except under certain circumstances; requiring a competitive solicitation to include a contract term; requiring the corporation’s purchasing department to coordinate and manage the competitive solicitation process; providing for the use of four methods for the competitive solicitation process; requiring the business unit to provide certain information in order for the purchasing department to initiate the competitive solicitation process; requiring the corporation to create a process for the evaluation of vendor proposals appropriate for the goods or services being procured and to coordinate the receipt and evaluation of responses to the competitive solicitation; requiring the corporation to give public notice of a competitive solicitation by electronically posting the competitive solicitation on its website and the state’s procurement website; prohibiting certain persons from communicating with any member of the board or employee of Citizens Property Insurance Corporation, or with any public official, officer, or employee of the executive or legislative branch of government, concerning any aspect of the solicitation; providing a procedure for breaking a tie between two vendors in the competitive solicitation process; requiring the redaction of certain confidential and exempt information in a vendor’s bid; requiring the corporation to post a copy of each contract executed on its website for certain contracts executed on or after a specified date; authorizing a respondent to a competitive solicitation to appeal the award of certain contracts of more than a specified amount by the corporation’s board; requiring the corporation’s board to hear an appeal at a publicly noticed meeting conducted according to appeal procedures established by the board; authorizing a respondent to a competitive solicitation to appeal the award of a contract having a value at or above a specified amount

and less than a specified amount according to appeal procedures established by the board; providing that such appeals are not required to be heard by the board; authorizing certain exemptions from the competitive solicitation process; requiring the corporation's purchasing policy to address procurement issues regarding conflicts of interest and to include procedures for protecting against any conflict of interest by Citizens' board members and employees and other expert consultants who are acting as an evaluator in the purchasing process; requiring the corporation to strive to increase business with minority business enterprises; requiring the director of purchasing to certify a business as a minority business enterprise upon review and evaluation of evidence provided by the business; requiring the corporation to strive to increase business with Florida small business enterprises by providing education and outreach to Florida small business enterprises regarding business opportunities with the corporation; authorizing the corporation to use the status of a business as a Florida small business enterprise as a vendor-evaluation criterion in the procurement of goods or services; requiring the director of the corporation's purchasing department to certify a business as a Florida small business enterprise upon review and evaluation of evidence provided by the entity; authorizing the corporation to use the status of a business as a Florida business enterprise as a vendor-evaluation criterion in the procurement of goods or services; requiring the corporation to verify the status of a Florida business enterprise; requiring the corporation's board to annually review and adopt the purchasing policy for the corporation; requiring the corporation's board to submit a copy of the purchasing policy to the Office of Insurance Regulation; requiring the Auditor General to have access to the corporation's procurement documents and related materials; requiring the documents and materials held by the Auditor General to remain confidential; amending s. 838.014, F.S.; including a board member or an employee of the corporation within the definition of the term "public servant" as it relates to the crime of bribery and the misuse of public office; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2136—A bill to be entitled An act relating to trust funds; creating s. 455.1165, F.S.; creating the Federal Grants Trust Fund within the Department of Business and Professional Regulation; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Calendar.

Senate Bills 2138-2140—Not used.

By the Committee on Budget—

SB 2142—A bill to be entitled An act relating to the water management districts; creating s. 373.502, F.S.; providing requirements with respect to revenues received by each water management district and the unexpended balances of a district's local account; requiring that each district's expenditure of funds be as provided in the General Appropriations Act; providing for a contingency if a court finds such restriction to be invalid; amending s. 373.503, F.S.; providing that the Legislature may annually set the amount of revenue a district may raise through its ad valorem tax authority; prohibiting a district from imposing ad valorem taxes if the Legislature does not set the amount of revenue; amending s. 373.536, F.S.; changing the districts' fiscal year; revising provisions relating to the development of district budgets and review by the Executive Office of the Governor and Legislature; requiring that each district make budget information available to the public through the district's website; amending s. 403.891, F.S., relating to the Water Protection and Sustainability Program Trust Fund; conforming provisions to changes made by the act; amending ss. 373.026, 373.036, 373.707, and 373.709, F.S.; conforming cross-references; specifying the district millage rate during those months that the districts are in transition to a new fiscal year and capping the amount of revenues that may be collected; providing that each district may expend funds until its final budget is approved; appropriating all prior year incurred obligations; providing for future expiration; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2144—A bill to be entitled An act relating to Medicaid; amending s. 409.904, F.S.; providing for funding the Medicaid reimbursement for certain persons age 65 or older while the optional program is being phased out; renaming the "medically needy" program as the "Medicaid nonpoverty medical subsidy"; limiting certain categories of persons eligible for the subsidy to only physician services after a certain date; amending s. 409.905, F.S.; deleting the hospitalist program; amending s. 409.908, F.S.; revising the factors for calculating the maximum allowable fee for pharmaceutical ingredient costs; directing the Agency for Health Care Administration to establish reimbursement rates for the next fiscal year; amending s. 409.9082, F.S.; revising the aggregated amount of the quality assessment for nursing home facilities; amending s. 409.911, F.S.; updating references to data to be used for the disproportionate share program; amending s. 409.9112, F.S.; extending the prohibition against distributing moneys under the regional perinatal intensive care centers disproportionate share program for another year; amending s. 409.9113, F.S.; extending the disproportionate share program for teaching hospitals for another year; amending s. 409.9117, F.S.; extending the prohibition against distributing moneys under the primary care disproportionate share program for another year; amending s. 409.912, F.S.; allowing the agency to continue to contract for electronic access to certain pharmacology drug information; eliminating the requirement to implement a wireless handheld clinical pharmacology drug information database for practitioners; revising the factors for calculating the maximum allowable fee for pharmaceutical ingredient costs; amending ss. 409.9122, 409.915, and 409.9301, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2146—A bill to be entitled An act relating to the Department of Children and Family Services; reordering and amending s. 39.903, F.S.; revising provisions relating to the department's duties with respect to domestic violence; providing that annual certification of domestic violence centers depends on a favorable review by the Florida Coalition Against Domestic Violence; authorizing the coalition to enter and inspect centers for monitoring purposes; requiring the department to contract with the coalition for the management of domestic violence service delivery and the monitoring of centers; requiring the department to contract with the Florida Council Against Sexual Violence with respect to the STOP Violence Against Women Grant Program; requiring the department to be the lead agency for grant application and for coordinating the state STOP Program implementation plan with input from the coalition; deleting the requirement that the department serve as an information clearinghouse on information relating to domestic violence and provide educational programs on domestic violence; amending s. 39.904, F.S.; revising the annual report to the Legislature on domestic violence to place responsibility for the report on the coalition and to revise the content of the report; amending s. 39.905, F.S.; revising provisions relating to the certification of domestic violence centers; providing that the grant, denial, suspension, or revocation of certification is not an administrative action subject to ch. 120, F.S.; amending ss. 381.006, 381.0072, 741.281, 741.2902, and 741.316, F.S.; conforming provisions to changes made by the act; amending s. 741.32, F.S.; deleting the requirement that batterers' intervention programs be certified; amending s. 741.325, F.S.; providing requirements for batterers' programs; repealing s. 741.327, F.S., relating to the certification and monitoring of batterers' intervention programs; amending s. 938.01, F.S.; conforming a cross-reference; amending s. 948.038, F.S.; conforming provisions to changes made by the act; amending s. 394.908, F.S.; directing funding appropriated for forensic mental health treatment services to state areas with the greatest demand; amending ss. 394.76 and 397.321, F.S.; authorizing the department to terminate contracts if funding becomes unavailable; creating s. 409.16713, F.S.; defining terms; providing for the allocation of funding for community-based care lead agencies; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2148—A bill to be entitled An act relating to the Agency for Persons with Disabilities; prohibiting the agency from expending funds above the amount appropriated in the General Appropriations Act; requiring that the agency monitor monthly program expenditures and provide quarterly reports to the Governor and Legislature; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2150—A bill to be entitled An act relating to postsecondary education funding; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information regarding the gross receipts tax to the State Board of Education, the Division of Bond Finance, and the Office of Economic and Demographic Research; amending s. 215.61, F.S.; requiring that, for purposes of servicing public education capital outlay bonds, the State Board of Education disregard the effects on the gross receipts tax revenues collected during a tax period of a refund resulting from a specified settlement agreement; amending s. 1001.706, F.S.; prohibiting the Board of Governors from establishing and maintaining a foundation, a direct-support organization, or any similar entity; requiring that any funds currently held by the board in a foundation be returned to the donor; prohibiting the board from paying an employee compensation from a foundation, direct-support organization, or similar entity; amending s. 1004.091, F.S.; revising provisions relating to the duties of the Florida Distance Learning Consortium; requiring that the consortium implement a streamlined, automated, online registration process for transient students who are undergraduate students currently enrolled and pursuing a degree at a public postsecondary educational institution; requiring that the consortium work with the Florida College System and the State University System to implement the admissions application process; providing certain requirements for state universities and state colleges; amending s. 1006.72, F.S.; revising provisions relating to the licensing of electronic library resources; requiring that the Chancellor and Vice Chancellor of the Florida College System and the State University System report cost savings resulting from the collaborative licensing process to the Executive Office of the Governor and the chairs of the legislative appropriations committees; amending s. 1007.28, F.S.; revising provisions relating to the computer-assisted student advising system; requiring that the system provide a transient student admissions application process for certain students; creating s. 1009.215, F.S.; authorizing each university, with the approval of the Board of Governors of the State University System, to plan and implement a program for students to enroll for the spring and summer terms rather than the fall terms in order to align student enrollment with available instructional staff and facilities; providing for eligibility for the Bright Futures Scholarship to conform to periods of a student's enrollment; requiring each university that implements the plan to report to the Legislature by a specified date; amending s. 1009.22, F.S.; revising provisions relating to workforce education postsecondary student fees; revising the standard tuition for programs leading to a career certificate or an applied technology diploma; requiring that a block tuition be assessed for residents and nonresidents enrolled in adult general education programs; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; amending s. 1009.23, F.S.; revising provisions relating to community college student fees, including the standard tuition for residents and nonresidents and the out-of-state fee; authorizing each college to assess a transient student fee that does not exceed a specified amount per distance learning course; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program

awards; amending s. 1009.24, F.S.; revising provisions relating to state university student fees; authorizing each university board of trustees to establish a transient student fee that does not exceed a specified amount per distance learning course for processing the transient student admissions application; revising provisions relating to the tuition differential; amending s. 1009.25, F.S.; deleting provisions that exempt students from paying tuition and fees for adult basic, adult secondary, or career preparatory instruction; creating s. 1009.251, F.S.; creating the STEM Scholarship Program; providing a purpose; providing definitions; providing eligibility requirements; providing that funds appropriated by the Legislature in the General Appropriations Act be allocated by the Office of Student Financial Assistance within the Department of Education; providing for the issuance of scholarship awards annually; authorizing the State Board of Education to establish rules; amending s. 1009.286, F.S.; revising provisions relating to a surcharge for hours exceeding baccalaureate degree program completion requirements at state universities; increasing the percentage of the tuition rate that must be paid; amending ss. 1009.55, 1009.56, 1009.57, 1009.60, 1009.68, and 1009.69, F.S.; requiring that the funding for the Rosewood Family Scholarship Program, the Seminole and Miccosukee Indian Scholarships, the Florida Teacher Scholarship and Forgivable Loan Program, the Minority Teacher Education Scholars Program, the Florida Minority Medical Education Program, and the Virgil Hawkins Fellows Assistance Program be as provided in the General Appropriations Act; amending s. 1009.701, F.S.; revising provisions relating to the First Generation Matching Grant Program; requiring that the first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; amending ss. 1009.73 and 1009.74, F.S.; providing that funding for the Mary McLeod Bethune Scholarship Program and the Theodore R. and Vivian M. Johnson Scholarship Program be as provided in the General Appropriations Act; amending s. 1009.77, F.S.; revising provisions relating to the Florida Work Experience Program; requiring that first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; requiring that the funding of the program be provided as in the General Appropriations Act; amending ss. 1009.89 and 1009.891, F.S.; requiring that funding of the William L. Boyd, IV, Florida Resident Access Grant Program and the Access to Better Learning and Education Grant Program be provided as in the General Appropriations Act; amending s. 1011.32, F.S.; providing that state matching funds for the Community College Faculty Enhancement Challenge Grant Program be temporarily suspended for donations made after a specified date; providing that existing donations remain eligible for future matching funds; amending s. 1011.52, F.S.; deleting a provision that requires the Legislature to provide an annual appropriation to the first accredited medical school; amending s. 1011.61, F.S.; revising the definition of the term "full-time equivalent student"; amending s. 1011.80, F.S.; revising provisions relating to funds for the operation of workforce education programs; prohibiting the expenditure of funds for the education of state or federal inmates; prohibiting the reporting of a student who is coenrolled in a K-12 education program and an adult education program for funding purposes; amending s. 1011.81, F.S.; revising provisions relating to the Community College Program Fund to prohibit the expenditure of funds for the education of state or federal inmates; amending s. 1011.85, F.S.; revising provisions relating to the Dr. Philip Benjamin Matching Grant Program for Community Colleges; providing that funds received from community events, festivals, or other such activities are not eligible for state matching funds; providing that state matching funds under the program be temporarily suspended for donations after a specified date; providing that existing donations remain eligible for future matching funds; amending ss. 1011.94 and 1013.79, F.S.; providing that state matching funds for donations to the University Major Gifts Program and the University Facility Enhancement Challenge Grant Program are temporarily suspended; providing that existing donations remain eligible for future matching funds; amending s. 1013.737, F.S.; revising the name of the Class Size Reduction Lottery Revenue Bond Program to the Class Size Reduction and Educational Facilities Lottery Revenue Bond Program; authorizing the issuance of educational facilities bonds; requiring that the Department of Education work with the College Center for Library Automation to transfer the Sunlink bibliographic database for inclusion in CCLA's online discovery tool product for the public to search; requiring that the department also develop an ongoing process to provide for the updating of such data; requiring that the Florida Center for Library Automation and the CCLA develop and submit a plan to the Governor and the Legislature for establishing a single postsecondary education union catalog; requiring that the Task Force for the Future of Academic Libraries in Florida submit a plan to the Governor and Legislature re-

garding the establishment of a joint library technology organizational structure; providing effective dates.

—was referred to the Calendar.

By the Committee on Budget—

SB 2152—A bill to be entitled An act relating to transportation; amending s. 310.002, F.S.; redefining the term “port” to include Port Citrus; amending s. 311.07, F.S.; providing additional funds for 5 years to fund certain projects through the Florida Deepwater Seaport Program; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; amending s. 338.165, F.S.; specifying that certain statutory provisions related to special matters to be considered in rule adoption do not apply to the adjustment of toll rates; transferring control of the Tampa-Hillsborough County Expressway Authority, the Orlando-Orange County Expressway Authority, and the Mid-Bay Bridge Authority systems to the Florida Turnpike Enterprise; transferring all assets, rights, powers, duties, and bond liabilities of the authorities to the turnpike enterprise; transferring all provisions that protect the rights of certain bondholders from the authorities to the turnpike enterprise; providing for the turnpike enterprise to annually transfer funds from the activities of each of the transferred authorities to the State Transportation Trust Fund to repay certain long-term debt; amending s. 338.2215, F.S.; adding certain expressway and bridge systems to the Florida Turnpike Enterprise; amending s. 338.231, F.S.; requiring that the toll rates collected electronically equal the rates for cash collection; amending s. 338.2275, F.S.; increasing the maximum amount of bonds that may be outstanding for approved turnpike projects; repealing s. 338.251, F.S., relating to the Toll Facilities Revolving Trust Fund; transferring all funds in the trust fund and future payments of obligated funds to the Turnpike General Reserve Trust Fund; creating s. 339.2821, F.S.; providing requirements for contracts for transportation projects; providing duties of the Department of Transportation; providing for the transfer of funds; requiring that funds be allocated to each district equitably; authorizing Space Florida to serve as a local government or a contracting agency within spaceport territory; repealing s. 343.805(6), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to the Northwest Florida Transportation Corridor Authority and the Department of Transportation; amending s. 343.835, F.S.; deleting references to lease-purchase agreements; amending s. 343.836, F.S.; deleting references to lease-purchase agreements in remedies to bondholders as they relate to the U.S. 98 Corridor System; repealing s. 343.837, F.S., relating to lease-purchase agreements that provide for the leasing of the U.S. 98 Corridor System to the Department of Transportation; repealing s. 343.885, F.S., relating to the enforceability of pledges by bondholders; repealing s. 343.91(1)(h), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to the Tampa Bay Area Regional Transportation Authority and the Department of Transportation; amending s. 343.94, F.S.; deleting references to lease-purchase agreements; amending s. 343.944, F.S.; deleting references to lease-purchase agreements in remedies to bondholders as they relate to the Tampa Bay Area Regional Transportation Authority; repealing s. 343.945, F.S., relating to the enforceability of pledges to the Tampa Bay Area Regional Transportation Authority; repealing s. 343.946, F.S., relating to lease-purchase agreements that provide for the leasing of projects of the Tampa Bay Area Regional Transportation Authority to the Department of Transportation; repealing s. 348.0002(11), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to expressway authorities and the Department of Transportation; amending s. 348.0004, F.S.; authorizing authorities created pursuant to the Florida Expressway Authority Act to own expressway systems; deleting the power of such authorities to lease such systems; deleting obsolete provisions; amending s. 348.0005, F.S.; deleting a reference to the Department of Transportation to conform to changes made by the act; repealing s. 348.0006, F.S., which provides for lease-purchase agreements in the Florida Expressway Act; repealing part II of ch. 348, F.S., which provides for the creation and operation of the Brevard County Expressway Authority; repealing part III of ch. 348, F.S., which provides for the creation and operation of the Broward County Expressway Authority; repealing part IV of ch. 348, F.S., which provides for the creation and operation of the Tampa-Hillsborough County Expressway Authority; repealing part V of ch. 348, F.S., which provides for the creation and operation of the Orlando-Orange County Expressway Authority; repealing part VI of ch. 348, F.S., which provides for the creation and

operation of the Pasco County Expressway Authority; repealing part VII of ch. 348, F.S., which provides for the creation and operation of the St. Lucie County Expressway and Bridge Authority; repealing part VIII of ch. 348, F.S., which provides for the creation and operation of the Seminole County Expressway Authority; repealing part X of ch. 348, F.S., which provides for the creation and operation of the Southwest Florida Expressway Authority; repealing s. 348.9955, F.S., relating to the power of the Osceola Expressway Authority to enter into lease-purchase agreements with the Department of Transportation; repealing s. 349.02(1)(d), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to the Jacksonville Transportation Authority and the Department of Transportation; amending s. 349.04, F.S.; deleting the authority of the Jacksonville Transportation Authority to enter lease-purchase agreements; amending s. 349.05, F.S.; deleting authorization for lease-purchase agreements in bond agreements of the Jacksonville Transportation Authority; repealing s. 349.07, F.S., relating to lease-purchase agreements that provide for the leasing of the Jacksonville Expressway System to the Department of Transportation; amending s. 349.15, F.S.; deleting certain bond authority of the department; amending s. 374.976, F.S.; including Port Citrus in provisions relating to the authority of inland navigation districts; amending s. 403.021, F.S.; conforming provisions to include Port Citrus in legislative declarations relating to environmental control; amending s. 403.061, F.S.; conforming provisions to include Port Citrus in provisions relating to powers of the Department of Environmental Protection; amending s. 403.813, F.S.; including Port Citrus in provisions relating to permits issued at Department of Environmental Protection district centers; amending s. 403.816, F.S.; including Port Citrus in provisions relating to certain maintenance projects at deepwater ports and beach restoration projects; repealing chapter 2000-411, Laws of Florida, relating to the Mid-Bay Bridge Authority; amending s. 212.08, F.S.; conforming cross-references; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2154—A bill to be entitled An act relating to the Florida Housing Finance Corporation; amending s. 201.15, F.S.; deleting provisions on the distributions of documentary stamp tax revenues to the State Housing Trust Fund and the Local Government Housing Trust Fund; conforming cross-references; amending ss. 420.0003 and 420.0004, F.S.; replacing references to the Department of Community Affairs with Jobs Florida; amending s. 420.0005, F.S.; providing for the deposit of certain moneys into the State Housing Trust Fund within the State Treasury; replacing references to the Secretary of the Department of Community Affairs with the Commissioner of Jobs Florida; subjecting expenditures from the State Housing Fund for administrative and personnel costs to appropriation by the Legislature; providing for the interest received on investments of moneys of the State Housing Fund in excess of the amounts appropriated for the current fiscal year to be credited to the General Revenue Fund; amending ss. 420.101, 420.111, 420.36, 420.424, 420.503, 420.504, and 420.506, F.S.; replacing references to the Department of Community Affairs with Jobs Florida and replacing references to the Secretary of the Department of Community Affairs with the Commissioner of Jobs Florida; amending s. 420.507, F.S.; providing for certain moneys to be deposited into the State Housing Trust Fund; subjecting expenditures of funds to appropriation by the Legislature; deleting provisions exempting the corporation from certain state budgetary requirements; deleting the provision that authorizes the corporation to retain unused operational expenditures; amending s. 420.508, F.S.; providing for the deposit of certain moneys into the State Housing Trust Fund; providing that expenditures from the Florida Housing Finance Corporation Fund are subject to appropriation by the Legislature; amending s. 420.5087, F.S.; conforming a cross-reference; requiring that loan repayments and certain proceeds be accounted for by the corporation and be deposited into the State Housing Trust Fund; deleting a provision that prohibits loan repayments and certain proceeds from reverting to the General Revenue Fund; requiring that expenditures from the State Apartment Incentive Loan Fund be subject to appropriation by the Legislature; authorizing the corporation to seek a budget amendment to use certain funds for construction in fiscal years subsequent to the fiscal years for which the funds were appropriated; requiring the corporation to account for certain funds and to deposit them into the State Housing Trust Fund; requiring the corporation to seek a budget amendment to transfer funds for its loan loss insurance

reserve; amending s. 420.5088, F.S.; revising provisions relating to the Florida Homeownership Assistance Program; requiring the corporation to account for certain monies deposited into the State Housing Trust Fund; subjecting expenditures from the Florida Homeownership Assistance Fund to appropriation by the Legislature; amending s. 420.5089, F.S.; revising provisions relating to the HOME Investment Partnership Program; requiring the corporation to account for certain monies deposited into the State Housing Trust Fund; authorizing the corporation to seek a budget amendment to use certain funds for construction in fiscal years subsequent to the fiscal years for which the funds were appropriated; providing for certain funds to be deposited into the State Housing Trust Fund; amending s. 420.5091, F.S.; revising provisions relating to the HOPE Program; providing for the deposit of certain funds into the State Housing Trust Fund; amending s. 420.5092, F.S.; revising provisions relating to the Florida Affordable Housing Guarantee Program; authorizing certain funds to be used to support the Florida Affordable Housing Guarantee Program; conforming cross-references; amending s. 420.5095, F.S.; replacing a reference to the Department of Community Affairs with Jobs Florida; amending s. 420.525, F.S.; requiring that expenditures from the Housing Predevelopment Fund be subject to appropriation by the Legislature; authorizing the corporation to seek a budget amendment to use certain funds for predevelopment activities in fiscal years subsequent to the fiscal years for which the funds were appropriated; providing for certain monies to be accounted by the corporation and deposited into the State Housing Trust Fund; deleting a provision that prohibits certain funds, loan repayments, proceeds from reverting to the General Revenue Fund; amending ss. 420.526 and 420.529, F.S.; providing for certain monies to be accounted by the corporation and repaid to, or deposited into, the State Housing Trust Fund; amending s. 420.602, F.S.; redefining definitions; amending ss. 420.606, 420.609, 420.622, and 420.631, F.S.; replacing references to the Department of Community Affairs with Jobs Florida and replacing references to the Secretary of the Department of Community Affairs with the Commissioner of Jobs Florida; amending s. 420.9073, F.S.; revising local housing distribution provisions under the State Housing Initiatives Partnership Program; amending s. 420.9079, F.S.; providing for the deposit of certain monies into the Local Government Housing Trust Fund; providing for the interest on certain investments of the Local Government Housing Trust Fund to be credited to the General Revenue Fund; amending s. 201.0205, F.S.; changing the source of funding for certain local housing programs; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2156—A bill to be entitled An act relating to governmental reorganization; transferring the functions and trust funds of the Agency for Workforce Innovation to other agencies; transferring the Office of Early Learning Services to the Department of Education; transferring the Office of Unemployment Compensation to Jobs Florida; transferring the Office of Workforce Services to Jobs Florida; transferring the functions and trust funds of the Department of Community Affairs to other agencies; transferring the Florida Housing Finance Corporation to Jobs Florida; transferring the Division of Housing and Community Development to Jobs Florida; transferring the Division of Community Planning to Jobs Florida; transferring the Division of Emergency Management to the Executive Office of the Governor and renaming it as the “Office of Emergency Management”; transferring the Florida Building Commission to the Department of Business and Professional Regulation; transferring the responsibilities under the Florida Communities Trust to the Department of Environmental Protection; transferring the responsibilities under the Stan Mayfield Working Waterfronts program to the Department of Environmental Protection; transferring functions and trust funds of the Office of Tourism, Trade, and Economic Development in the Executive Office of the Governor to Jobs Florida; providing legislative intent with respect to the transfer of programs and administrative responsibilities; providing for a transition period; providing for coordination between the Agency for Workforce Innovation, the Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development and other state agencies to implement the transition; requiring that the Governor appoint a representative to coordinate the transition plan; requiring that the Governor submit information and obtain waivers as required by federal law; authorizing the Governor to transfer funds and positions between agencies upon approval from the Legislative Budget Commission to implement the act;

directing the nonprofit entities to enter into a plan for merger; transferring the functions of Space Florida to the Jobs Florida Partnership, Inc.; providing legislative intent with respect to the merger of Enterprise Florida, Inc., the Florida Sports Foundation Incorporated, the Florida Tourism Industry Marketing Corporation d/b/a VISIT Florida, and the Florida Black Business Investment Board, Inc., into and the transfer of Space Florida to the Jobs Florida Partnership, Inc.; providing for a transition period; requiring that the Governor appoint a representative to coordinate the transition plan; providing for the transfer of any funds held in trust by the entities to be transferred to the Jobs Florida Partnership, Inc., to be used for their original purposes; requiring that the Governor submit information and obtain waivers as required by federal law; providing a directive to the Division of Statutory Revision to prepare conforming legislation; creating s. 14.2016, F.S.; establishing the Office of Emergency Management as a separate budget entity within the Executive Office of the Governor; providing for the director of the office to serve at the pleasure of the Governor; amending s. 20.15, F.S.; establishing the Division of Early Learning within the Department of Education; providing for the office to administer the school readiness system and the Voluntary Prekindergarten Education Program; creating s. 20.60, F.S.; creating Jobs Florida as a new department of state government; providing for the commissioner of Jobs Florida to be appointed by the Governor and confirmed by the Senate; establishing divisions of Jobs Florida and specifying their responsibilities; providing for Jobs Florida to serve as the designated agency for the purposes of federal workforce development grants; authorizing Jobs Florida to contract for training for employees of administrative entities and case managers of contracted providers; specifying that the Unemployment Appeals Commission is not subject to control, supervision, or direction from Jobs Florida; specifying the responsibilities of the commissioner of Jobs Florida; limiting the amount of the commissioner’s public remuneration; specifying powers and responsibilities of the Chief Inspector General in the Executive Office of the Governor with respect to Jobs Florida; providing for Jobs Florida to have an official seal; providing for Jobs Florida to administer the role of state government with respect to laws relating to housing; authorizing Jobs Florida to adopt rules; amending s. 112.044, F.S.; requiring an employer, employment agency, and labor organization to post notices required by the United States Department of Labor and the United States Equal Employment Opportunity Commission; amending s. 163.3164, F.S.; redefining the terms “state land planning agency” and “optional sector plans”; amending ss. 163.3177 and 163.3180, F.S.; deleting the word “optional” from the phrase “optional sector plans” to conform to changes made by the act; amending s. 163.3184, F.S.; creating exceptions to requirements for comprehensive plan amendments to be reviewed by the state land planning agency; requiring the state land planning agency to submit a copy of a comprehensive plan or plan amendment that relates to or includes a public schools facilities element to the Department of Education; amending s. 163.3191, F.S.; creating exceptions to requirements for a local government to prepare an evaluation and appraisal report to assess progress in implementing the local government’s comprehensive plan; deleting requirements for a local government to include in an evaluation and appraisal report certain statements to update a comprehensive plan; deleting a requirement for a local government to provide a proposed evaluation and appraisal report to certain entities and interested citizens; deleting provisions relating to a requirement for a local government to adopt an evaluation and appraisal report; providing for the report to be submitted as data and analysis in support of the amendments based on evaluation and appraisal report; deleting provisions relating to the delegation of the review of evaluation and appraisal reports; authorizing the state land planning agency to establish a phased schedule for adoption of amendments based on an evaluation and appraisal report; deleting a requirement for the state land planning agency to review the evaluation and appraisal report process and submit a report to the Governor and the Legislature regarding its findings; amending s. 163.3245, F.S.; renaming optional sector plans as sector plans; increasing the minimum size of geographic areas that qualify for the use of sector plans; revising terminology relating to such plans; deleting obsolete provisions; renaming long-term conceptual buildout overlays as long-term master plans; revising the content required to be included in long-term master plans and detailed specified area plans; requiring identification of water development projects and transportation facilities to serve future development needs; exempting certain developments from the requirement to develop a detailed specific area plan; providing that detailed specific area plans shall be adopted by local development orders; requiring that detailed specific area plans include a buildout date and precluding certain changes in the development until after that date;

authorizing certain development agreements between the developer and the local government; providing for continuation of certain existing land uses; amending s. 163.3246, F.S.; deleting the word "optional" from the phrase "optional sector plans" to conform to changes made by the act; amending s. 163.32465, F.S.; making the alternative state review of comprehensive plan amendments applicable statewide; amending s. 215.559, F.S.; providing for the Hurricane Loss Mitigation Program to be housed within the Office of Emergency Management; extending the repeal date of the program; deleting an obsolete provision relating to the use of funds for programs to retrofit certain existing hurricane shelters; creating s. 288.005, F.S.; defining the terms "economic benefits" and "commissioner"; creating s. 288.048, F.S.; creating the incumbent worker training program within Jobs Florida; providing for the program to provide preapproved, direct, training-related costs; providing for the administration of the program by Jobs Florida in conjunction with Workforce Florida, Inc.; amending s. 288.061, F.S.; providing for Jobs Florida and the Jobs Florida Partnership, Inc., to review applications for state economic development incentives; authorizing Jobs Florida to enter into an agreement with an applicant relating to all incentives offered by the state; amending s. 288.095, F.S.; providing for the Economic Development Incentives account to be used for certain economic development incentives programs; providing for Jobs Florida to approve applications for certification or requests for participation in certain economic development programs; amending s. 288.1081, F.S.; providing for the Economic Gardening Business Loan Pilot Program to be administered by Jobs Florida; deleting provisions providing for certain funds to be deposited into the General Revenue Fund; deleting provisions that provide for the future repeal of the program; amending s. 288.1082, F.S.; providing for the Economic Gardening Technical Assistance Pilot Program to be administered by Jobs Florida; requesting the Division of Statutory Revision to rename part VII of ch. 288, F.S., as "Jobs Florida Partnership, Inc."; amending s. 288.901, F.S.; creating the Jobs Florida Partnership, Inc., as a nonprofit corporation; specifying that the partnership is subject to the provisions of chs. 119 and 286, F.S.; specifying that the partnership's board of directors is subject to certain requirements in ch. 112, F.S.; specifying the purposes of the partnership; creating the board of directors for the partnership; naming the Governor as chair of the board of directors; specifying appointment procedures, terms of office, selecting a vice chairperson, filling vacancies, and removing board members; providing for the appointment of at-large members to the board of directors; specifying terms; allowing the at-large members to make contributions to the partnership; specifying that the commissioner of Jobs Florida and the chairs of the advisory councils for each division shall serve as ex officio, nonvoting members of the board of directors; specifying that members of the board of directors shall serve without compensation, but are entitled to reimbursement for all reasonable, necessary, and actual expenses as determined by the board of directors; amending s. 288.9015, F.S.; specifying the powers of the partnership and the board of directors; authorizing liberal construction of the partnership's statutory powers; prohibiting the partnership from pledging the full faith and credit of the state; allowing the partnership to indemnify, purchase, and maintain insurance on its board members, officers, and employees; amending s. 288.903, F.S.; specifying the duties of the partnership; amending s. 288.904, F.S.; providing for legislative appropriations; requiring a private match equal to at least 35 percent of the appropriation of public funds; specifying potential sources of private funding; directing the board of directors to develop annual budgets; providing for the partnership to enter into an agreement with Jobs Florida; requiring performance measures; requiring review of the partnership's activities as a return on the public's financial investment; directing the partnership to consult with the Office of Economic and Demographic Research when hiring an economic analysis firm to prepare the return on investment analysis and when hiring a survey research firm to develop, analyze and report on the results of its customer satisfaction survey; amending s. 288.905, F.S.; directing the partnership's board of directors to hire a president, who shall serve at the pleasure of the Governor; defining the president's role and responsibilities; specifying that no employee of the partnership shall earn more than the Governor, but provides for the granting of performance-based incentive payments to employees that may increase their total compensation in excess of the Governor's; amending s. 288.906, F.S.; requiring the partnership to prepare an annual report by December 1 of each year; specifying the content of the annual report; creating s. 288.907, F.S.; requiring the partnership to create an annual incentives report; specifying the required components of the report; amending s. 288.911, F.S.; requiring the partnership to promote and market this state to businesses in target industries and high-impact industries; creating s. 288.912, F.S.;

requiring that certain counties and municipalities annually provide to the partnership an overview of certain local economic development activities; creating s. 288.92, F.S.; specifying divisions within the partnership; providing for hiring of staff; requiring each division to have a 15-member advisory council; specifying selection and appointments to the advisory council; creating s. 288.921, F.S.; creating the Division of International Trade and Business Development; specifying its responsibilities; providing for administration of a grant program; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.922, F.S.; creating the Division of Business Retention and Recruitment; specifying its responsibilities; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.923, F.S.; creating the Division of Tourism Marketing; providing definitions; specifying the division's responsibilities and duties, including a 4-year marketing plan; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.925, F.S.; creating the Division of Minority Business Development; specifying the division's responsibilities and duties; requiring an annual report; specifying minimum responsibilities of the advisory council; transferring, renumbering, and amending s. 288.1229, F.S.; creating the Division of Sports Industry Development; specifying the division's responsibilities; requiring an annual report; specifying minimum responsibilities of the advisory board; advisory board; amending s. 290.0055, F.S.; authorizing certain governing bodies to apply to Jobs Florida to amend the boundary of an enterprise zone that includes a rural area of critical economic concern; providing a limitation; authorizing Jobs Florida to approve the amendment application subject to certain requirements; requiring that Jobs Florida establish the effective date of certain enterprise zones; creating s. 290.00726, F.S.; authorizing Martin County to apply to Jobs Florida for designation of an enterprise zone; providing application requirements; authorizing Jobs Florida to designate an enterprise zone in Martin County; providing responsibilities of Jobs Florida; amending s. 409.942, F.S.; deleting amending s. 409.942, F.S.; deleting requirements that Workforce Florida, Inc., establish an electronic transfer benefit program; amending s. 411.0102, F.S.; requiring each participating early learning coalition board to develop a plan for the use of child care purchasing pool funds; amending s. 1002.73, F.S.; requiring the Department of Education to administer the operational requirements of the Voluntary Prekindergarten Education Program; requiring the Department of Education to adopt procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts; requiring the Department of Education to adopt procedures for the distribution of funds to early learning coalitions; amending ss. 11.45, 14.20195, 15.18, 15.182, 16.615, 39.001, 45.031, 69.041, 112.3135, 119.071, 120.80, 125.01045, 159.803, 159.8081, 159.8083, 161.54, 163.03, 163.3178, 163.3221, 163.360, 166.0446, 175.021, 186.504, 186.505, 202.037, 212.08, 212.096, 212.097, 212.098, 212.20, 213.053, 215.5586, 216.136, 216.292, 216.231, 218.64, 220.03, 220.183, 220.191, 222.15, 250.06, 252.32, 252.34, 252.35, 252.355, 252.3568, 252.36, 252.365, 252.37, 252.371, 252.373, 252.38, 252.385, 252.40, 252.41, 252.42, 252.43, 252.44, 252.46, 252.55, 252.60, 252.61, 252.82, 252.83, 252.85, 252.86, 252.87, 252.88, 252.936, 252.937, 252.943, 252.946, 255.099, 259.035, 260.0142, 272.11, 282.34, 282.709, 287.09431, 287.09451, 287.0947, 288.012, 288.017, 288.018, 288.019, 288.021, 288.035, 288.047, 288.065, 288.0655, 288.0656, 288.06571, 288.0657, 288.0658, 288.0659, 288.075, 288.1045, 288.106, 288.107, 288.108, 288.1083, 288.1088, 288.1089, 288.1095, 288.1162, 288.11621, 288.1168, 288.1169, 288.1171, 288.122, 288.12265, 288.124, 288.1251, 288.1252, 288.1253, 288.1254, 288.386, 288.7011, 288.7015, 288.705, 288.706, 288.7094, 288.7102, 288.714, 288.773, 288.774, 288.776, 288.7771, 288.816, 288.809, 288.826, 288.95155, 288.955, 288.9519, 288.9520, 288.9603, 288.9604, 288.9605, 288.9606, 288.9614, 288.9624, 288.9625, 288.975, 288.980, 288.984, 288.9913, 288.9914, 288.9916, 288.9917, 288.9918, 288.9919, 288.9920, 288.9921, 290.004, 290.0055, 290.0056, 290.0065, 290.0066, 290.00710, 290.0072, 290.00725, 290.0073, 290.0074, 290.0077, 290.014, 311.09, 311.11, 311.115, 311.22, 320.08058, 331.302, 331.3081, 331.369, 339.08, 339.135, 364.0135, 377.703, 377.711, 377.712, 377.804, 380.031, 380.06, 380.115, 380.285, 381.0054, 381.0086, 381.7354, 381.855, 383.14, 402.281, 402.45, 402.56, 403.42, 403.7032, 403.973, 409.017, 409.1451, 409.2576, 409.944, 409.946, 411.01, 411.0101, 411.01013, 411.01014, 411.01015, 411.0103, 411.0104, 411.0106, 411.011, 411.226, 411.227, 414.24, 414.40, 414.295, 414.411, 420.631, 420.635, 429.907, 440.12, 440.15, 440.381, 440.385, 440.49, 443.012, 443.036, 443.041, 443.051, 443.071, 443.091, 443.101, 443.111, 443.1113, 443.1115, 443.1116, 443.1215, 443.1216, 443.1217, 443.131, 443.1312, 443.1313, 443.1315, 443.1316, 443.1317, 443.141, 443.151, 443.163, 443.171, 443.1715,

443.181, 443.191, 443.211, 443.221, 445.002, 445.003, 445.004, 445.006, 445.007, 445.009, 445.016, 445.024, 445.0325, 445.038, 445.045, 445.048, 445.049, 445.051, 445.056, 446.41, 446.44, 446.50, 446.52, 448.109, 448.110, 450.161, 450.191, 450.31, 464.203, 468.529, 469.002, 469.003, 489.1455, 489.5335, 526.143, 526.144, 551.104, 553.62, 570.248, 570.96, 597.006, 624.5105, 625.3255, 627.0628, 657.042, 658.67, 768.13, 943.03, 943.03101, 943.0311, 943.0312, 943.0313, 944.012, 944.708, 944.801, 945.10, 985.601, 1002.375, 1002.53, 1002.55, 1002.61, 1002.63, 1002.67, 1002.69, 1002.71, 1002.72, 1002.77, 1002.79, 1003.491, 1003.492, 1003.493, 1003.575, 1003.4285, 1003.493, 1004.226, 1004.65, 1004.77, 1004.78, 1008.39, 1008.41, 1011.76, and 1012.2251, F.S.; conforming provisions to changes made by the act; conforming cross-references; deleting obsolete provisions; transferring, renumbering, and amending ss. 20.505 and 1004.99, F.S.; conforming provisions to changes made by the act; repealing s. 14.2015, F.S., which relates to the creation of the Office of Tourism, Trade, and Economic Development; repealing s. 20.18, F.S., which relates to the creation of the Department of Community Affairs; repealing s. 20.50, F.S., which relates to the creation of the Agency for Workforce Innovation; repealing ss. 255.551, 255.552, 255.553, 255.5535, 255.555, 255.556, 255.557, 255.5576, 255.558, 255.559, 255.56, 255.561, 255.562, and 255.563, F.S., which relates to the abatement of asbestos in state buildings; repealing s. 287.115, F.S., which relates to a requirement for the Chief Financial Officer to submit a report on contractual service contracts disallowed; repealing s. 288.038, F.S., which relates to agreements appointing county tax collectors as an agent of the Department of Labor and Employment Security for licenses and other similar registrations; repealing s. 288.063, F.S., which relates to contracts for transportation projects with the Office of Tourism, Trade, and Economic Development; repealing ss. 288.1221, 288.1222, 288.1223, 288.1224, 288.1226, and 288.1227, F.S., which relate to the Florida Commission on Tourism and the Florida Tourism Industry Marketing Corporation; repealing ss. 288.7065, 288.707, 288.708, 288.709, 288.7091, and 288.712, F.S., which relate to the Black Business Investment Board; repealing s. 288.12295, F.S., which relates to a public records exemption for donors for a direct support organization on promotion and development of sports-related industries and amateur athletics; repealing s. 288.90151, F.S., which relates to Return on investment from activities of Enterprise Florida, Inc.; repealing s. 288.9415, F.S., which relates to Enterprise Florida, Inc., and international trade grants; repealing s. 288.9618, F.S., which relates to an economic development program for microenterprises; repealing s. 288.982, F.S., which relates to a public records exemption for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 411.0105, F.S., which designates the Agency for Workforce Innovation as the lead agency to administer specified federal laws; repealing s. 446.60, F.S., which relates to assistance for displaced local exchange telecommunications company workers; repealing s. 1002.75, F.S., relating to the powers and duties of the Agency for Workforce Innovation; providing an effective date.

—was referred to the Calendar.

SB 2158—Not used.

By the Committee on Budget—

SB 2160—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 20.23, F.S.; creating motor carrier weight inspection as an area of program responsibility within the Department of Transportation, which replaces motor carrier compliance; amending s. 20.24, F.S.; revising the divisions within the Department of Highway Safety and Motor Vehicles; creating the Office of Motor Carrier Compliance of the Division of the Florida Highway Patrol within the Department of Highway Safety and Motor Vehicles; amending ss. 110.205, 311.115, 316.302, 316.3025, 316.3026, 316.516, 316.545, 316.640, 320.18, and 321.05, F.S.; conforming provisions to changes made by the act; amending s. 288.816, F.S.; requiring the department rather than the Division of Motor Vehicles to issue special motor vehicle license plates; amending s. 311.121, F.S.; providing for a representative of the department rather than the Division of Driver Licenses to be appointed to the Seaport Security Officer Qualification, Training, and Standards Coordinating Council; amending s. 316.066, F.S.; revising circumstances under which a law enforcement officer is required to submit to the department a Florida Traffic Crash Report, Long Form; providing for the use of driver exchange-of-information

forms under certain circumstances; eliminating provisions authorizing counties to establish certified central traffic records centers, including provisions authorizing the funding of such centers; deleting restrictions on the commercial use of crash reports; amending s. 316.1957, F.S.; requiring that motor vehicle records be maintained by the department; amending s. 316.613, F.S.; requiring the department rather than the Division of Motor Vehicles to provide notice of the requirements for child restraint devices; amending s. 318.15, F.S.; providing for the department rather than the Division of Driver Licenses to administer certain provisions governing the suspension of a person's driver's license and privilege to drive; amending s. 320.05, F.S.; providing for a Division of Motorist Services Procedures Manual; clarifying that the creation and maintenance of records by the division is not a law enforcement function; amending s. 320.275, F.S.; providing for a representative of the department rather than the Division of Motor Vehicles to be appointed to the Automobile Dealers Industry Advisory Board; amending s. 321.23, F.S.; specifying the fee to be charged for a copy of a uniform traffic citation; providing for a portion of the fees for crash reports to be distributed to the investigating agency under certain circumstances; authorizing the Department of Highway Safety and Motor Vehicles to scan the records of crash reports, which shall be considered original copies; amending s. 322.02, F.S.; providing for the Division of Motorist Services to administer ch. 322, F.S., relating to driver's licenses; amending s. 322.135, F.S.; providing duties of the tax collectors with respect to driver's license services; directing the tax collectors who are constitutional officers to assume all driver's license issuance services by a certain date and according to a specified schedule; deleting obsolete provisions; authorizing the department to adopt rules creating exceptions for counties that are unable to provide full driver's license services; providing for interlocal agreements to provide such services; amending s. 322.20, F.S.; providing for the department and the Division of Motorist Services to maintain certain records; amending s. 322.202, F.S.; clarifying that the Division of Motorist Services is not a law enforcement agency and is not an adjunct of any law enforcement agency; amending s. 322.21, F.S.; requiring that a portion of the fees charged for the replacement of a driver's license or identification card be used to support motorist services activities; requiring that such fees be retained by the tax collectors who issue driver's licenses following the transition of the driver's license issuance services to the constitutional tax collectors; providing for the Division of Motorist Services to collect fees and issue driver's licenses and identification cards and account for all license funds in the administration of ch. 322, F.S.; repealing s. 334.044(32), F.S., relating to the authorization of the Office of Motor Carrier Compliance within the Department of Transportation to employ sworn law enforcement officers to enforce traffic and criminal laws in this state; amending s. 413.012, F.S., relating to certain confidential records; conforming a reference to changes made by the act; amending s. 921.0022, F.S.; conforming a cross-reference; creating the Law Enforcement Consolidation Task Force; providing for membership; requiring the Department of Highway Safety and Motor Vehicles to provide administrative assistance to the task force; requiring the agency that is represented by a member of the task force to bear the travel expenses incurred by the member; requiring the task force to evaluate the duplication of law enforcement functions and to identify possible consolidation; requiring the task force to evaluate administrative functions; requiring the task force to evaluate whether to limit the jurisdiction of the Florida Highway Patrol; requiring the task force to make recommendations and submit a report to the Legislature by a certain date; providing for future expiration; transferring the Office of Motor Carrier Compliance of the Department of Transportation to the Division of the Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles; authorizing the Executive Office of the Governor to transfer funds and positions between agencies; providing an effective date.

—was referred to the Calendar.

By the Committee on Budget—

SB 2162—A bill to be entitled An act relating to trust funds; creating the Welfare Transition Trust Fund within the Department of Education; providing for sources of funds and purposes; providing for the annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Calendar.

BILLS REFERRED TO SUBCOMMITTEE

April 1, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Finance and Tax which will report to this standing committee within 60 days: SB 376, SB 468, CS for SB 582, SB 1210, CS for SB 1594, CS for SB 1816, SB 2042, and SB 2044.

Senator JD Alexander, Chair
Committee on Budget

April 1, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Budget Subcommittee on Health and Human Services Appropriations which will report to this standing committee within 60 days: CS for SB 1972.

Senator JD Alexander, Chair
Committee on Budget

April 4, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Rules Subcommittee on Ethics and Elections which will report to this standing committee within 60 days: SB 1564.

Senator John Thrasher, Chair
Committee on Rules

COMMITTEE SUBSTITUTES**FIRST READING**

By the Committee on Rules; and Senator Dean—

CS for SB 34—A bill to be entitled An act for the relief of Angela Isham by the City of Ft. Lauderdale; providing for an appropriation to compensate Angela Isham, individually, and as co-personal representative of the Estate of David Isham, deceased, for the death of Mr. Isham, which was due to the negligence of employees of the City of Ft. Lauderdale; providing a limitation on the payment of fees and costs; providing an effective date.

By the Committee on Rules; and Senator Haridopolos—

CS for SB 46—A bill to be entitled An act for the relief of William Dillon, who was wrongfully incarcerated for 27 years and exonerated by a court after DNA testing; providing an appropriation to compensate Mr. Dillon for his wrongful incarceration; directing the Chief Financial Officer to draw a warrant for the purchase of an annuity; providing for a waiver of certain tuition and fees; providing conditions for payment; providing that the act does not waive certain defenses or increase the state's liability; providing a limitation on the payment of fees and costs; providing that certain benefits are void upon a finding that Mr. Dillon is not innocent of the alleged crime; providing an effective date.

By the Committee on Rules; and Senator Negron—

CS for SB 70—A bill to be entitled An act for the relief of Carl Abbott by the Palm Beach County School Board; providing for an appropriation to compensate Carl Abbott for injuries sustained as a result of the negligence of the Palm Beach County School District; providing a limitation on the payment of fees and costs; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senators Dockery, Latvala, Negron, Detert, Fasano, Joyner, Hill, Rich, Jones, and Bullard—

CS for SB 86—A bill to be entitled An act relating to voting conflicts; providing a short title; creating s. 112.3142, F.S., pertaining to qualified

blind trusts; providing legislative findings and intent relating to qualified blind trusts; defining terms; providing that if a covered public official holds an economic interest in a qualified blind trust, he or she does not have a conflict of interest that would otherwise be prohibited by law; prohibiting a covered public official from attempting to influence or exercise any control over decisions regarding the management of assets in a qualified blind trust; prohibiting direct or indirect communication between the covered public official or any person having a beneficial interest in the qualified blind trust and the trustee; providing exemptions; requiring a covered public official to report as an asset on his or her financial disclosure forms the beneficial interest, and its value if required, which he or she has in a qualified blind trust; specifying the required elements necessary to establish a qualified blind trust; specifying the required elements necessary to be a trustee; specifying the required elements in the trust agreement; providing that the trust is not effective unless it is approved by the Commission on Ethics; requiring that the trustee and the official observe the obligations of the trust agreement; providing that the trust contains only readily marketable assets; requiring that the trust agreement be filed with the commission within a specified time; providing for the filing of an amendment to a financial disclosure statement of a covered public official in specified circumstances; amending s. 112.3143, F.S.; providing an exception to provisions relating to voting conflicts, to conform to changes made by the act; creating s. 112.31435, F.S.; providing definitions; prohibiting a member of the Legislature from voting upon or participating in any legislation inuring to the personal gain or loss of the member or his or her relative; prohibiting a member of the Legislature from participating in any legislation inuring to the personal gain or loss of a business associate, employer, board on which the member sits, principal by whom the member is retained, or parent corporation or subsidiary of such principal; requiring that a member disclose all such interests to the applicable legislative body or committee before such legislation is considered; requiring that the member disclose the specific nature of any such interests within a specified period after the date on which a vote on the legislation occurs; requiring that such disclosure be made by written memorandum and filed with the Secretary of the Senate or the Clerk of the House of Representatives; requiring that the memorandum be recorded in the journal of the house of which the legislator is a member; requiring that a member of the Legislature vote on the annual General Appropriations Act and disclose any conflict that he or she may have with a line-item appropriation contained in that act; amending s. 112.324, F.S.; providing procedures for investigations of complaints filed with the commission; providing an effective date.

By the Committees on Judiciary; and Community Affairs; and Senators Gaetz and Storms—

CS for CS for SB 88—A bill to be entitled An act relating to public employee compensation; amending s. 215.425, F.S.; revising provisions relating to the prohibition against the payment of extra compensation; providing for bonuses; specifying the conditions for paying bonuses; prohibiting provisions in contracts that provide for severance pay; allowing for severance pay under specified circumstances; defining the term "severance pay"; prohibiting a contract provision that provides for extra compensation to limit the ability to discuss the contract; amending s. 166.021, F.S.; deleting a provision that allows a municipality to pay extra compensation; amending s. 112.061, F.S.; conforming cross-references; repealing s. 125.01(1)(bb), F.S., relating to the power of a local government to pay extra compensation; repealing s. 373.0795, F.S., relating to a prohibition against severance pay for officers or employees of water management districts; providing an effective date.

By the Committee on Community Affairs; and Senators Fasano and Evers—

CS for SB 196—A bill to be entitled An act relating to Choose Life license plates; amending s. 320.08058, F.S.; providing for the annual use fees to be distributed to Choose Life, Inc., rather than the counties; providing for Choose Life, Inc., to redistribute a portion of such funds to nongovernmental, not-for-profit agencies that assist certain pregnant women; authorizing Choose Life, Inc., to use a portion of the funds to administer and promote the Choose Life license plate program; providing an effective date.

By the Committee on Transportation; and Senator Lynn—

CS for SB 274—A bill to be entitled An act relating to road and bridge designations; designating Veterans Memorial Highway in Putnam County; designating the Duval County Law Enforcement Memorial Overpass in Duval County; designating SP4 Thomas Berry Corbin Memorial Highway and U.S. Navy BMC Samuel Calhoun Chavous, Jr., Memorial Highway in Dixie County; designating Marine Lance Corporal Brian R. Buesing Memorial Highway, United States Army Sergeant Karl A. Campbell Memorial Highway, and U.S. Army SPC James A. Page Memorial Highway in Levy County; designating Mardi Gras Way and West Park Boulevard in Broward County; designating Deputy Hal P. Croft and Deputy Ronald Jackson Memorial Highway in Union County; designating Deputy Jack A. Romeis Road in Alachua County; designating Senator Javier D. Souto Way in Miami-Dade County; designating Nona and Papa Road in St. Johns County; designating Walter Francis Spence Parkway in Okaloosa County; designating Beaches and Rivers Parkway in Santa Rosa County; amending ss. 24 and 45 of chapter 2010-230, Laws of Florida; revising the designations for Miss Lillie Williams Boulevard and Father Gerard Jean-Juste Street in Miami-Dade County; designating Corporal Michael J. Roberts Parkway in Hillsborough County; designating the Florida Highway Patrol Trooper Sgt. Nicholas G. Sottile Memorial in Highlands County; designating Hugh Anderson Boulevard in Miami-Dade County; directing the Department of Transportation to erect suitable markers; providing an effective date.

By the Committee on Judiciary; and Senator Siplin—

CS for SB 318—A bill to be entitled An act relating to postsecondary student fees; creating s. 1009.215, F.S.; providing an exemption from payment of nonresident tuition at a state university or a Florida College System institution for a student who meets specified requirements; requiring the Board of Governors of the State University System to adopt regulations and the State Board of Education to adopt rules; providing an effective date.

By the Committee on Rules; and Senator Flores—

CS for SB 324—A bill to be entitled An act for the relief of James D. Feurtado, III, by Miami-Dade County; providing for an appropriation to compensate him for injuries he sustained as a result of the negligence of an employee of Miami-Dade County; providing a limitation on the payment of fees and costs; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Negrón—

CS for SB 512—A bill to be entitled An act relating to vessels; amending s. 327.33, F.S.; revising penalty provisions for the violation of navigation rules; providing that a violation resulting in serious bodily injury or death is a second-degree misdemeanor; providing that a violation that does not constitute reckless operation of a vessel is a non-criminal violation; amending s. 327.73, F.S.; providing for increased penalties for certain noncriminal violations of navigation rules; deleting a duplicate provision; reenacting and amending s. 327.72, F.S., relating to penalties, to incorporate the amendment made to s. 327.73, in a reference thereto; correcting a cross-reference; reenacting s. 327.731(1), F.S., relating to mandatory education for violators, to incorporate the amendment made to s. 327.73, F.S., in a reference thereto; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Children, Families, and Elder Affairs; and Senator Garcia—

CS for CS for SB 516—A bill to be entitled An act relating to autism; creating the Autism Spectrum Disorder Study Committee to study autism spectrum disorder in families in which English is the second language; providing for membership, meetings, and duties; prohibiting committee members from receiving compensation for their services; authorizing certain funding for publications, subject to approval of the State Surgeon General; requiring a report to the Governor and Legis-

lature; providing for expiration of the committee; providing an effective date.

By the Committee on Transportation; and Senator Wise—

CS for SB 560—A bill to be entitled An act relating to the sale of advertising; creating the “John Anthony Wilson Bicycle Safety Act”; creating s. 260.0144, F.S.; providing for the Department of Environmental Protection to enter into concession agreements for naming rights of state greenway and trail facilities or property or commercial advertising to be displayed on state greenway and trail facilities or property; providing for distribution of proceeds from such concession agreements; providing an effective date.

By the Committee on Community Affairs; and Senator Oelrich—

CS for SB 580—A bill to be entitled An act relating to residential building permits; amending s. 553.79, F.S.; prohibiting local enforcement agencies and building code officials or entities from requiring certain inspections of buildings, structures, or real property as a condition of issuance of certain residential building permits; providing certain exceptions to the application of the act; providing for expiration of the act following an amendment to the Florida Building Code by the Florida Building Commission which incorporates the provisions of the act; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Regulated Industries; and Senator Ring—

CS for CS for SB 666—A bill to be entitled An act relating to governmental reorganization; transferring and reassigning certain functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources, from the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to the Department of Gaming Control; transferring certain trust funds from the Department of Business and Professional Regulation to the Department of Gaming Control; amending s. 11.905, F.S.; providing for the review of the Department of Gaming Control; amending s. 20.165, F.S.; deleting the Division of Pari-mutuel Wagering within the Department of Business and Professional Regulation; creating s. 20.318, F.S.; establishing the Department of Gaming Control; designating the Governor and Cabinet as the Gaming Commission and head of the department; defining terms; specifying powers and duties of the department; authorizing the department to take testimony; authorizing the department to exclude persons from certain gaming establishments; authorizing the department to conduct investigations and collect fines; requiring the department to issue advisory opinions under certain circumstances; authorizing the department to employ law enforcement officers; directing the department to contract with the Department of Revenue for tax collection and financial audit services; authorizing the Department of Revenue to assist in financial investigations of licensees and applicants for licenses; requiring the department to assist the Department of Revenue for the benefit of financially dependent children; amending s. 120.80, F.S.; deleting certain exceptions and special requirements regarding hearings applicable to the Department of Business and Professional Regulation; creating certain exceptions and special requirements regarding hearings within the Department of Gaming Control; amending s. 212.12, F.S.; revising the information that must be shown on a return for the operation of coin-operated amusement machines; requiring the Department of Revenue to report certain information relating to coin-operated amusement machines to the Department of Gaming Control; amending s. 285.710, F.S.; providing that the Department of Gaming Control is the state compliance agency for purposes of the Indian Gaming Compact; amending s. 455.116, F.S.; removing a trust fund from the Department of Business and Professional Regulation; amending ss. 550.002, 550.0115, 550.01215, 550.0235, 550.0251, 550.0351, 550.054, 550.0555, 550.0651, 550.0745, 550.0951, 550.09511, 550.09512, 550.09514, 550.09515, 550.105, 550.1155, 550.125, 550.135, 550.155, 550.1648, 550.175, 550.1815, 550.24055, 550.2415, 550.2614, 550.26165, 550.2625, 550.26352, 550.2704, 550.334, 550.3345, 550.3355, 550.3551, 550.3615, 550.375, 550.495, 550.505, 550.5251, 550.625, 550.6305, 550.6308, 550.70, 550.902, and 550.907, F.S.; conforming provisions to the transfer

of the regulation of pari-mutuel wagering from the Department of Business and Professional Regulation to the Department of Gaming Control; deleting obsolete provisions; conforming cross-references; amending ss. 551.102, 551.103, 551.104, 551.1045, 551.105, 551.106, 551.107, 551.108, 551.109, 551.112, 551.114, 551.117, 551.118, 551.121, 551.122, and 551.123, F.S.; conforming provisions to the transfer of the regulation of slot machines from the Department of Business and Professional Regulation to the Department of Gaming Control; deleting obsolete provisions; conforming cross-references; amending s. 565.02, F.S.; providing for the licensure of caterers at a horse or dog racetrack or jai alai fronton by the Department of Gaming Control; amending s. 616.09, F.S.; providing for the Department of Gaming Control or the Department of Legal Affairs, to prosecute a fair association for illegal gambling activities; amending s. 616.241, F.S.; adding the Department of Gaming Control to the list of entities authorized to enforce the prohibitions against having certain games at interstate fairs and specialized shows; amending s. 817.37, F.S.; providing for the enforcement of prohibitions against touting by the Department of Gaming Control; amending s. 849.086, F.S.; providing for the regulation of cardrooms by the Department of Gaming Control; amending s. 849.0915, F.S.; adding the Department of Gaming Control to the group of entities authorized to seek an injunction against a person who is engaged in referral selling; amending s. 849.094, F.S.; providing for the regulation of game promotions by the Department of Gaming Control, rather than the Department of Agriculture and Consumer Services; deleting a reference to charitable nonprofit organizations; deleting a reference to the Department of Business and Professional Regulation to conform to changes made by the act; amending s. 849.12, F.S.; adding the Department of Gaming Control to the group of entities authorized to recover moneys and other items used in illegal gambling activities; creating s. 849.48, F.S.; requiring that a person or entity seeking to operate a gambling business, to allow gambling on the person's or entity's premises, or to lease, manufacture, or distribute gambling devices apply for licensure from the Department of Gaming Control; providing for the application to be made on a form adopted by rule of the Department of Gaming Control; specifying the maximum annual licensure fee; providing for the deposit of the fees into a certain trust fund; providing for a fine if the licensee does not renew the license by a certain date each year; prohibiting the department from granting an exemption from the license fees; requiring the Department of Gaming Control to work with the Department of Law Enforcement to conduct background investigations of applicants for a license; providing for a minimum age for the license; specifying grounds for the Department of Gaming Control to revoke or deny a license; providing that the license is valid only for the person in whose name the license is issued and for the place designated in the license; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Ring—

CS for SB 668—A bill to be entitled An act relating to trust funds; creating the Florida Gaming Trust Fund within the Department of Gaming Control; providing the funding sources and purpose of the trust fund; requiring funds to remain in the trust fund at the end of each fiscal year; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

By the Committee on Criminal Justice; and Senator Altman—

CS for SB 746—A bill to be entitled An act relating to open house parties; amending s. 856.015, F.S.; providing that a person who violates the open house party statute a second or subsequent time commits a misdemeanor of the first degree; providing that a person commits a misdemeanor of the first degree if the violation of the open house party statute causes or contributes to causing serious bodily injury or death to the minor, or causes or contributes to causing serious bodily injury or death to another person as a result of the minor's consumption of alcohol or drugs at the open house party; providing criminal penalties; providing an effective date.

By the Committees on Transportation; and Commerce and Tourism; and Senator Ring—

CS for CS for SB 768—A bill to be entitled An act relating to seaports; amending s. 311.07, F.S.; providing additional funds for 5 years to fund certain projects through the Florida Deepwater Seaport Program; creating s. 311.23, F.S.; establishing the Florida seaport infrastructure bank within the Florida Seaport Transportation and Economic Development Program to provide loans and credit enhancements to certain deepwater seaports and private entities for specified projects; amending s. 320.20, F.S.; revising provisions for the repayment of bonds relating to the Florida Seaport Transportation and Economic Development Program; providing for certain revenue bonds and other indebtedness relating to the program to be issued by the Florida Ports Financing Commission; amending s. 373.406, F.S.; exempting overwater piers, docks, and structures located in deepwater ports from stormwater management system requirements under specified conditions; amending s. 373.4133, F.S.; providing exceptions to time limitations for the Department of Environmental Protection to issue a notice of intent to issue a port conceptual permit; providing that a third party who challenges the issuance of a port conceptual permit has the ultimate burden of proof and the burden of going forward with the evidence in the first instance; deleting the requirement to publish notice of the department's intent to issue or deny a port conceptual permit; amending s. 403.813, F.S.; exempting specified seaports and inland navigation districts from requirements to conduct maintenance dredging under certain circumstances; providing that ditches, pipes, and similar linear conveyances are not receiving waters; authorizing public ports and inland navigation districts to use sovereignty submerged lands in connection with maintenance dredging; providing an additional exemption from permitting requirements to allow the disposal of spoil material on a self-contained, upland spoil site if certain conditions are met; requiring notice to the department of intent to use the exemption; providing conditions; amending s. 310.002, F.S.; redefining the term "port" to include Port Citrus; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; amending s. 374.976, F.S.; conforming provisions to include Port Citrus in provisions relating to the authority of inland navigation districts; amending s. 403.021, F.S.; conforming provisions to include Port Citrus in legislative declarations relating to environmental control; amending s. 403.061, F.S.; conforming provisions to include Port Citrus in provisions relating to powers of the Department of Environmental Protection; amending s. 403.813, F.S.; conforming provisions to include Port Citrus in provisions relating to permits issued at Department of Environmental Protection district centers; amending s. 403.816, F.S.; conforming provisions to include Port Citrus in provisions relating to certain maintenance projects at deepwater ports and beach restoration projects; providing an effective date.

By the Committee on Criminal Justice; and Senators Benacquisto and Gaetz—

CS for SB 846—A bill to be entitled An act relating to sexual performance by a child; amending s. 827.071, F.S.; defining the term "intentionally view"; prohibiting controlling or intentionally viewing any photograph, motion picture, exhibition, show, image, data, computer depiction, representation, or other presentation that includes sexual conduct by a child; providing penalties; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart of the Criminal Punishment Code to changes made by the act; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Judiciary; and Senator Bogdanoff—

CS for CS for SB 866—A bill to be entitled An act relating to judgment interest; amending s. 55.03, F.S.; requiring the Chief Financial Officer to set the rate of interest payable on judgments or decrees for the calendar quarter on certain specified dates; revising the calculation of the interest rate; specifying the dates the rate of interest established by the Chief Financial Officer is to take effect; providing that the rate of interest is established at the time a judgment is obtained; requiring that such interest rate be adjusted quarterly in accordance with a certain

interest rate; amending s. 717.1341, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Detert—

CS for SB 882—A bill to be entitled An act relating to water management districts; amending s. 373.0693, F.S.; revising provisions relating to the membership of basin boards; specifying the terms of service for basin board members designated by district governing board chairs; providing that basin board members designated by district governing board chairs are voting members and counted for quorum purposes; providing for designated district governing board members to serve as basin board chairs and co-chairs; providing that a quorum of remaining members may conduct business if there is a vacancy on the board; revising provisions relating to the membership of the Manasota Basin Board; providing for the designation of a member of the district governing board to serve on the basin board; amending s. 373.171, F.S.; exempting cooperative funding programs from certain rulemaking requirements; amending s. 373.609, F.S.; providing that local governments may adopt restrictions on landscape irrigation as set forth in district rules or orders; amending s. 373.707, F.S.; authorizing water management districts to use certain moneys in the Water Protection and Sustainability Program Trust Fund for water resource development projects; providing an effective date.

By the Committees on Communications, Energy, and Public Utilities; and Judiciary; and Senator Dean—

CS for CS for SB 888—A bill to be entitled An act relating to the offense of sexting; providing that a minor commits the offense of sexting if he or she knowingly uses a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any photograph or video of any person which depicts nudity and is harmful to minors; providing noncriminal and criminal penalties; providing that the transmission or distribution of multiple photographs or videos is a single offense if the transmission occurs within a 24-hour period; providing that the act does not prohibit prosecution of a minor for conduct relating to material that includes the depiction of sexual conduct or sexual excitement or for stalking; defining the term “found to have committed”; providing an effective date.

By the Committee on Transportation; and Senator Bennett—

CS for SB 900—A bill to be entitled An act relating to special license plates; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate; providing qualifications and requirements for the plate; providing for the use of proceeds from the sale of the plate; providing an effective date.

By the Committees on Community Affairs; and Environmental Preservation and Conservation; and Senator Storms—

CS for CS for SB 934—A bill to be entitled An act relating to stormwater management permits; amending s. 218.075, F.S.; allowing an entity created by special act, local ordinance, or interlocal agreement of a county or municipality to receive certain reduced or waived permit processing fees; amending s. 373.118, F.S.; requiring that the Department of Environmental Protection initiate rulemaking to adopt a general permit for stormwater management systems serving airside activities at airports; providing for statewide application of the general permit; providing for any water management district or delegated local government to administer the general permit; providing that the rules are not subject to any special rulemaking requirements relating to small business; creating s. 373.4131, F.S.; authorizing certain municipalities and counties to adopt stormwater adaptive management plans and obtain conceptual permits for urban redevelopment projects; providing requirements for establishment of such permits by water management districts in consultation with the Department of Environmental Protection; providing that certain urban redevelopment projects qualify for a noticed general permit; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Transportation; and Senator Latvala—

CS for CS for SB 1150—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 20.24, F.S.; specifying that the executive director of the department serves at the pleasure of the Governor and Cabinet; creating a Division of Motorist Services within the department; eliminating the Division of Driver Licenses and the Division of Motor Vehicles; amending s. 261.03, F.S.; conforming cross-references; amending s. 288.816, F.S., relating to Consul Corps license plates; conforming a reference; amending s. 316.003, F.S.; revising the definition of the term “motor vehicle” to include swamp buggies; defining the terms “swamp buggy” and “road rage”; amending s. 316.1905, F.S.; providing that certain traffic citations may not be issued or prosecuted unless a law enforcement officer used an electrical, mechanical, or other speed-calculating device that has been tested and approved; providing an exception; amending s. 316.1933, F.S.; authorizing a health care provider to notify a law enforcement agency after detecting the presence of a controlled substance in the blood of a person injured in a motor vehicle crash; amending s. 316.1957, F.S., relating to parking violations; conforming a reference; amending s. 316.2015, F.S.; prohibiting the operator of a pickup truck or flatbed truck from permitting a child who is younger than 6 years of age from riding within the open body of the truck under certain circumstances; providing for certain exceptions; making technical and grammatical changes; amending s. 316.2065, F.S.; revising safety standard requirements for bicycle helmets that must be worn by certain riders and passengers; clarifying provisions relating to when a bicycle operator must ride in a bicycle lane or along the curb or edge of the roadway; providing for enforcement of requirements for bicycle lighting equipment; providing penalties for violations; providing for dismissal of the charge following a first offense under certain circumstances; amending s. 316.2085, F.S.; requiring that license tags for mopeds and motorcycles be affixed so that the letters and numbers are legible from the rear; specifying that the tags may be displayed horizontally or vertically to the ground so that the numbers and letters read from left to right or from top to bottom; amending ss. 316.2122, 316.2124, 316.21265, 316.3026, and 316.550, F.S., relating to the operation of low-speed vehicles, motorized disability access vehicles, and all-terrain or utility vehicles, the unlawful operation of motor carriers, and special permits, respectively; conforming cross-references; amending s. 316.545, F.S.; providing for the regulation of apportionable vehicles; amending s. 316.613, F.S.; providing child-restraint requirements for children ages 4 through 7 years of age who are less than a specified height; providing certain exceptions; redefining the term “motor vehicle” to exclude certain vehicles from such requirements; providing a grace period; amending s. 317.0003, F.S., relating to off-highway vehicles; conforming a cross-reference; amending s. 317.0016, F.S.; eliminating a requirement that the department provide expedited service for certificates of repossession; amending s. 318.14, F.S.; clarifying provisions authorizing a person cited for a noncriminal traffic infraction to elect to attend a driver improvement course or enter a plea of nolo contendere; amending s. 318.15, F.S., relating to the suspension of driving privileges; conforming a reference; amending s. 319.14, F.S.; prohibiting a person from knowingly offering for sale, selling, or exchanging certain vehicles unless the department has stamped in a conspicuous place on the certificate of title words stating that the vehicle is a custom vehicle or street rod vehicle; defining the terms “custom vehicle” and “street rod”; amending s. 319.225, F.S.; revising the requirements for the transfer and reassignment forms for vehicles; requiring that a dealer selling a vehicle out of state mail a copy of the power of attorney form to the department; providing for the electronic transfer of a vehicle title; amending s. 319.23, F.S.; providing for the application for a certificate of title, corrected certificate, or assignment or reassignment to be filed from the consummation of the sale of a mobile home; authorizing the department to accept a bond if the applicant for a certificate of title is unable to provide a title that assigns the prior owner’s interest in the motor vehicle; providing requirements for the bond and the affidavit; providing for future expiration of the bond; amending s. 319.28, F.S.; eliminating certain requirements that a lienholder obtain a certificate of repossession following repossession of a vehicle or mobile home; amending s. 319.323, F.S., relating to title offices for expedited service; conforming provisions to changes made by the act; amending s. 319.40, F.S.; authorizing the department to issue electronic certificates of title and use electronic mail addresses for purposes of notification; amending s. 320.01, F.S.; revising the definition of the term “motor vehicle” to include special mobile equipment and swamp buggies; deleting

an obsolete definition; revising the gross vehicle weight for purposes of defining the terms “apportionable vehicle” and “commercial motor vehicle”; defining the term “swamp buggy”; amending s. 320.02, F.S.; providing that an active-duty military member is exempt from the requirement to provide an address on an application for vehicle registration; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to End Hunger in Florida, Autism Services and Supports, and the Auto Club South Traffic Safety Foundation; requiring that the department retain certain records for a specified period; amending s. 320.023, F.S.; authorizing the department to retain certain proceeds derived from the voluntary contributions program to cover certain specified costs to the department; amending s. 320.03, F.S., relating to the International Registration Plan; conforming provisions to changes made by the act; amending s. 320.05, F.S.; deleting a provision requiring that the department provide a procedures manual for a fee; clarifying that the creation and maintenance of records by the Division of Motorist Services is not a law enforcement function of agency recordkeeping; amending s. 320.06, F.S.; authorizing the department to conduct a pilot program to evaluate alternative license plate technologies for use on government-owned motor vehicles; specifying that all license plates issued by the department are the property of the state; amending s. 320.061, F.S.; providing that it is a noncriminal traffic infraction to alter a temporary license plate; amending s. 320.071, F.S.; providing for the renewal of registration for an apportionable vehicle that is registered under the International Registration Plan; amending s. 320.0715, F.S.; clarifying provisions requiring the registration of apportionable vehicles under the International Registration Plan; amending s. 320.08, F.S., relating to license taxes; conforming cross-references; amending s. 320.0847, F.S., relating to license plates for mini trucks and low-speed vehicles; conforming cross-references; amending s. 320.0848, F.S.; revising the requirements for the deposit of fee proceeds from temporary disabled parking permits; amending s. 320.275, F.S., relating to the Automobile Dealers Industry Advisory Board; conforming provisions to the elimination of the Division of Motor Vehicles within the department; amending s. 320.771, F.S.; specifying circumstances under which certain dealers may apply for a certificate of title to a recreational vehicle using a manufacturer’s statement of origin; amending s. 320.95, F.S.; authorizing the department to use electronic mail addresses for the purpose of providing license renewal notices; amending s. 321.02, F.S.; designating the director of the Division of Highway Patrol of the department as the Colonel of the Florida Highway Patrol; amending s. 322.02, F.S.; providing for a director of the Division of Motorist Services; amending s. 322.04, F.S.; revising provisions exempting a nonresident from the requirement to obtain a driver’s license under certain circumstances; amending s. 322.051, F.S.; revising requirements by which an applicant for an identification card may prove nonimmigrant classification; clarifying the validity of an identification card based on specified documents; providing for the department to waive the fees for issuing or renewing an identification card to persons who present good cause for such waiver; amending s. 322.058, F.S.; conforming a cross-reference; amending s. 322.065, F.S.; revising the period of expiration that constitutes the offense of driving with an expired driver’s license; amending s. 322.07, F.S.; clarifying the qualifications for obtaining a temporary commercial instruction permit; amending s. 322.08, F.S.; revising requirements by which an applicant for a driver’s license may prove nonimmigrant classification; clarifying the validity of a license based on specified documents; providing for driver’s license application forms to allow the applicant to make a voluntary contribution to Autism Services and Supports and the Auto Club South Traffic Safety Foundation; authorizing the department to use electronic mail addresses for the purposes of providing license renewal notices; amending s. 322.081, F.S.; authorizing the department to retain certain proceeds derived from the voluntary contributions made on driver’s license applications to cover certain specified costs to the department; amending s. 322.12, F.S.; deleting provisions requiring a separate examination for applicants for a license to operate a motorcycle; requiring that the motorcycle safety course for a first-time applicant include a final examination; requiring that completion of the course be indicated on the license; amending s. 322.121, F.S.; clarifying provisions authorizing the automatic extension of a license for members of the Armed Forces or their dependents while serving on active duty outside the state; amending s. 322.14, F.S.; deleting a requirement that applicants for specified licenses appear in person for issuance of a color photographic or digital imaged driver’s license; creating s. 322.1415, F.S.; requiring the Department of Highway Safety and Motor Vehicles to issue a specialty driver’s license or iden-

tification card to qualified applicants; specifying that, at a minimum, the specialty driver’s licenses and identification cards must be available for certain state and independent universities and professional sports teams and all of the branches of the United States military; requiring that the design of each specialty driver’s license and identification card be approved by the department; creating s. 322.145, F.S.; requiring the Department of Highway Safety and Motor Vehicles to implement a system providing for the electronic authentication of driver’s licenses; providing criteria for a token for security authenticity; requiring that the department contract for implementation of the electronic verification; amending s. 322.20, F.S., relating to department records; conforming provisions to changes made by the act; amending s. 322.202, F.S.; clarifying that the Division of Motorist Services is not a law enforcement agency; amending s. 322.21, F.S.; providing for the distribution of funds collected from the specialty driver’s license and identification card fees; conforming provisions to changes made by the act; authorizing a driver to renew his or her driver’s license during a specified period before the license expiration date; amending s. 322.53, F.S.; revising provisions exempting certain farmers and drivers who operate straight trucks from the requirement to obtain a commercial driver’s license; amending s. 322.54, F.S.; requiring that the weight of a commercial motor vehicle be based on the vehicle’s actual weight under certain circumstances; repealing s. 322.58, F.S., relating to holders of chauffeur’s licenses; amending s. 322.59, F.S.; requiring that the department disqualify a driver holding a commercial driver’s license who fails to comply with specified federal certification requirements; amending s. 322.61, F.S.; providing that the holder of a commercial driver’s license is permanently disqualified from operating a commercial motor vehicle following two violations of specified offenses committed while operating any vehicle; amending s. 322.64, F.S.; providing that a notice of disqualification from operating a commercial motor vehicle acts as a conviction for purposes of certain federal restrictions imposed for the offense of operating a commercial motor vehicle while under the influence of alcohol; deleting provisions authorizing the department to impose certain alternative restrictions for such offense; amending s. 328.30, F.S.; authorizing the department to issue electronic certificates of title for vessels and use electronic mail addresses for purposes of providing renewal notices; amending s. 413.012, F.S., relating to a prohibition on disclosing confidential records held by the department; conforming provisions to changes made by the act; amending s. 713.78, F.S.; conforming a cross-reference; creating the “Highway Safety Act”; providing legislative intent relating to road rage and aggressive careless driving; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving, including imposition of an increased fine; amending s. 318.121, F.S.; revising the preemption of additional fees, fines, surcharges, and court costs to allow imposition of the increased fine for aggressive careless driving; amending s. 318.18, F.S.; specifying the amount of the fine and the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; requiring the Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver’s license educational materials; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate; providing qualifications and requirements for the plate; providing for the use of proceeds from the sale of the plate; amending ss. 318.1451 and 322.095, F.S.; requiring the curricula of driver improvement schools and education programs for driver’s license applicants to include instruction on the risks associated with using a handheld electronic communication device while operating a motor vehicle; providing effective dates.

By the Committee on Criminal Justice; and Senators Oelrich and Lynn—

CS for SB 1168—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public-records requirements for the dissemination of a photograph, videotape, or other image of any part of the body of a victim of a sexual offense which is made or broadcast by a video voyeur and which constitutes criminal

investigation information or criminal intelligence information in an agency investigation; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; reenacting s. 92.56(1)(a), F.S., relating to judicial proceedings and court records involving sexual offenders, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; reenacting s. 119.0714(1)(h), F.S., relating to court files and records, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; reenacting s. 794.024(1), F.S., relating to the unlawful disclosure of identifying information, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; providing an effective date.

By the Committees on Environmental Preservation and Conservation; and Agriculture; and Senators Siplin and Lynn—

CS for CS for SB 1174—A bill to be entitled An act relating to agricultural-related exemptions to water management requirements; amending s. 373.406, F.S.; revising an exemption for agricultural-related activities to include certain impacts to surface waters and wetlands; providing that the exemption applies to certain agricultural lands and certain activities requiring an environmental resource permit and does not apply to specified permitted activities; amending s. 373.407, F.S.; providing exclusive authority to the Department of Agriculture and Consumer Services to determine whether certain activities qualify for an agricultural-related exemption under specified conditions; requiring a specified memorandum of agreement between the department and each water management district; authorizing the department to adopt rules; amending s. 403.927, F.S.; providing an exemption from mitigation requirements for converted agricultural lands under certain conditions; revising the definition of the term “agricultural activities” to include cultivating, fallowing, and leveling and to provide for certain impacts to surface waters and wetlands; providing an effective date.

By the Committee on Transportation; and Senator Latvala—

CS for SB 1180—A bill to be entitled An act relating to transportation; amending s. 20.23, F.S.; providing that the Florida Statewide Passenger Rail Commission has the primary and exclusive authority to monitor certain designated functions related to passenger rail systems; removing from the Florida Transportation Commission the responsibility and duty to monitor the efficiency, productivity, and management of all publicly funded passenger rail systems in the state; amending s. 286.011, F.S.; providing for the conduct of transportation agency public meetings through the use of communications media technology; amending s. 316.091, F.S.; requiring the Department of Transportation to establish a pilot program to open certain limited access highways and bridges to bicycles and other human-powered vehicles; providing requirements for the pilot program; amending s. 316.3025, F.S.; providing a uniform civil penalty for failure to possess a current, prescribed form of medical examiner's certificate reflecting a driver's physical qualification to drive a commercial motor vehicle; amending s. 334.03, F.S.; revising and repealing obsolete definitions in the Florida Transportation Code; amending s. 334.044, F.S.; revising the duties and powers of the Department of Transportation; amending s. 334.047, F.S.; repealing an obsolete provision prohibiting the department from establishing a maximum number of miles of urban principal arterial roads within a district or county; amending s. 336.021, F.S.; revising the date when imposition of the ninth-cent fuel tax will be levied; amending s. 336.025, F.S.; revising the date when imposition or rate charges of the local option fuel tax shall be levied; amending s. 337.111, F.S.; providing additional forms of security for the cost of removal of monuments or memorials or modifications to an installation site at highway rest areas; amending s. 337.403, F.S.; specifying a utility owner must initiate work necessary to alleviate unreasonable interference under certain circumstances; amending s. 337.404, F.S.; revising notice and order requirements relating to utility work; repealing s. 338.001, F.S., relating to the Florida Interstate Highway System Plan; amending s. 338.01, F.S.; clarifying provisions governing the designation and function of limited access facilities; amending s. 338.227, F.S.; replacing a reference to the Florida Intrastate Highway System Plan with a reference to the Strategic Intermodal System Plan to provide for the participation of minority businesses in certain contracts related to the plan; amending ss. 338.2275 and 338.228, F.S., relating to turnpike projects; revising cross-refer-

ences; amending s. 338.234, F.S.; replacing a reference to the Florida Intrastate Highway System with a reference to the Strategic Intermodal System to exempt certain lessees from payment of commercial rental tax; amending s. 339.62, F.S.; replacing a reference to the Florida Intrastate Highway System with a reference to highway corridors to clarify the components of the Strategic Intermodal System; amending s. 339.63, F.S.; adding military access facilities to the types of facilities included in the Strategic Intermodal System and the Emerging Strategic Intermodal System; amending s. 339.64, F.S.; deleting provisions creating the Statewide Intermodal Transportation Advisory Council; creating s. 339.65, F.S.; requiring the department to plan and develop for Strategic Intermodal System highway corridors to aid traffic movement around the state; requiring the department to follow specified policy guidelines when developing the corridors; directing the department to establish standards and criteria for functional designs of the highway system; providing for an appropriation for developing the corridor; requiring strategic highway projects to be a part of the department's adopted work program; amending s. 339.155, F.S.; providing a reference to federally required transportation planning factors; clarifying provisions relating to the Florida Transportation Plan; deleting certain duplicative performance reporting requirements; amending s. 341.840, F.S.; replacing references to the “Florida High Speed Rail Authority” with references to the “Florida Rail Enterprise” for purposes of a tax exemption; amending ss. 163.3180, 288.063, 311.07, 311.09, 316.2122, 316.515, 336.01, 338.222, 341.8225, 479.01, 479.07, and 479.261, F.S.; conforming cross-references to changes made by the act; amending s. 310.002, F.S.; redefining the term “port” to include Port Citrus; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; amending s. 316.075, F.S.; providing for minimum yellow light change interval times for traffic control devices; amending s. 316.0083, F.S.; prohibiting the issuance of a traffic citation for certain traffic light violations unless the light meets specified requirements; repealing s. 316.2045, F.S., relating to obstruction of public streets, highways, and roads; creating s. 316.2046, F.S., relating to obstruction of public streets, highways, and roads; providing legislative findings; defining the term “solicit”; requiring a permit in order to obstruct the use of any public street, highway, or road when that obstruction may endanger the safe movement of vehicles or pedestrians; requiring each county or municipality to adopt a permitting process that protects public safety but does not impair the rights of free speech; providing criteria for the permitting process; limiting the cost of the permit to the amount required to administer the permitting process; prohibiting the denial of a permit due to lack of funds, as attested to by a signed affidavit; providing for jurisdiction over non-limited access state roads, and local roads, streets, and highways for counties and municipalities; providing exceptions; providing that a violation of the act is a pedestrian violation, punishable under ch. 318, F.S.; providing for an additional fine; providing for the disposition of moneys collected; providing for enforcement by the Department of Highway Safety and Motor Vehicles and other law enforcement agencies; creating s. 316.2047, F.S., relating to panhandling; providing legislative findings; defining terms; prohibiting aggressive panhandling, panhandling under certain circumstances, and fraudulent panhandling; authorizing counties and municipalities to increase the restrictions on panhandling under certain conditions; providing that a violation of the act is a pedestrian violation, punishable under ch. 318, F.S.; providing for an additional fine; providing for the disposition of moneys collected; providing for enforcement by the Department of Highway Safety and Motor Vehicles and other law enforcement agencies; amending s. 316.302, F.S.; providing that certain restrictions on the number of consecutive hours that a commercial motor vehicle may operate do not apply to a farm labor vehicle operated during a state of emergency or during an emergency pertaining to agriculture; amending s. 334.044, F.S.; revising the types of transportation projects for which landscaping materials must be purchased; limiting the amount of funds that may be allocated for such purchases; amending s. 337.406, F.S.; removing the Department of Transportation's authority to provide exceptions to the unlawful use of the right-of-way of any state transportation facility; broadening provisions to prohibit the unlawful use of any limited access highway; removing an exception to prohibited uses provided for art festivals, parades, fairs, or other special events; removing a local government's authority to issue certain permits; authorizing counties and municipalities to regulate the use of transportation facilities within their respective jurisdictions, with the exception of limited access highways; authorizing the Department of Transportation to regulate the use of welcome centers and rest stops; removing provisions authorizing valid

peddler licensees to make sales from vehicles standing on the rights-of-way of welcome centers and rest stops; amending s. 337.408, F.S.; revising requirements for the installation of bus stop benches, transit shelters, street light poles, waste disposal receptacles, and modular news racks within the public rights-of-way; requiring compliance with the Americans With Disabilities Act; providing responsibilities for removal of noncompliant installations; amending s. 373.413, F.S.; providing legislative intent regarding flexibility in the permitting of stormwater management systems; requiring the cost of stormwater treatment for a transportation project to be balanced with benefits to the public; absolving the Department of Transportation of responsibility for the abatement of pollutants entering its stormwater facilities from offsite sources and from updating permits for adjacent lands impacted by right-of-way acquisition; authorizing the water management districts and the department to adopt rules; amending s. 373.4137, F.S.; revising mitigation requirements for transportation projects to include other non-specified mitigation options; providing for the release of escrowed mitigation funds under certain circumstances; providing for the exclusion of projects from a mitigation plan upon the election of one or more agencies rather than the agreement of all parties; amending s. 374.976, F.S.; conforming provisions to include Port Citrus in provisions relating to the authority of inland navigation districts; amending s. 403.021, F.S.; conforming provisions to include Port Citrus in legislative declarations relating to environmental control; amending s. 403.061, F.S.; conforming provisions to include Port Citrus in provisions relating to powers of the Department of Environmental Protection; amending s. 403.813, F.S.; conforming provisions to include Port Citrus in provisions relating to permits issued at Department of Environmental Protection district centers; amending s. 403.816, F.S.; conforming provisions to include Port Citrus in provisions relating to certain maintenance projects at deep-water ports and beach restoration projects; amending s. 479.106, F.S.; revising requirements for an application for a permit to remove, cut, or trim trees or vegetation around a sign; requiring that the application include a vegetation management plan, a mitigation contribution to a trust fund, or a combination of both; providing certain evaluation criteria; providing criteria for the use of herbicides; providing a time limit within which the Department of Transportation must act; providing that the permit is valid for 5 years; providing for an extension of the permit; reducing the number of nonconforming signs that must be removed before a permit may be issued for certain signs; providing criteria for view zones; requiring the department to provide notice to the sign owner of beautification projects or vegetation planting; amending s. 479.16, F.S.; exempting signs erected under the local tourist-oriented commerce signs pilot program from certain permit requirements; exempting certain temporary signs for farm operations from permit requirements; creating s. 479.263, F.S.; creating the tourist-oriented commerce signs pilot program; exempting commercial signs that meet certain criteria from permit requirements; providing for future expiration of the pilot program; providing an effective date.

By the Committee on Military Affairs, Space, and Domestic Security; and Senators Fasano and Altman—

CS for SB 1230—A bill to be entitled An act relating to the Department of Veterans' Affairs; directing the department to provide a plan and financial analysis by a certain date to the Governor, Cabinet, and Legislature regarding the most appropriate business model for the future operation of the state veterans' homes; providing an effective date.

By the Committees on Environmental Preservation and Conservation; and Agriculture; and Senator Dean—

CS for CS for SB 1290—A bill to be entitled An act relating to pest control; amending s. 482.051, F.S.; providing rule changes that allow operators to provide certain emergency notice to the Department of Agriculture and Consumer Services by facsimile or electronic means; amending s. 482.071, F.S.; increasing the minimum bodily injury and property damage insurance coverage required for pest control businesses; creating s. 482.072, F.S.; providing for licensure by the department of pest control customer contact centers; providing application requirements; providing for fees, licensure renewal, penalties, licensure expiration, and transfer of licenses; creating s. 482.157, F.S.; providing for the certification of commercial wildlife trappers; providing certification requirements, examination requirements, and fees; limiting the

scope of work permitted by certificateholders; clarifying that licensees and certificateholders who practice accepted pest control methods are immune from liability for violating laws prohibiting cruelty to animals; amending s. 482.226, F.S.; increasing the minimum financial responsibility requirements for licensees that perform certain inspections; providing an effective date.

By the Committees on Budget; and Governmental Oversight and Accountability; and Senator Alexander—

CS for CS for SB 1292—A bill to be entitled An act relating to the Chief Financial Officer; creating s. 215.89, F.S.; providing legislative intent; providing definitions; requiring the Chief Financial Officer to conduct workshops with state agencies, local governments, educational entities, and entities of higher education to gather information pertaining to uniform reporting requirements; requiring the Chief Financial Officer to accept comments from state agencies, local governments, educational entities, entities of higher education, and interested parties regarding proposed charts of account by a certain date; requiring the Chief Financial Officer to adopt charts of account which meet certain requirements by a certain date; requiring a review and update of the charts of account; requiring the Chief Financial Officer to consult with the Legislature, the Auditor General, and the affected parties about certain modifications; requiring the Chief Financial Officer to publish the charts of account by memoranda to all affected reporting entities; amending s. 120.52, F.S.; revising the definition of the term "rule" to include certain statements, memoranda, or instructions by the Chief Financial Officer on the manner in which accounts and financial information are kept and reported by state agencies, local governments, educational entities, and entities of higher education; providing a declaration of important state interest; providing an effective date.

By the Committees on Budget; and Governmental Oversight and Accountability; and Senator Alexander—

CS for CS for SB 1314—A bill to be entitled An act relating to state financial matters; amending s. 216.011, F.S.; defining the term "lease or lease-purchase of equipment"; amending s. 216.023, F.S.; requiring that specified information relating to certain contracts be included in an agency's legislative budget request; amending s. 216.311, F.S.; defining the terms "contract" and "agreement"; prohibiting an agency or branch of state government, without legislative authority, from contracting to pay liquidated damages or early termination fees resulting from the breach or early termination of a contract or agreement, from paying interest because of insufficient budget authority to pay an obligation in the current year, from obligating the state to make future payments to cover unpaid payments, or from granting a party the right to collect fees or other revenues from nonparties; providing certain exemptions; prohibiting an agency from entering into certain leases without authorization by the Legislature or the Legislative Budget Commission; creating s. 216.312, F.S.; requiring the executive and judicial branch to notify the Governor and Legislature before entering into contracts containing certain provisions relating to expenditures; providing an exception for the Department of Transportation; transferring, renumbering, and amending s. 287.0582, F.S.; requiring a state contract to identify the appropriation that funds a contract; expanding the statement that must be included in state contracts to include grounds for terminating the contract based on budget deficits; requiring the judicial branch to include the statement in its contracts; requiring the agency head, executive director, or chief judge, as appropriate, or a designated senior management employee, to sign contracts that exceed a specified amount; requiring the agency head, executive director, or chief judge to review certain contracts and certify compliance with ch. 216, F.S.; requiring contracts exceeding a specified amount to require written acceptance or rejection of contract deliverables; providing that contracts in violation of these provisions are null and void; providing penalties; amending s. 287.063, F.S.; prohibiting certain lease or deferred-payment purchases by state agencies unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending s. 287.064, F.S.; prohibiting certain master equipment financing agreements unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending ss. 376.3075 and 403.1837, F.S.; conforming cross-references; repealing s. 287.056(2), F.S., relating to provisions providing

agencies with the option of purchasing services from state term contracts; amending s. 45, chapter 2010-151, Laws of Florida; providing that certain contracts are subject to transaction fees; providing for application; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Wise, Storms, and Sobel—

CS for SB 1320—A bill to be entitled An act relating to physical education instruction in public schools; amending s. 1003.455, F.S.; providing that a student may have the physical education requirement waived for a period of one semester each year under certain circumstances; providing an effective date.

By the Committee on Criminal Justice; and Senator Hays—

CS for SB 1328—A bill to be entitled An act relating to public records; amending s. 119.0712, F.S.; providing an exemption from public-records requirements for information held by the Office of Financial Regulation which is received from another state or federal agency and which is otherwise confidential or exempt pursuant to the laws of that state or federal law; providing an exemption from public-records requirements for information held by the office which is received or developed by the office as part of a joint or multiagency examination or investigation with another state or federal agency; specifying conditions under which the Office of Financial Regulation may obtain and use such information; providing for retroactive application; providing for future review and repeal; providing a statement of public necessity; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; Commerce and Tourism; and Commerce and Tourism—

CS for CS for SB 1346—A bill to be entitled An act relating to obsolete references and programs; amending s. 14.2015, F.S.; removing an obsolete reference to the Department of Commerce; amending s. 20.18, F.S.; updating a reference to the Department of Commerce to refer instead to the Office of Tourism, Trade, and Economic Development; amending s. 45.031, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 69.041, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 112.044, F.S.; removing obsolete references to the Department of Labor and Employment Security; amending s. 252.85, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 252.87, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 252.937, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 287.09431, F.S.; updating references to the Department of Labor and Employment Security; amending s. 287.09451, F.S.; removing references to the Department of Labor and Employment Security; amending s. 287.0947, F.S.; removing a reference to the Department of Labor and Employment Security; correcting a cross-reference; amending s. 288.021, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 288.035, F.S.; removing a reference to the Department of Commerce; repealing s. 288.038, F.S., relating to agreements of the Department of Labor and Employment Security with county tax collectors; amending s. 288.1168, F.S.; updating obsolete references to the Department of Commerce; amending s. 288.1229, F.S.; removing a reference to the Department of Commerce; amending s. 288.1169, F.S.; updating references to the Department of Commerce; amending s. 331.369, F.S.; updating references to the Workforce Development Board of Enterprise Florida, Inc.; amending s. 377.711, F.S.; removing a reference to the Department of Commerce; providing for standard compact provisions regarding recommendations by the Southern States Energy Board; amending s. 377.712, F.S.; clarifying provisions governing participation in the compact by the state and its agencies; amending s. 409.2576, F.S.; removing references to the Department of Labor and Employment Security; amending s. 414.24, F.S.; updating references to the Department of Labor and Employment Security; amending s. 414.40, F.S.; updating provisions governing the Stop Inmate Fraud Program; updating a reference to the Department of Labor and Employment Security; amending s. 440.385, F.S.; updating a reference to the Department of Labor and

Employment Security; removing obsolete provisions; amending s. 440.49, F.S.; removing a reference to the Department of Labor and Employment Security; removing obsolete provisions; repealing s. 446.60, F.S., relating to assistance for displaced local exchange telecommunications company workers; amending s. 450.161, F.S.; updating a reference to the Division of Jobs and Benefits; amending s. 464.203, F.S.; updating a reference to the Enterprise Florida Jobs and Education Partnership Grant; amending s. 489.1455, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 489.5335, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 553.62, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 597.006, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 944.012, F.S.; updating a reference to the Florida State Employment Service; amending s. 944.708, F.S.; removing a reference to the Agency for Workforce Innovation; repealing ss. 255.551-255.563, F.S., relating to the asbestos management program; amending s. 469.002, F.S.; conforming a cross-reference to changes made by the act; repealing s. 469.003(2)(b), F.S., relating to obsolete provisions governing the licensure of asbestos surveyors; repealing s. 39.0015, F.S., relating to child abuse prevention training in the district school system; repealing s. 39.305, F.S., relating to the development by the Department of Children and Family Services of a model plan for community intervention and treatment in intrafamily sexual abuse cases; repealing ss. 39.311, 39.312, 39.313, 39.314, 39.315, 39.316, 39.317, and 39.318, F.S., relating to the Family Builders Program; repealing 39.816, F.S., relating to authorization for pilot and demonstration projects; repealing s. 39.817, F.S., relating to a foster care privatization demonstration project; repealing s. 383.0115, F.S., relating to the Commission on Marriage and Family Support Initiatives; repealing s. 393.22, F.S., relating to financial commitment to community services programs; repealing s. 393.503, F.S., relating to respite and family care subsidy expenditures and funding recommendations; repealing s. 394.922, F.S., relating to constitutional requirements regarding long-term control, care, and treatment of sexually violent predators; repealing s. 402.3045, F.S., relating to a requirement that the Department of Children and Family Services adopt distinguishable definitions of child care programs by rule; repealing s. 402.50, F.S., relating to the development of administrative infrastructure standards by the Department of Children and Family Services; repealing s. 402.55, F.S., relating to the management fellows program; repealing s. 409.1672, F.S., relating to performance incentives for department employees with respect to the child welfare system; repealing s. 409.1673, F.S., relating to legislative findings regarding the foster care system and the development of alternate care plans; repealing s. 409.1685, F.S., relating to an annual report to the Legislature by the Department of Children and Family Services with respect to children in foster care; repealing ss. 409.801 and 409.802, F.S., relating to the Family Policy Act; repealing s. 409.803, F.S., relating to pilot programs to provide shelter and foster care services to dependent children; amending ss. 20.195, 39.00145, 39.0121, 39.301, 39.3031, 49.011, 381.006, 381.0072, 390.01114, 409.1685, 411.01013, 753.03, and 877.22, F.S.; conforming references to changes made by the act; repealing s. 288.386, F.S., relating to the Florida-Caribbean Basin Trade Initiative; repealing s. 288.9618, F.S., which relates to an economic development program for microenterprises; repealing s. 288.982, F.S., which relates to a public records requirement for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 409.946, F.S., which relates to the Inner City Re-development Review Panel; amending ss. 288.012 and 311.07, F.S.; revising requirements for the operating plans of the state's foreign offices and the use of program funds of the Florida Seaport Transportation and Economic Development Program, to delete provisions relating to the Florida Trade Data Center; amending s. 402.35, F.S.; removing a provision prohibiting a federal, state, county, or municipal officer from serving as an employee of the Department of Children and Family Services; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Flores—

CS for SB 1388—A bill to be entitled An act relating to the Department of Revenue; amending s. 213.053, F.S.; authorizing the department to release certain taxpayers' names and addresses to certain scholarship-funding organizations; amending ss. 220.1875 and 624.51055, F.S.; deleting a limitation on the amount of tax credit allowable for contributions made to certain scholarship-funding organizations; amending s.

1002.395, F.S.; extending the carry-forward period for the use of certain tax credits resulting from contributions to the Florida Tax Credit Scholarship Program; deleting a restriction on a taxpayer's ability to rescind certain tax credits resulting from contributions to the program; providing an effective date.

By the Committee on Health Regulation; and Senator Negron—

CS for SB 1410—A bill to be entitled An act relating to a patient's bill of rights and responsibilities; amending s. 381.026, F.S.; defining the term "primary care provider" as it relates to the Florida Patient's Bill of Rights and Responsibilities; authorizing a primary care provider to publish and post a schedule of certain charges for medical services offered to patients; providing requirements for the schedule; providing that the schedule may group the provider's services by price levels and list the services in each price level; providing an exemption from continuing education requirements for a primary care provider who posts such a schedule; requiring a primary care provider's estimates of charges for medical services to be consistent with the prices listed on the posted schedule; providing an effective date.

By the Committee on Community Affairs; and Senator Fasano—

CS for SB 1432—A bill to be entitled An act relating to county government funding; creating s. 125.595, F.S.; providing circumstances under which a board of county commissioners may use certain revenues to reduce the proposed millage rate for ad valorem taxes; defining the term "eligible county"; specifying that county eligibility must be determined annually and exercised for a limited time; prohibiting the use of certain revenues for such purposes; providing an effective date.

By the Committee on Community Affairs; and Senators Garcia and Lynn—

CS for SB 1448—A bill to be entitled An act relating to the sale or lease of a county, district, or municipal hospital; amending s. 155.40, F.S.; providing that the sale or lease of a county, district, or municipal hospital is subject to approval by the registered voters or by the circuit court; requiring the hospital governing board to determine by certain public advertisements whether there are qualified purchasers or lessees before the sale or lease of such hospital; defining the term "fair market value"; requiring the board to state in writing specified criteria forming the basis of its acceptance of a proposal for sale or lease of the hospital; providing for publication of notice; authorizing submission of written statements of opposition to a proposed transaction, and written responses thereto, within a certain timeframe; requiring the board to file a petition for approval with the circuit court and receive approval before any transaction is finalized; specifying information to be included in such petition; providing for the circuit court to issue an order requiring all interested parties to appear before the court under certain circumstances; requiring the clerk of the court to publish the copy of the order in certain newspapers at specified times; providing that certain parties are made parties defendant to the action by the publication of the order; granting the circuit court jurisdiction to approve sales or leases of county, district, or municipal hospitals based on specified criteria; providing for a party to seek judicial review; requiring that in judicial review the reviewing court affirm the judgment of the circuit court unless the decision is arbitrary, capricious, or not in compliance with the act; requiring the board to pay costs associated with the petition for approval unless a party contests the action; providing an exemption for certain sale or lease transactions completed before a specified date; amending s. 395.3036, F.S.; conforming cross-references; providing an effective date.

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

CS for SB 1456—A bill to be entitled An act relating to public records; amending s. 408.910, F.S.; providing definitions; providing exemptions from public-records requirements for personal identifying information of an enrollee or participant in the Florida Health Choices Program, client and customer lists of buyers' representatives which are held by Florida Health Choices, Inc., and proprietary confidential business information

of vendors which is held by Florida Health Choices, Inc.; providing for disclosure of such confidential and exempt information to certain persons and entities upon written request; providing that the guardian of a participant in the program is not prohibited from obtaining certain information; providing a criminal penalty; providing for future legislative review and repeal of the exemptions; providing findings of public necessity; providing an effective date.

By the Committee on Rules; and Senator Simmons—

CS for SB 1504—A bill to be entitled An act relating to initiative petitions; amending s. 100.371, F.S.; limiting the validity of a signed initiative petition to 30 months; creating s. 100.372, F.S.; providing definitions; specifying qualifications for a person to act as a paid petition circulator; prohibiting a petition circulator from receiving compensation based on the number of signatures obtained on an initiative petition; requiring the initiative petition forms used by a paid petition circulator to identify the name of the paid petition circulator; requiring a person seeking employment with an initiative sponsor as a paid petition circulator to sign an affidavit stating that the person has not been convicted of, or entered a plea of nolo contendere to, a criminal offense involving fraud, forgery, or identity theft in any jurisdiction within a certain period; subjecting a petition circulator or an initiative sponsor to criminal penalties for violating specified restrictions or requirements; prohibiting an initiative sponsor from compensating a petition circulator based on the number of signatures obtained on an initiative petition; authorizing the Department of State to adopt rules; amending s. 101.161, F.S.; specifying a deadline to commence a legal challenge to an amendment proposed by the Legislature to the State Constitution; requiring the Attorney General to revise the wording of the ballot title and ballot summary for an amendment to the State Constitution proposed by the Legislature if the wording is found by a court to be inaccurate, misleading, or otherwise defective and the decision of the court is not reversed; requiring the Department of State to furnish a designating number and the revised ballot title and ballot summary to the supervisors of elections for placement on the ballot; providing that a defect in a ballot title or ballot summary embodied in the joint resolution is not grounds to remove the proposed amendment from the ballot; making technical and grammatical changes; amending s. 104.185, F.S.; subjecting a person to criminal penalties for altering a signed initiative petition without the knowledge and consent of the person who signed the initiative petition; amending ss. 15.21, 16.061, and 1011.73, F.S.; replacing the term "substance" with "ballot summary" to conform to changes made by the act; providing for severability; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Latvala—

CS for SB 1514—A bill to be entitled An act relating to permitting of consumptive uses of water; amending s. 373.236, F.S.; requiring consumptive use permits to be issued for a period of 20 years; providing exceptions; deleting legislative findings requiring the Department of Environmental Protection to provide certain information to agricultural applicants; eliminating requirements for permit compliance reports; removing the authority of the department and the water management district governing boards to request permit compliance reports and to modify or revoke consumptive use permits; providing for the modification of existing consumptive use permits under certain conditions; amending s. 373.250, F.S.; providing requirements for water management districts in evaluating applications for the consumptive use of water in mandatory reuse zones; providing applicability; creating s. 373.255, F.S.; requiring water management districts to implement a sustainable water use permit program for public water utilities; providing program criteria; providing permit application and issuance requirements; providing requirements for permit monitoring, compliance, and performance metrics; amending ss. 373.2234 and 373.243, F.S.; conforming cross-references; amending s. 373.707, F.S.; providing an additional weighting factor that the governing board may consider when determining which alternative water supply projects to select for financial assistance; directing each water management district to consult with the Department of Environmental Protection to examine options for improving the coordination between the consumptive use permitting process and the water supply planning process by extending and re-

conciling certain permitting provisions; requiring each water management district to provide a report to the Governor and the Legislature; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Thrasher—

CS for SB 1546—A bill to be entitled An act relating to charter schools; amending ss. 163.3180 and 1002.32, F.S.; conforming cross-references; amending s. 1002.33, F.S.; revising provisions relating to the sponsoring entities of charter schools; authorizing state universities and colleges to approve charter school applications and develop charter schools under certain circumstances; requiring that the Department of Education provide or arrange for training and technical assistance for charter schools; providing for the designation of charter schools as high-performing if certain requirements are met; providing definitions relating to the high-performing charter school system; revising provisions to conform to changes made by the act; amending ss. 1002.34, 1011.68, 1012.32, and 1013.62, F.S.; conforming cross-references; creating the College-Preparatory Boarding Academy Pilot Program for dependent or at-risk students; providing a purpose for the program; requiring that the State Board of Education implement the program; providing definitions; requiring that the state board select a private nonprofit corporation to operate the academy if certain qualifications are met; requiring that the state board request proposals from private nonprofit corporations; providing requirements for such proposals; requiring that the state board enter into a contract with the operator of the academy; requiring that the contract contain specified requirements; requiring that the operator adopt bylaws, subject to approval by the state board; requiring that the operator adopt an outreach program with the local education agency or school district and community; providing that the academy is a public school and part of the state's education program; providing program funding guidelines; limiting the capacity of eligible students attending the academy; requiring that enrolled students remain under case management services and the supervision of the lead agency; authorizing the operator to appropriately bill Medicaid for services rendered to eligible students or earn federal or local funding for services provided; providing for eligible students to be admitted by lottery if the number of applicants exceeds the allowed capacity; authorizing the operator to board dependent, at-risk students; requiring that the state board issue an annual report and adopt rules; requiring that the Office of Program Policy Analysis and Government Accountability conduct a study comparing the funding of charter schools to the funding of public schools; providing requirements for the study; requiring that the office submit its recommendations and findings to the Governor and Legislature by a specified date; providing for severability; providing an effective date.

By the Committee on Criminal Justice; and Senator Latvala—

CS for SB 1588—A bill to be entitled An act relating to licensed security officers; amending s. 493.6120, F.S.; providing that a person who engages in any activity for which ch. 493, F.S., requires a license, but acts without having a license, commits a misdemeanor of the first degree; providing that a person commits a felony of the third degree for a second or subsequent offense of engaging in activities without a license; authorizing the Department of Agriculture and Consumer Services to impose a civil penalty not to exceed a specified amount; providing that penalties do not apply if the person engaged in unlicensed activity within 90 days after the expiration date of the person's license; providing that a person who, while impersonating a security officer, private investigator, recovery agent, or other person required to have a license under ch. 493, F.S., knowingly and intentionally forces another person to assist the impersonator in an activity within the scope of duty of a professional licensed under ch. 493, F.S., commits a felony of the third degree; providing that a person who impersonates a security officer or other designated officer during the commission of a felony commits a felony of the second degree; providing that a person who impersonates a security officer or other designated officer during the commission a felony that results in death or serious bodily injury to another human being commits a felony of the first degree; authorizing a licensed security officer or a licensed security agency manager to detain a person on the premises of a critical infrastructure facility if the security officer has probable cause to believe that the person has committed or is committing a crime and for the purpose of ascertaining the person's identity and the circumstances of the activity that is the basis for the temporary detention; providing

that the person may be detained until a responding law enforcement officer arrives at the critical infrastructure facility; requiring the security officer to notify the law enforcement agency as soon as possible; requiring that custody of any person temporarily detained be immediately transferred to the responding law enforcement officer; prohibiting a licensed security officer or security agency manager from detaining a person after the arrival of a law enforcement officer unless the law enforcement officer requests the security officer to assist in detaining the person; authorizing the security officer to search the person detained if the security officer observes that the person temporarily detained is armed with a firearm, concealed weapon, or any destructive device that poses a threat to the safety of the security officer, or the detainee admits to the security officer that he or she is armed with a weapon; requiring the security officer to seize any weapon discovered and transfer the weapon to the responding law enforcement officer; defining the term "critical infrastructure facility"; providing identification requirements for licensed security officers; providing an effective date.

By the Committee on Military Affairs, Space, and Domestic Security; and Senator Storms—

CS for SB 1650—A bill to be entitled An act relating to child custody; amending s. 61.13002, F.S.; providing that a parent's activation, deployment, or temporary assignment to military service and the resultant temporary disruption to the child may not be the sole factor in granting a petition for or modification of time-sharing and parental responsibility; providing that a time-sharing and parental responsibility order in effect before a temporary change due to a parent's military service shall automatically be reinstated after a specified period after return and notice by the returning parent; providing an exception; specifying burden of proof for the exception; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Wise—

CS for SB 1696—A bill to be entitled An act relating to public school accountability; amending s. 1001.20, F.S.; deleting a provision that requires the Florida Virtual School to be administratively housed within the Office of Technology and Information Services within the Department of Education; amending s. 1001.42, F.S.; revising the powers and duties of district school boards to require that students be provided with access to Florida Virtual School courses; creating s. 1001.421, F.S.; prohibiting district school board members from accepting gifts from vendors; amending s. 1002.37, F.S.; conforming provisions to changes made by the act; amending s. 1002.38, F.S.; revising provisions relating to the Opportunity Scholarship Program to require that school grades for all schools be based on statewide assessments; amending s. 1002.39, F.S.; providing that when a student who is receiving the John M. McKay Scholarship enrolls in a public school or public school program, the term of the student's scholarship ends; providing an exception for students who enter a Department of Juvenile Justice detention center for a period of no more than 21 days; amending s. 1002.45, F.S.; revising qualification requirements for virtual instruction program providers; providing that an approved provider retain its approved status for 3 school years after approval; amending s. 1002.67, F.S.; requiring that the State Board of Education periodically review and revise the performance standards for the statewide kindergarten screening and align the standards to the performance standards for statewide assessments; requiring that a private prekindergarten provider or public school be placed on probation immediately after failing to meet minimum standards rather than after 2 consecutive years of such failure; amending s. 1002.69, F.S.; authorizing nonpublic schools to administer the statewide kindergarten screening to kindergarten students who were enrolled in the Voluntary Prekindergarten Program; requiring that the Department of Education adopt a statewide voluntary prekindergarten enrollment screening; requiring that each early learning coalition administer the enrollment screening; requiring the Department of Education to include the percentage of students who meet all state readiness measures in its provider rating methodology; requiring that each parent or guardian enrolling his or her child in a voluntary prekindergarten education program submit the child for enrollment screening if required by the provider; removing a limitation on the minimum kindergarten readiness rate for private and public prekindergarten providers; amending s. 1002.71, F.S.; providing that a child may reenroll more than once in a prekindergarten program if granted a good cause exemption; amending s. 1002.73, F.S.;

requiring the department to adopt procedures for annually reporting the percentage of students who meet all state readiness measures; requiring that the Department of Education adopt procedures for the statewide voluntary prekindergarten enrollment screening, adopting the fee schedule, determining learning gains of students who complete the voluntary prekindergarten and kindergarten screenings, and annually reporting the readiness of kindergarten students; amending s. 1003.4156, F.S.; revising the general requirements for middle grades promotion; providing that a student with a disability may have his or her end-of-course assessment results waived under certain circumstances; providing that a middle grades student is exempt from the reading remediation requirements under certain circumstances; amending s. 1003.428, F.S.; revising provisions relating to the general requirements for high school graduation; providing that a high school student may be exempt from intensive reading under certain circumstances; amending s. 1003.491, F.S.; revising provisions relating to the Florida Career and Professional Education Act; replacing references to local workforce boards with regional workforce boards; requiring that economic development agencies collaborate with each district school board, regional workforce boards, and postsecondary institutions to develop a strategic 5-year plan that addresses local and regional workforce demands; requiring that the strategic plan include access to courses offered through virtual education providers and a review of career and professional academy courses; requiring that the strategic plan be reviewed, updated, and jointly approved; amending s. 1003.492, F.S.; revising provisions relating to industry-certified career education programs to conform to changes made by the act; requiring that rules adopted by the State Board of Education include an approval process for determining the funding weights of industry certifications; requiring that the performance factors for students participating in industry-certified career education programs include awards of postsecondary credit and state scholarships; amending s. 1003.493, F.S.; revising provisions relating to career and professional academies to conform to changes made by the act; requiring that career and professional academies discontinue enrollment of students for the following year if the passage rate on the industry certification exam falls below 50 percent; creating s. 1003.4935, F.S.; requiring that each district school board, in collaboration with regional workforce boards, economic development agencies, and state-approved postsecondary institutions, include a component in the strategic 5-year plan to implement a career and professional academy in at least one middle school in each district; providing requirements for the middle school career and professional academies; requiring that the Department of Education collect and report student achievement data for middle school career academy students; amending s. 1003.575, F.S.; revising provisions relating to assistive technology devices for young persons with disabilities to require that any school having an individualized education plan team arrange to complete an assistive technology assessment within a specified number of days after receiving a request for such assessment; amending s. 1008.22, F.S.; revising provisions relating to the student assessment program for public schools; requiring that the Commissioner of Education direct school districts to participate in the administration of the National Assessment of Educational Progress or similar national or international assessment program; providing for future expiration of the requirement that school districts participate in international assessment programs; authorizing the school principal to exempt certain students from the end-of-course assessment in civics education; amending s. 1008.33, F.S.; revising provisions relating to public school improvement; requiring that the Department of Education categorize public schools based on the portion of a school's grade that relies on statewide assessments; revising the categorization of the lowest-performing schools; amending s. 1008.331, F.S., relating to supplemental educational services in Title I schools; providing that a school board may include in its district contract with a provider a requirement to use a uniform standardized assessment if the Department of Education is notified of such intent before services are provided to the student; amending s. 1008.34, F.S.; revising provisions relating to the designation of school grades to conform to changes made by the act; providing for assigning achievement scores and learning gains for students who are hospital or homebound; requiring that a school that does not meet minimum proficiency standards established by the State Board of Education receive a school grade of "F"; amending ss. 1011.01 and 1011.03, F.S., relating to the annual operating budgets of district school boards and community college boards of trustees; deleting a requirement that the adopted budget be transmitted to the Department of Education for review and approval; creating s. 1011.035, F.S.; requiring each school district to post certain budgetary information on

its website; requiring that each district school board's website contain certain specified links; amending s. 1011.61, F.S.; redefining the term "full-time equivalent student" as it relates to students in virtual instruction programs; amending s. 1011.62, F.S.; revising provisions relating to the calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs; requiring that the value of full-time equivalent membership be determined by weights adopted by the State Board of Education; conforming provisions; amending s. 1012.39, F.S.; requiring that each district school board establish qualifications for nondegreed teachers of career and technical education courses for program clusters recognized in the state; authorizing district school boards to establish alternative qualifications for certain teachers; providing effective dates.

By the Committees on Environmental Preservation and Conservation; and Health Regulation; and Senator Dean—

CS for CS for SB 1698—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; deleting legislative intent; defining the term "bedroom"; providing for any permit issued and approved by the Department of Health for the installation, modification, or repair of an onsite sewage treatment and disposal system to transfer with the title of the property; providing circumstances in which an onsite sewage treatment and disposal system is not considered abandoned; providing for the validity of an onsite sewage treatment and disposal system permit if rules change before final approval of the constructed system; providing that a system modification, replacement, or upgrade is not required unless a bedroom is added to a single-family home; deleting provisions requiring the Department of Health to administer an evaluation and assessment program of onsite sewage treatment and disposal systems and requiring property owners to have such systems evaluated at least once every 5 years; creating s. 381.00651, F.S.; requiring a county or municipality to adopt under certain circumstances a local ordinance creating a program for the periodic evaluation and assessment of onsite sewage treatment and disposal systems; requiring the county or municipality to notify the Secretary of State of the ordinance; authorizing a county or municipality, in specified circumstances, to opt out of certain requirements by a specified date; authorizing a county or municipality to adopt or repeal, after a specified date, an ordinance creating an evaluation and assessment program; providing criteria for evaluations, qualified contractors, repair of systems, exemptions, notifications, fees, and penalties; requiring that certain procedures be used for conducting tank and drainfield evaluations; providing for certain procedures in special circumstances; providing for assessment procedures; requiring the county or municipality to develop a system for tracking the evaluations; providing criteria; prohibiting a county having a first magnitude spring from opting out of the provisions of the act; requiring counties and municipalities to notify the Secretary of Environmental Protection that an evaluation program ordinance is adopted; requiring the department to notify those counties or municipalities of the use of, and access to, certain state and federal program funds; department to provide certain guidance, within existing resources, upon request from a county or municipality; amending s. 381.00656, F.S.; extending the date by which the Department of Health is required to begin administering the grant program for the repair of onsite sewage treatment disposal systems; adding a cross-reference; amending s. 381.0066, F.S.; conforming a cross-reference; lowering the fees imposed by the department for evaluation reports; providing an effective date.

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

CS for SB 1714—A bill to be entitled An act relating to the Citizens Property Insurance Corporation; amending s. 627.0655, F.S.; discontinuing policy discounts relating to the Citizens Property Insurance Corporation after a certain date; amending s. 627.351, F.S.; revising legislative intent; deleting obsolete provisions relating to the corporation's plan of operation; directing the corporation to provide coverage to certain excluded residential structures but at rates deemed appropriate by the corporation; providing that certain residential structures are not eligible for coverage by the corporation after a certain date; requiring policies issued by the corporation to include a provision that prohibits policyholders from engaging the services of a public adjuster until after

the corporation has tendered an offer; limiting an adjuster's fee for a claim against the corporation; specifying the percentage amount of emergency assessments; revising provisions relating to policyholder surcharges; prohibiting the corporation from levying certain assessments with respect to a year's deficit until the corporation has first levied a specified surcharge; requiring the corporation to commission a consultant to prepare a report on outsourcing various functions and submit such report to the Financial Services Commission by a certain date; revising provisions relating to wind coverage; prohibiting the corporation from accepting applications for commercial nonresidential risks; requiring the policyholders to sign a statement acknowledging that they may be assessed surcharges to cover corporate deficits; providing that policies do not include coverage for screen enclosures or any structure detached from the house; providing that the corporation does not cover specified personal property; limiting coverage for damage from sinkholes after a certain date and providing that the corporation must require repair of the property as a condition of any payment; requiring members of the board of governors to abstain from voting on issues on which they have a personal interest; requiring such members to disclose the nature of their interest as a public record; providing that the corporation operates as a residual market mechanism; revising provisions relating to corporation rates; providing that eligible surplus lines insurers may participate in take-out programs under certain conditions; clarifying that the corporation is immune from certain liabilities; revising requirements relating to confidential records released by an insurer; deleting a requirement for an annual report to the Legislature on losses attributable to wind-only coverages; requiring owners of properties in Special Flood Hazard Areas to maintain a separate flood insurance policy after a certain date; providing exceptions; amending s. 627.3511, F.S.; conforming a cross-reference; providing an effective date.

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

CS for SB 1754—A bill to be entitled An act relating to health insurance; creating s. 624.24, F.S.; prohibiting a person from being compelled to purchase health insurance except under specified conditions; specifying that the act does not prohibit the collection of certain debts; providing an effective date.

By the Committee on Community Affairs; and Senator Storms—

CS for SB 1766—A bill to be entitled An act relating to proceedings to challenge the assessment of real property for the purposes of ad valorem taxation; amending s. 193.074, F.S.; providing that the disclosure of a confidential property tax return without the written consent of the taxpayer may be grounds for removal from office; amending s. 194.011, F.S.; prohibiting the value adjustment board from considering certain evidence or documentation that was not timely disclosed; amending s. 194.034, F.S.; deleting a provision prohibiting a value adjustment board or special magistrate from considering certain evidence from a petitioner which was not timely provided to the property appraiser; amending s. 194.035, F.S.; requiring the Department of Revenue to create a process by rule for the random selection of special magistrates by a value adjustment board; providing that an attempt to influence the selection of a special magistrate by the property appraiser constitutes misfeasance or malfeasance and may be grounds for removal from office; amending s. 195.027, F.S.; authorizing the trier of fact in an administrative or judicial proceeding challenging the assessment of nonhomestead property from considering the financial records of a taxpayer which the taxpayer failed to disclose as previously required; requiring the property appraiser, the Department of Revenue, and the Auditor General to return a taxpayer's financial records within 10 days after receipt if requested by the taxpayer; requiring the taxpayer to be notified and receive an explanation of the purpose of sharing the taxpayer's financial records with certain entities authorized to have access to those records; providing for application of the act; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Detert—

CS for SB 1916—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending ss. 14.26, 20.14, 213.053, 320.275, and 366.85, F.S.; renaming the Division of Consumer Services within the department as the "Division of Consumer Protec-

tion"; amending s. 320.90, F.S.; deleting a reference to the Department of Agriculture and Consumer Services; amending s. 493.6105, F.S.; revising the information that a person must supply in an application for licensure as a private investigator, private security service, or repossession service; deleting a requirement that certain applicants supply photographs along with an application; revising the certificates that a person applying for a class "K" firearms instructor's license must supply along with an application for the license; making technical and grammatical changes; amending s. 493.6106, F.S.; providing that applicants for certain licenses as a private investigator, private security service or repossession service must meet certain citizenship or immigration requirements and not be prohibited by law from purchasing a firearm; making grammatical and technical changes; amending s. 493.6107, F.S.; authorizing a Class "M," Class "G," and Class "K" licensee or applicant to pay examination fees and license fees by personal check or, if authorized by the department, by electronic funds transfer; amending s. 493.6108, F.S.; requiring the department to investigate the mental fitness of an applicant of a Class "K" firearms instructor license; amending s. 493.6111, F.S.; providing that Class "K" firearms instructor licenses are valid for 3 years; requiring an applicant for a recovery school or security officer school to receive approval from the department before operating under a fictitious name; making technical and grammatical changes; amending s. 493.6113, F.S.; deleting a requirement that Class "A" private investigative agency licensees and Class "R" recovery agency licensees provide evidence of certain insurance coverage with an application to renew a license; requiring a Class "K" firearms instructor licensee to submit proof of certification to provide firearms instruction; amending s. 493.6115, F.S.; conforming cross-references to changes made by the act; making technical and grammatical changes; amending s. 493.6118, F.S.; authorizing the department to take disciplinary action against a Class "G" statewide firearms licensee or applicant or a Class "K" firearms instructor licensee or applicant if the person is prohibited from purchasing a firearm by law; amending s. 493.6121, F.S.; deleting a provision authorizing the department to have access to certain criminal history information of a purchaser of a firearm; amending s. 493.6202, F.S.; authorizing a Class "A," Class "AA," Class "MA," Class "C," or Class "CC" licensee or applicant to pay examination fees and license fees by personal check or, if authorized by the department, by electronic funds transfer; amending s. 493.6203, F.S.; providing that experience as a bodyguard does not qualify as experience or training for purposes of a Class "MA" or Class "C" license; requiring an initial applicant for a Class "CC" license to complete specified training courses; making technical and grammatical changes and conforming a cross-reference; amending s. 493.6302, F.S.; authorizing a Class "B," Class "BB," Class "MB," Class "D," Class "DS," or Class "DI" licensee or applicant to pay examination fees and license fees by personal check or, if authorized by the department, by electronic funds transfer; amending s. 493.6303, F.S.; requiring an applicant for an initial Class "D" license to complete specified training courses; making technical and grammatical changes; amending s. 493.6304, F.S.; requiring an application for a security officer school or training facility to be verified under oath; amending ss. 493.6401 and 493.6402, F.S.; renaming repossession agents as "recovery agents"; authorizing a Class "R," Class "RR," Class "MR," Class "E," Class "EE," Class "RS," or Class "RI" licensee or applicant to pay examination fees and license fees by personal check or, if authorized by the department, by electronic funds transfer; amending s. 493.6406, F.S.; requiring recovery agent schools or instructors to be licensed by the department to offer training to Class "E" licensees and applicants; amending ss. 496.404, 496.411, and 496.412, F.S.; renaming the Division of Consumer Services as the "Division of Consumer Protection"; amending s. 496.419, F.S.; clarifying the powers of the department to enter an order; amending s. 501.015, F.S.; correcting a reference to a local business tax receipt; amending s. 501.017, F.S.; specifying the minimum type size for requiring certain disclosures in contracts between a consumer and a health studio; amending s. 501.145, F.S.; deleting a reference to the department as an enforcing authority in the Bedding Label Act; amending s. 501.160, F.S.; deleting authorization for the department to enforce certain prohibitions against unconscionable practices during a declared state of emergency; amending s. 501.605, F.S.; deleting a requirement that a person supply his or her social security number on an application as a commercial telephone seller and adding a requirement for another valid form of identification; amending s. 501.607, F.S.; deleting a requirement that a person supply his or her social security number on an application as a salesperson; amending s. 539.001, F.S.; correcting a reference to a local business tax receipt; amending s. 559.805, F.S.; deleting a requirement that a seller of a business opportunity provide the social security num-

bers of the seller's agents to the department; amending s. 559.904, F.S.; correcting a reference to a local business tax receipt; amending s. 559.928, F.S.; correcting a reference to a local business tax receipt; amending s. 559.935, F.S.; correcting a reference to local business tax receipts; amending s. 570.29, F.S.; renaming the Division of Consumer Services as the "Division of Consumer Protection"; amending s. 570.544, F.S.; renaming the Division of Consumer Services as the "Division of Consumer Protection"; amending s. 681.102, F.S.; deleting a reference to the division in the Motor Vehicle Warranty Enforcement Act; amending ss. 681.103, 681.108, and 681.109, F.S.; transferring certain responsibilities under the Lemon Law to the department from the Division of Consumer Services; amending s. 681.1095, F.S.; transferring certain responsibilities relating to the New Motor Vehicle Arbitration Board to the department from the Division of Consumer Services; authorizing the board to send its decisions by any method providing a delivery confirmation; authorizing the department to adopt rules; amending s. 681.1096, F.S.; conforming a cross-reference; amending s. 681.112, F.S.; transferring certain responsibilities relating to the Lemon Law to the department from the Division of Consumer Services; amending s. 681.117, F.S.; deleting a provision requiring the Department of Legal Affairs to contract with the Division of Consumer Services for services relating to dispute settlement procedures and the New Motor Vehicle Arbitration Board; amending s. 849.0915, F.S.; renaming the Division of Consumer Services as the "Division of Consumer Protection"; providing an effective date.

By the Committee on Health Regulation; and Senators Negron, Gaetz, Garcia, and Hays—

CS for SB 1972—A bill to be entitled An act relating to health and human services; amending s. 163.387, F.S.; exempting hospital districts from the requirement to provide funding to a community redevelopment agency; creating s. 200.186, F.S.; requiring hospital district ad valorem revenues dispersed to other entities to be spent only on health care services; amending s. 393.0661, F.S.; conforming provisions to changes made by the act; amending s. 409.016, F.S.; conforming provisions to changes made by the act; creating s. 409.16713, F.S.; providing for medical assistance for children in out-of-home care and adopted children; specifying how those services will be funded under certain circumstances; providing legislative intent; providing a directive to the Division of Statutory Revision; transferring, renumbering, and amending s. 624.91, F.S.; decreasing the administrative cost and raising the minimum loss ratio for health plans; increasing compensation to the insurer or provider for dental contracts; requiring the Florida Healthy Kids Corporation to include use of the school breakfast and lunch application form in the corporation's plan for publicizing the program; conforming provisions to changes made by the act; amending ss. 409.813, 409.8132, 409.815, 409.818, 154.503, and 408.915, F.S.; conforming provisions to changes made by the act; amending s. 1006.06, F.S.; requiring school districts to collaborate with the Florida Kidcare program to use the application form for the school breakfast and lunch programs to provide information about the Florida Kidcare program and to authorize data on the application form be shared with state agencies and the Florida Healthy Kids Corporation and its agents; authorizing each school district the option to share the data electronically; requiring interagency agreements to ensure that the data exchanged is protected from unauthorized disclosure and is used only for enrollment in the Florida Kidcare program; amending s. 409.901, F.S.; revising definitions relating to Medicaid; amending s. 409.902, F.S.; revising provisions relating to the designation of the Agency for Health Care Administration as the state Medicaid agency; specifying that eligibility and state funds for medical services apply only to citizens and certain noncitizens; providing exceptions; providing a limitation on persons transferring assets in order to become eligible for certain services; amending s. 409.9021, F.S.; revising provisions relating to conditions for Medicaid eligibility; increasing the number of years a Medicaid applicant forfeits entitlements to the Medicaid program if he or she has committed fraud; providing for the payment of monthly premiums by Medicaid recipients; providing exemptions to the premium requirement; requiring applicants to agree to participate in certain health programs; prohibiting a recipient who has access to employer-sponsored health care from obtaining services reimbursed through the Medicaid fee-for-service system; requiring the agency to develop a process to allow the Medicaid premium that would have been received to be used to pay employer premiums; requiring that the agency allow opt-out opportunities for certain re-

cipients; creating s. 409.9022, F.S.; specifying procedures to be implemented by a state agency if the Medicaid expenditures exceed appropriations; amending s. 409.903, F.S.; conforming provisions to changes made by the act; deleting obsolete provisions; amending s. 409.904, F.S.; conforming provisions to changes made by the act; renaming the "medically needy" program as the "Medicaid nonpoverty medical subsidy"; narrowing the subsidy to cover only certain services for a family, persons age 65 or older, or blind or disabled persons; revising the criteria for the agency's assessment of need for private duty nursing services; amending s. 409.905, F.S.; conforming provisions to changes made by the act; requiring prior authorization for home health services; amending s. 409.906, F.S.; providing for a parental fee based on family income to be assessed against the parents of children with developmental disabilities served by home and community-based waivers; prohibiting the agency from paying for certain psychotropic medications prescribed for a child; conforming provisions to changes made by the act; amending ss. 409.9062 and 409.907, F.S.; conforming provisions to changes made by the act; amending s. 409.908, F.S.; modifying the nursing home patient care per diem rate to include dental care, vision care, hearing care, and podiatric care; directing the agency to seek a waiver to treat a portion of the nursing home per diem as capital for self-insurance purposes; requiring primary physicians to be paid the Medicare fee-for-service rate by a certain date; deleting the requirement that the agency contract for transportation services with the community transportation system; authorizing qualified plans to contract for transportation services; deleting obsolete provisions; conforming provisions to changes made by the act; amending s. 409.9081, F.S.; revising copayments for physician visits; requiring the agency to seek a waiver to allow the increase of copayments for nonemergency services furnished in a hospital emergency department; amending s. 409.912, F.S.; requiring Medicaid-eligible children who have open child welfare cases and who reside in AHCA area 10 to be enrolled in specified capitated managed care plans; expanding the number of children eligible to receive behavioral health care services through a specialty prepaid plan; repealing provisions relating to a provider lock-in program; eliminating obsolete provisions and updating provisions; conforming cross-references; amending s. 409.915, F.S.; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 409.9301, F.S.; conforming provisions to changes made by the act; amending s. 409.9126, F.S.; conforming a cross-reference; providing a directive to the Division of Statutory Revision; creating s. 409.961, F.S.; providing for statutory construction of provisions relating to Medicaid managed care; creating s. 409.962, F.S.; providing definitions; creating s. 409.963, F.S.; establishing the Medicaid managed care program as the statewide, integrated managed care program for medical assistance and long-term care services; directing the agency to apply for and implement waivers; providing for public notice and comment; providing for a limited managed care program if waivers are not approved; creating s. 409.964, F.S.; requiring all Medicaid recipients to be enrolled in Medicaid managed care; providing exemptions; prohibiting a recipient who has access to employer-sponsored health care from enrolling in Medicaid managed care; requiring the agency to develop a process to allow the Medicaid premium that would have been received to be used to pay employer premiums; requiring that the agency allow opt-out opportunities for certain recipients; providing for voluntary enrollment; creating s. 409.965, F.S.; providing requirements for qualified plans that provide services in the Medicaid managed care program; requiring the agency to issue an invitation to negotiate; requiring the agency to compile and publish certain information; establishing regions for separate procurement of plans; establishing selection criteria for plan selection; limiting the number of plans in a region; authorizing the agency to conduct negotiations if funding is insufficient; specifying circumstances under which the agency may issue a new invitation to negotiate; providing that the Children's Medical Service Network is a qualified plan; directing the agency to assign Medicaid provider agreements for a limited time to a provider services network participating in the managed care program in a rural area; creating s. 409.966, F.S.; providing managed care plan contract requirements; establishing contract terms; providing for annual rate setting; providing for contract extension under certain circumstances; establishing access requirements; requiring the agency to establish performance standards for plans; requiring each plan to publish specified measures on the plan's website; providing for program integrity; requiring plans to provide encounter data; providing penalties for failure to submit data; requiring plans to accept electronic claims and electronic prior authorization requests for medication exceptions; requiring plans to provide the criteria for approval and reasons for denial of prior au-

thorization requests; providing for prompt payment; providing for payments to noncontract emergency providers; requiring a qualified plan to post a surety bond or establish a letter of credit or a deposit in a trust account; requiring plans to establish a grievance resolution process; requiring plan solvency; requiring guaranteed savings; providing costs and penalties for early termination of contracts or reduction in enrollment levels; requiring the agency to terminate qualified plans for non-compliance under certain circumstances; requiring plans to adopt and publish a preferred drug list; creating s. 409.967, F.S.; providing for managed care plan accountability; requiring plans to use a uniform method of accounting for medical costs; establishing a medical loss ratio; requiring that a plan pay back to the agency a specified amount in specified circumstances; authorizing plans to limit providers in networks; mandating that certain providers be offered contracts during the first year; authorizing plans to exclude certain providers in certain circumstances; requiring plans to monitor the quality and performance history of providers; requiring plans to hold primary care physicians responsible for certain activities; requiring plans to offer certain programs and procedures; requiring plans to pay primary care providers the same rate as Medicare by a certain date; providing for conflict resolution between plans and providers; creating s. 409.968, F.S.; providing for managed care plan payments on a per-member, per-month basis; requiring the agency to establish a methodology to ensure the availability of certain types of payments to specified providers; requiring the development of rate cells; requiring that the amount paid to the plans for supplemental payments or enhanced rates be reconciled to the amount required to pay providers; requiring that plans make certain payments to providers within a certain time; creating s. 409.969, F.S.; authorizing Medicaid recipients to select any plan within a region; providing for automatic enrollment of recipients by the agency in specified circumstances; providing criteria for automatic enrollment; authorizing disenrollment under certain circumstances; providing for a grievance process; defining the term "good cause" for purposes of disenrollment; requiring recipients to stay in plans for a specified time; providing for reenrollment of recipients who move out of a region; creating s. 409.970, F.S.; requiring the agency to maintain an encounter data system; providing requirements for prepaid plans to submit data in a certain format; requiring the agency to analyze the data; requiring the agency to test the data for certain purposes by a certain date; creating s. 409.971, F.S.; providing for managed care medical assistance; providing deadlines for beginning and finalizing implementation; creating s. 409.972, F.S.; establishing minimum services for the managed medical assistance; providing for optional services; authorizing plans to customize benefit packages; requiring the agency to provide certain services to hemophiliacs; creating s. 409.973, F.S.; providing for managed long-term care; providing deadlines for beginning and finalizing implementation; providing duties for the Department of Elderly Affairs relating to the program; creating s. 409.974, F.S.; providing recipient eligibility requirements for managed long-term care; listing programs for which certain recipients are eligible; specifying that an entitlement to home and community-based services is not created; creating s. 409.975, F.S.; establishing minimum services for managed long-term care; creating s. 409.976, F.S.; providing criteria for the selection of plans to provide managed long-term care; creating s. 409.977, F.S.; providing for managed long-term care plan accountability; requiring the agency to establish standards for specified providers; creating s. 409.978, F.S.; requiring that the agency operate the Comprehensive Assessment and Review for Long-Term Care Services program through an interagency agreement with the Department of Elderly Affairs; providing duties of the program; requiring the program to assign plan enrollees to a level of care; providing for the evaluation of dually eligible nursing home residents; transferring, renumbering, and amending ss. 409.91207, 409.91211, and 409.9122, F.S.; conforming provisions to changes made by the act; updating provisions and deleting obsolete provisions; transferring and renumbering ss. 409.9123 and 409.9124, F.S.; amending s. 430.04, F.S.; eliminating outdated provisions; requiring the Department of Elderly Affairs to develop a transition plan for specified elders and disabled adults receiving long-term care Medicaid services if qualified plans become available; amending s. 430.2053, F.S.; eliminating outdated provisions; providing additional duties of aging resource centers; providing an additional exception to direct services that may not be provided by an aging resource center; providing for the cessation of specified payments by the department as qualified plans become available; eliminating provisions requiring reports; amending s. 39.407, F.S.; requiring a motion by the Department of Children and Family Services to provide psychotropic medication to a child 10 years of age or younger to include a

review by a child psychiatrist; providing that a court may not authorize the administration of such medication absent a finding of compelling state interest based on the review; amending s. 216.262, F.S.; providing that limitations on an agency's total number of positions does not apply to certain positions in the Department of Health; amending s. 381.06014, F.S.; redefining the term "blood establishment" and defining the term "volunteer donor"; requiring that blood establishments disclose specified information on their Internet website; providing an exception for certain hospitals; authorizing the Department of Legal Affairs to assess a civil penalty against a blood establishment that fails to disclose the information; providing that the civil penalty accrues to the state and requiring that it be deposited into the General Revenue Fund; prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as for-profit or not-for-profit organizations when determining service fees for blood or blood components; amending s. 400.023, F.S.; requiring the trial judge to conduct an evidentiary hearing to determine the sufficiency of evidence for claims against certain persons relating to a nursing home; limiting noneconomic damages in a wrongful death action against the nursing home; amending s. 400.0237, F.S.; revising provisions relating to punitive damages against a nursing home; authorizing a defendant to proffer admissible evidence to refute a claimant's proffer of evidence for punitive damages; requiring the trial judge to conduct an evidentiary hearing and the plaintiff to demonstrate that a reasonable basis exists for the recovery of punitive damages; prohibiting discovery of the defendant's financial worth until the judge approves the pleading on punitive damages; revising definitions; amending s. 408.7057, F.S.; requiring that the dispute resolution program include a hearing in specified circumstances; providing that the dispute resolution program established to resolve claims disputes between providers and health plans does not provide an independent right of recovery; requiring that the conclusions of law in the written recommendation of the resolution organization identify certain information; providing a directive to the Division of Statutory Revision; amending s. 409.1671, F.S.; modifying the amount and limits of general liability coverage, automobile coverage, and tort coverage that must be carried by eligible community lead agency providers and their subcontractors; providing that the Department of Children and Family Services is not liable for the acts or omissions of such lead agencies and that the agencies may not be required to indemnify the department; creating ss. 458.3167 and 459.0078, F.S.; providing for an expert witness certificate for allopathic and osteopathic physicians licensed in other states or Canada which authorizes such physicians to provide expert medical opinions in this state; providing application requirements and timeframes for approval or denial by the Board of Medicine and Board of Osteopathic Medicine, respectively; requiring the boards to adopt rules and set fees; providing for expiration of a certificate; amending ss. 458.331 and 459.015, F.S.; providing grounds for disciplinary action for providing misleading, deceptive, or fraudulent expert witness testimony relating to the practice of medicine and of osteopathic medicine, respectively; providing for construction with respect to the doctrine of incorporation by reference; amending s. 499.003, F.S.; redefining the term "health care entity" to clarify that a blood establishment is a health care entity that may engage in certain activities; amending s. 499.005, F.S.; clarifying provisions that prohibit the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity or donated or supplied at a reduced price to a charitable organization, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted prescription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute under a restricted prescription drug distributor permit; authorizing the Department of Health to adopt rules regarding the distribution of prescription drugs by blood establishments; amending s. 626.9541, F.S.; authorizing insurers to offer rewards or incentives to health benefit plan members to encourage or reward participation in wellness or health improvement programs; authorizing insurers to require plan members not participating in programs to provide verification that their medical condition warrants nonparticipation; providing application; amending s. 627.4147, F.S.; deleting a requirement that a medical malpractice insurance contract include a clause authorizing an insurer to admit liability and make a settlement offer if the offer is within policy limits without the insured's

permission; amending s. 766.102, F.S.; providing that a physician who is an expert witness in a medical malpractice presuit action must meet certain requirements; amending s. 766.104, F.S.; requiring a good faith demonstration in a medical malpractice case that there has been a breach of the standard of care; amending s. 766.106, F.S.; clarifying that a physician acting as an expert witness is subject to disciplinary actions; amending s. 766.1115, F.S.; conforming provisions to changes made by the act; creating s. 766.1183, F.S.; defining terms; providing for the recovery of civil damages by Medicaid recipients according to a modified standard of care; providing for recovery of certain excess judgments by act of the Legislature; requiring the Department of Children and Family Services to provide notice to program applicants; creating s. 766.1184, F.S.; defining terms; providing for the recovery of civil damages by certain recipients of primary care services at primary care clinics receiving specified low-income pool funds according to a modified standard of care; providing for recovery of certain excess judgments by act of the Legislature; providing requirements of health care providers receiving such funds in order for the liability provisions to apply; requiring notice to low-income pool recipients; amending s. 766.203, F.S.; requiring the presuit investigations conducted by the claimant and the prospective defendant in a medical malpractice action to provide grounds for a breach of the standard of care; amending s. 768.28, F.S.; revising a definition; providing that certain colleges and universities that own or operate an accredited medical school and their employees and agents providing patient services in a teaching hospital pursuant to an affiliation agreement or contract with the teaching hospital are considered agents of the hospital for the purposes of sovereign immunity; providing definitions; requiring patients of such hospitals to be provided with notice of their remedies under sovereign immunity; providing an exception; providing that providers and vendors providing services to certain persons with disabilities on behalf of the state are agents of the state for the purposes of sovereign immunity; providing legislative findings and intent with respect to including certain colleges and universities and their employees and agents under sovereign immunity; providing a statement of public necessity; amending s. 1004.41, F.S.; clarifying provisions relating to references to the corporation known as Shands Teaching Hospital and Clinics, Inc.; clarifying provisions regarding the purpose of the corporation; authorizing the corporation to create corporate subsidiaries and affiliates; providing that Shands Teaching Hospital and Clinics, Inc., Shands Jacksonville Medical Center, Inc., Shands Jacksonville Healthcare, Inc., and any not-for-profit subsidiary of such entities are instrumentalities of the state for purposes of sovereign immunity; repealing s. 409.9121, F.S., relating to legislative intent concerning managed care; repealing s. 409.919, F.S., relating to rule authority; repealing s. 624.915, F.S., relating to the Florida Healthy Kids Corporation operating fund; renumbering and transferring ss. 409.942, 409.944, 409.945, 409.946, 409.953, and 409.9531, F.S., as ss. 414.29, 163.464, 163.465, 163.466, 402.81, and 402.82, F.S., respectively; amending s. 443.111, F.S.; conforming a cross-reference; directing the Agency for Health Care Administration to submit a reorganization plan to the Legislature; providing for the state's withdrawal from the Medicaid program under certain circumstances; providing for severability; providing an effective date.

By the Committee on Criminal Justice; and Senator Braynon—

CS for SB 2010—A bill to be entitled An act relating to faith- and character-based correctional institution programs; amending s. 944.803, F.S.; revising legislative findings; providing legislative intent with respect to expansion of the faith- and character-based initiative; providing requirements for faith- and character-based programs; deleting provisions relating to funding; revising requirements for participation by inmates in such programs; deleting provisions requiring the assignment of chaplains to community correctional centers; providing for the faith- and character-based institutions within the state correctional system to allow peer-to-peer programming whenever appropriate; providing an effective date.

By the Committees on Agriculture; and Agriculture—

CS for SB 2076—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 14.24, F.S.; deleting provisions related to per diem and travel expenses for members of the Florida Commission on the Status of Women; amending s. 20.14,

F.S.; deleting the Division of Dairy within the Department of Agriculture and Consumer Services; amending s. 215.981, F.S.; exempting certain direct-support organizations and citizen support organizations for the Department of Agriculture and Consumer Services from obtaining an independent audit; amending s. 253.02, F.S.; providing for the grantee of easements for electrical transmission to pay the lead manager of the state-owned lands or, when there is no lead manager, the Department of Environmental Protection if suitable replacement uplands cannot be identified; amending s. 261.04, F.S.; deleting provisions related to per diem and travel expenses for members of the Off-Highway Vehicle Recreation Advisory Committee within the Division of Forestry; amending s. 482.051, F.S.; providing rule changes that allow operators to provide certain emergency notice to the Department of Agriculture and Consumer Services by facsimile or electronic means; amending s. 482.071, F.S.; increasing the minimum insurance coverage for bodily injury and property damage required for pest control businesses; creating s. 482.072, F.S.; providing for licensure by the department of pest control customer contact centers; providing application requirements; providing for fees, licensure renewal, penalties, licensure expiration, and transfer of licenses; requiring the department to adopt rules; providing for disciplinary action; creating s. 482.157, F.S.; providing for the certification of commercial wildlife trappers; providing requirements for certification, examination, and fees; limiting the scope of work permitted by certificate holders; clarifying that certificateholders who practice accepted pest control methods are immune from liability for violating laws prohibiting cruelty to animals; providing that the provisions of s. 482.157, F.S., do not exempt any person from the rules, orders, or regulations of the Florida Fish and Wildlife Conservation Commission; amending s. 482.226, F.S.; increasing the minimum financial responsibility requirements for licensees that perform wood-destroying organism inspections; amending s. 482.243, F.S.; deleting provisions relating to reimbursement for expenses for members of the Pest Control Enforcement Advisory Council within the department; amending s. 487.041, F.S.; providing that registration, supplemental, and late fees related to the registration of pesticide brands with the department are nonrefundable; providing requirements for label revisions of pesticide brands; providing requirements for label revisions that must be reviewed by the United States Environmental Protection Agency; requiring payments of pesticide registration fees to be submitted electronically; amending s. 487.0615, F.S.; deleting reference relating to per diem and travel for the Pesticide Review Council within the Department of Agriculture and Consumer Services; amending s. 500.70, F.S.; requiring certain persons that produce, harvest, pack, or repack tomatoes to register each location of a tomato farm, tomato greenhouse, tomato packinghouse, or tomato repacker by a specified date on a form prescribed by the department; requiring the department to set a registration fee; providing for funds collected to be deposited into the General Inspection Trust Fund; amending s. 527.22, F.S.; deleting provisions relating to per diem and travel expenses for members of the Florida Propane Gas Education, Safety, and Research Council within the department; amending s. 559.9221, F.S.; deleting provisions relating to per diem and travel expenses for members of the Motor Vehicle Repair Advisory Council within the department; amending s. 570.07, F.S.; revising the department's authority to enforce laws relating to commercial stock feeds and commercial fertilizer; providing a limited exemption to counties that have with existing ordinances regulating the sale of urban turf fertilizers; revising the powers and duties of the department regarding pollution control and the prevention of wildfires; amending s. 570.0705, F.S.; deleting provisions relating to per diem and travel expenses for members of any advisory committee that the Commissioner of Agriculture may appoint; amending s. 570.074, F.S.; revising the name of the Office of Water Coordination to the Office of Energy and Water; amending s. 570.23, F.S.; deleting provisions relating to per diem and travel expenses for members of the State Agricultural Advisory Council within the department; repealing s. 570.29(6), F.S., relating to the Division of Dairy Industry within the department; amending s. 570.38, F.S.; deleting provisions relating to per diem and travel expenses for members of the Animal Industry Technical Council within the department; amending s. 570.382, F.S.; deleting provisions relating to per diem and travel expenses for members of the Arabian Horse Council within the department; repealing s. 570.40, F.S., relating to the powers and duties of the Division of Dairy within the department; repealing s. 570.41, F.S., relating to the qualifications and duties of the Director of the Division of Dairy within the department; amending s. 570.42, F.S.; deleting provisions relating to per diem and travel expenses for members of the Dairy Industry Technical Council within the department; amending s. 570.50,

F.S.; requiring the Division of Food Safety within the department to inspect dairy farms and enforce the provisions of ch. 502, F.S.; requiring the Division of Food Safety to inspect milk plants, milk product plants, and plants engaged in the manufacture and distribution of frozen desserts and frozen dessert mixes; requiring the Division of Food Safety to analyze and test samples of milk, milk products, frozen desserts, and frozen dessert mixes; amending s. 570.543, F.S.; deleting provisions relating to per diem and travel expenses for members of the Florida Consumers' Council within the department; repealing s. 570.954(3), F.S., relating to the requirement that the Department of Agriculture and Consumer Services coordinate with and solicit the expertise of the state energy office when developing the farm-to-fuel initiative; amending s. 571.28, F.S.; deleting provisions relating to per diem and travel expenses for members of the Florida Agricultural Promotional Campaign Advisory Council within the department; amending s. 573.112, F.S.; deleting provisions relating to per diem and travel expenses for members of the advisory council that administers the marketing order that is issued to the department; amending s. 576.091, F.S.; deleting provisions relating to per diem and travel expenses for members of the Fertilizer Technical Council within the department; amending s. 580.151, F.S.; deleting provisions relating to per diem and travel expenses for members of the Commercial Feed Technical Council within the department; amending s. 581.186, F.S.; deleting provisions relating to per diem and travel expenses for members of the Endangered Plant Advisory Council within the department; amending s. 586.161, F.S.; deleting provisions relating to per diem and travel expenses for members of the Honeybee Technical Council within the department; amending s. 589.101, F.S.; authorizing the Department of Agriculture and Consumer Services to lease gas, oil, and other mineral interests of lands leased to the department; requiring that the Board of Trustees of the Internal Improvement Trust Fund, or its designee, review proposed leases; amending s. 590.015, F.S.; defining the term "department," "open burning," and "broadcast burning" as they relate to forest protection; redefining the term "fire management services"; amending s. 590.02, F.S.; renaming the Division of Forestry to the Florida Forest Services; conforming terminology to changes made by the act; authorizing forest-operations administrators to be certified as forestry firefighters; providing the status of Selected Exempt Service to an aviation manager and a training coordinator for the Florida Forest Service; authorizing the department to have exclusive authority over the Florida Building Code as it pertains to wildfire and law enforcement facilities under the jurisdiction of the department; authorizing the department to retain, transfer, warehouse, bid, destroy, scrap or dispose of surplus equipment and vehicles used for wildland firefighting; authorizing the department to retain any moneys received from the disposition of state-owned equipment and vehicles used for wildland firefighting; providing that moneys received may be used for the acquisition of exchange and surplus equipment used for wildland firefighting and all necessary operating expenditures related to the equipment; requiring the department to maintain records of the accounts into which the money is deposited; giving the Florida Forest Service exclusive authority to require and issue authorizations for broadcast burning, agricultural pile burning, and silvicultural pile burning; preempting other governmental entities from adopting laws, rules, or policies pertaining to broadcast burning, agricultural pile burning, or silvicultural pile burning unless an emergency order has been declared; authorizing the department to delegate its authority to a county or municipality to issue authorizations for the burning of yard trash and debris from land clearing operations; amending s. 590.125, F.S.; defining and redefining terms relating to open-burning authorizations by the Florida Forest Services; specifying purposes of certified prescribed burning; requiring the authorization of the Florida Forest Service for certified pile burning; providing pile burning requirements; limiting the liability of property owners or agents engaged in pile burning; providing penalties for violations by certified pile burners; requiring the Florida Forest Service to adopt rules to regulate certified pile burning; revising notice requirements for wildfire hazard reduction treatments; providing for approval of local governments' open-burning-authorization programs; providing program requirements; authorizing the Florida Forest Service to resume administration of a local government's program under certain circumstances; providing penalties for violations of local government's open-burning requirements; amending s. 590.14, F.S.; authorizing an employee of the Florida Forest Service to issue a notice of violation for any rule adopted by the Florida Forest Service; authorizing the department to impose an administrative fine for a violation of any rule adopted by the Florida Forest Service; providing a criminal penalty; providing legislative intent; repealing s. 597.005(4), F.S., deleting provisions relating

to per diem and travel expenses for members of the Aquaculture Review Council within the department; amending s. 599.002, F.S.; deleting provisions relating to per diem and travel expenses for members of the Viticulture Advisory Council within the department; amending s. 616.252, F.S.; providing for the appointment of a youth member to serve on the Florida State Fair Authority as a nonvoting member; providing a term of service for the youth member of the Florida State Fair Authority; prohibiting reimbursement for travel expenses for members of the Florida State Fair Authority; excluding the youth member from compensation for special or full-time service performed on behalf of the authority; amending s. 812.014, F.S.; providing that it is a grand theft of the third degree and a felony of the third degree if bee colonies of a registered bee keeper are stolen; amending s. 812.015, F.S.; redefining the term "farmer" as it relates to a person who grows or produces honey; redefining the term "farm theft" to include the unlawful taking possession of equipment and associated materials used to grow or produce farm products; providing an effective date.

By the Committees on Communications, Energy, and Public Utilities; and Communications, Energy, and Public Utilities—

CS for SB 2078—A bill to be entitled An act relating to energy; amending s. 366.051, F.S.; requiring a utility to purchase excess electrical output generated by any property owner's rooftop solar equipment within its service area; amending s. 366.82, F.S.; requiring all public utilities to perform a free energy audit of the business structures of commercial customers; providing that the audit is deemed satisfied under certain conditions; amending s. 255.252, F.S.; requiring the Department of Management Services to prioritize buildings for an energy audit and retrofits and to proceed with performing those audits and retrofits; amending s. 366.92, F.S.; deleting obsolete provisions; providing new conditions for full cost recovery for regulated electric utilities for the costs of renewable energy projects; authorizing a certain amount of recoverable costs for solar generation to be added to the provider's demand-side renewable energy system projects; making available certain amounts for solar projects of up to 10 kilowatts; providing a mechanism for providers to recover costs to produce or purchase renewable energy through the environmental cost-recovery clause under certain conditions; requiring providers to make reports; creating s. 366.95, F.S.; providing for the development of a state energy resources plan by the Public Service Commission; establishing requirements for the plan; requiring the Public Service Commission to make certain determinations; providing criteria; requiring the additional renewable energy resources to be obtained pursuant to the bid process; providing for cost recovery for new facilities developed under the plan; providing that a determination by the commission constitutes a determination of need and the required agency report; requiring the commission to review the state energy resources plan biennially; transferring all of the powers, property, unexpended balances of appropriations, allocations, and administrative authority of the Florida Energy and Climate Commission to the Florida Energy Office by a type two transfer; amending s. 377.6015, F.S.; locating the Florida Energy Office within the Department of Environmental Protection; specifying that the office is not subject to control, supervision, or direction by the Department of Environmental Protection and exempting the office from certain provisions; providing for the administrative structure of the Florida Energy Office; providing for the powers and duties of the Florida Energy Office; providing an effective date.

By the Committees on Rules Subcommittee on Ethics and Elections; and Rules Subcommittee on Ethics and Elections—

CS for SB 2086—A bill to be entitled An act relating to elections; amending s. 97.071, F.S.; requiring that voter information cards contain the address of the polling place of the registered voter; requiring a supervisor of elections to issue a new voter information card to a voter upon a change in a voter's address of legal residence or a change in a voter's polling place address; providing instructions for implementation by the supervisors of elections; amending s. 99.095, F.S.; allowing a candidate to obtain the required number of signatures from any registered voter regardless of district boundaries in a year of apportionment; amending s. 101.161, F.S.; specifying a time period to initiate an action to challenge an amendment to the State Constitution proposed by the Legislature; requiring the court, including an appellate court, to accord the case

priority over other cases; requiring the Attorney General to revise a ballot title or ballot summary for an amendment proposed by the Legislature under certain circumstances; requiring the Department of State to furnish a designating number and the revised ballot title and substance to the supervisors of elections; providing that a defect in a ballot title or ballot summary in an amendment proposed by the Legislature is not grounds to remove the amendment from the ballot; amending s. 101.591, F.S.; removing the audit requirement by the canvassing board if a manual recount is undertaken; amending s. 101.62, F.S.; extending the time for requesting an absentee ballot to the end of the calendar year of the next regularly scheduled general election; removing requirements that an elector provide certain information when requesting an absentee ballot from the county supervisor of elections; amending s. 101.68, F.S.; extending the time for canvassing and processing absentee ballots to 15 days before the election; amending s. 106.011, F.S.; revising the definition of the term "independent expenditure"; amending s. 106.022, F.S.; requiring a political committee, committee of continuous existence, or electioneering communications organization to file a statement of appointment with the filing officer rather than with the Division of Elections; authorizing an entity to change its appointment of registered agent or registered office by filing a written statement with the filing officer; requiring a registered agent who resigns to execute a written statement of resignation and file it with the filing officer; amending s. 106.023, F.S.; revising the form of the statement of candidate to require a candidate to acknowledge that he or she has been provided access to and understands the requirements of ch. 106, F.S.; amending s. 106.04, F.S.; transferring a requirement that certain committees of continuous existence file campaign finance reports in special elections; requiring a committee of continuous existence that makes a contribution or expenditure to influence the results of certain county or municipal elections to file specified reports; subjecting a committee of continuous existence that fails to file a report or to timely file a report with the Division of Elections or a county or municipal filing officer to a fine; requiring a committee of continuous existence to include transaction information from credit card purchases in a report filed with the Division of Elections; requiring a committee of continuous existence to report changes in information previously reported to the Division of Elections within 10 days after the change; requiring the Division of Elections to revoke the certification of a committee of continuous existence that fails to file or report certain information; requiring the division to adopt rules to prescribe the manner in which the certification is revoked; increasing the amount of a fine to be levied on a committee of continuous existence that fails to timely file certain reports; providing for the deposit of the proceeds of the fines; including the registered agent of a committee of continuous existence as a person whom the filing officer may notify that a report has not been filed; providing criteria for deeming delivery complete of a notice of fine; requiring a committee of continuous existence that appeals a fine to file a copy of the appeal with the filing officer; defining the term "repeated late filing"; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; amending s. 106.07, F.S.; creating an exception for reports due in the third calendar quarter immediately preceding a general election from a requirement that the campaign treasurer report contributions received and expenditures made on the 10th day following the end of each calendar quarter; revising reporting requirements for a statewide candidate who receives funding under the Florida Election Campaign Financing Act and candidates in a race with a candidate who has requested funding under that act; deleting a requirement for a committee of continuous existence to file a campaign treasurer's report relating to contributions or expenditures to influence the results of a special election; revising the methods by which a campaign treasurer may be notified of the determination that a report is incomplete to include certified mail and other methods using a common carrier that provides proof of delivery of the notice; extending the time the campaign treasurer has to file an addendum to the report after receipt of notice of why the report is incomplete; providing criteria for deeming delivery complete of a notice of incomplete report; deleting a provision allowing for notification by telephone of an incomplete report; requiring political committees that make a contribution or expenditure to influence the results of certain county or municipal elections to file campaign finance reports with the county or municipal filing officer and to include its contributions and expenditures in a report to the Division of Elections; revising the information that must be included in a report to include transaction information for credit card purchases; deleting a requirement for a campaign depository to return checks drawn on the account to the campaign treasurer; deleting

a provision providing that the failure to file a copy of a report is not subject to a separate fine; specifying the amount of a fine for the failure to timely file reports after a special primary election or special election; specifying that the registered agent of a political committee is a person whom a filing officer may notify of the amount of the fine for filing a late report; providing criteria for deeming delivery complete of a notice of late report and resulting fine; defining the term "repeated late filing"; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; amending s. 106.0703, F.S.; defining the term "repeated late filing"; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; amending s. 106.0705, F.S.; requiring certain individuals to electronically file certain reports with the Division of Elections; conforming a cross-reference to changes made by the act; deleting an obsolete provision; amending s. 106.08, F.S.; deleting a requirement for the Department of State to notify candidates as to whether an independent or minor party candidate has obtained the required number of petition signatures; deleting a requirement for certain unopposed candidates to return contributions; specifying the entities with which a political party's state executive committee and county executive committees must file a written acceptance of an in-kind contribution; amending s. 106.09, F.S.; specifying that the limitations on contributions by cash or cashier's check apply to the aggregate amount of contributions to a candidate or committee per election; amending s. 106.11, F.S.; revising the statement that must be contained on checks from a campaign account; deleting requirements relating to the use of debit cards; authorizing a campaign for a candidate to reimburse the candidate's loan to the campaign when the campaign account has sufficient funds; amending s. 106.141, F.S.; requiring candidates receiving public financing to return all surplus funds to the General Revenue Fund after paying certain monetary obligations and expenses; amending s. 106.143, F.S.; specifying disclosure statements that must be included in political advertisements paid for by a write-in candidate; prohibiting the inclusion of a person's political affiliation in advertisements for a nonpartisan office; clarifying the type of political advertisements that must be approved in advance by a candidate; deleting an exemption from the requirement to obtain a candidate's approval for messages designed to be worn; amending s. 106.18, F.S.; deleting a provision providing that a candidate will not be prevented from receiving a certificate of election for failing to file a report; amending s. 106.19, F.S.; providing that a candidate's failure to comply with ch. 106, F.S., has no effect on whether the candidate has qualified for office; amending s. 106.29, F.S.; requiring state and county executive committees that make contributions or expenditures to influence the results of a special election or special primary election to file campaign treasurer's reports; amending campaign finance reporting dates, to conform; deleting a requirement that each state executive committee file the original and one copy of its reports with the Division of Elections; deleting a provision prohibiting the assessment of a separate fine for failing to file a copy of a report, to conform; revising the due date for filing a report; providing criteria for deeming delivery complete of a notice of fine; defining the term "repeated late filing"; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; amending s. 106.35, F.S.; deleting a requirement that the Division of Election adopt rules relating to the format and filing of certain printed campaign treasurer's reports; providing an effective date.

By the Committees on Rules Subcommittee on Ethics and Elections; and Rules; and Senator Gaetz—

CS for SB 2088—A bill to be entitled An act relating to ethics; amending s. 112.312, F.S.; redefining the term "gift" to exclude contributions or expenditures reported under federal election law; amending s. 112.3143, F.S.; providing for an exception to a provision authorizing a state public officer to vote in an official capacity on any matter, to conform to changes made by the act; creating s. 112.31435, F.S.; defining the term "relative"; prohibiting a member of the Legislature from voting upon any legislation inuring to his or her special private gain or loss; prohibiting a member of the Legislature from voting upon any legislation that the member knows would inure to the special private gain or loss of a principal by whom the member is retained or the corporate parent or subsidiary of a corporate principal by which the member is retained; prohibiting a member of the Legislature from voting on legislation that the member knows would inure to the special private gain or loss of a relative, a business associate, an employer, or a board upon which the

member sits; requiring that a member disclose all such interests to the applicable legislative body or committee before the legislation is considered; requiring that the member disclose the specific nature of any such interests within a specified period after the date on which a vote on the legislation occurs; requiring that such disclosure be made by written memorandum and filed with the Secretary of the Senate or the Clerk of the House of Representatives; requiring that the memorandum be recorded in the journal of the house of which the legislator is a member; providing that the act does not prevent a member from voting on legislation that inures to the special private gain or loss of the member's employer, principal, or board upon which the member sits, if such entity is an agency; providing that the act does not require disclosure if a member's vote will inure to the special private gain or loss of a member's employer, principal, or board upon which the member sits, if such entity is an agency; providing that the act does not prevent the member from voting on a General Appropriations Act or implementing legislation; amending s. 112.3144, F.S.; requiring the Commission on Ethics to review certain filings of full and public disclosure of financial interests made by certain public officers, including supporting documentation; requiring the commission to provide notice of the sufficiency of the financial disclosure; requiring that an amended or corrected disclosure be filed if the filing is insufficient; providing that the amended or corrected disclosure is not subject to sufficiency review; providing for a fine if the amended or corrected disclosure is not filed by a certain date; relieving an officer of liability for fines and penalties if a complete and sufficient full and public disclosure of financial interests is filed by September 1; specifying that any full and public financial disclosure that is not timely received is not entitled to review; permitting the commission to delegate to the commission's staff the responsibilities to review and provide notices relating to the disclosure filings; amending s. 112.3145, F.S.; redefining the term "local officer" for the purposes of disclosing financial interests to include members of a community redevelopment agency board and any finance director of a county, municipality, or other political subdivision; amending s. 838.014, F.S.; deleting the definition of the term "corruptly" or "with corrupt intent" to conform provisions to changes made by the act; amending s. 838.015, F.S.; redefining the term "bribery" as it relates to the requisite mental state for the offense of bribery; amending ss. 838.016 and 838.022, F.S.; revising provisions relating to the requisite mental state for the offenses of unlawful compensation and reward for official behavior and official misconduct, to conform to changes made by the act; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Budget Subcommittee on Finance and Tax; and Senator Bogdanoff—

CS for SB 382—A bill to be entitled An act relating to property taxation; amending s. 197.502, F.S.; revising provisions relating to applications for tax deeds; providing payment requirements; authorizing the tax collector to charge a fee to cover the costs to the tax collector for electronic tax deed programs or services; providing an effective date.

—was placed on the Calendar.

By the Committee on Transportation; and Senator Wise—

CS for SB 560—A bill to be entitled An act relating to the sale of advertising; creating the "John Anthony Wilson Bicycle Safety Act"; creating s. 260.0144, F.S.; providing for the Department of Environmental Protection to enter into concession agreements for naming rights of state greenway and trail facilities or property or commercial advertising to be displayed on state greenway and trail facilities or property; providing for distribution of proceeds from such concession agreements; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Environmental Preservation and Conservation; and Budget.

By the Committees on Budget; and Governmental Oversight and Accountability; and Senator Alexander—

CS for CS for SB 1292—A bill to be entitled An act relating to the Chief Financial Officer; creating s. 215.89, F.S.; providing legislative intent; providing definitions; requiring the Chief Financial Officer to conduct workshops with state agencies, local governments, educational entities, and entities of higher education to gather information pertaining to uniform reporting requirements; requiring the Chief Financial Officer to accept comments from state agencies, local governments, educational entities, entities of higher education, and interested parties regarding proposed charts of account by a certain date; requiring the Chief Financial Officer to adopt charts of account which meet certain requirements by a certain date; requiring a review and update of the charts of account; requiring the Chief Financial Officer to consult with the Legislature, the Auditor General, and the affected parties about certain modifications; requiring the Chief Financial Officer to publish the charts of account by memoranda to all affected reporting entities; amending s. 120.52, F.S.; revising the definition of the term "rule" to include certain statements, memoranda, or instructions by the Chief Financial Officer on the manner in which accounts and financial information are kept and reported by state agencies, local governments, educational entities, and entities of higher education; providing a declaration of important state interest; providing an effective date.

—was placed on the Calendar.

By the Committees on Budget; and Governmental Oversight and Accountability; and Senator Alexander—

CS for CS for SB 1314—A bill to be entitled An act relating to state financial matters; amending s. 216.011, F.S.; defining the term "lease or lease-purchase of equipment"; amending s. 216.023, F.S.; requiring that specified information relating to certain contracts be included in an agency's legislative budget request; amending s. 216.311, F.S.; defining the terms "contract" and "agreement"; prohibiting an agency or branch of state government, without legislative authority, from contracting to pay liquidated damages or early termination fees resulting from the breach or early termination of a contract or agreement, from paying interest because of insufficient budget authority to pay an obligation in the current year, from obligating the state to make future payments to cover unpaid payments, or from granting a party the right to collect fees or other revenues from nonparties; providing certain exemptions; prohibiting an agency from entering into certain leases without authorization by the Legislature or the Legislative Budget Commission; creating s. 216.312, F.S.; requiring the executive and judicial branch to notify the Governor and Legislature before entering into contracts containing certain provisions relating to expenditures; providing an exception for the Department of Transportation; transferring, renumbering, and amending s. 287.0582, F.S.; requiring a state contract to identify the appropriation that funds a contract; expanding the statement that must be included in state contracts to include grounds for terminating the contract based on budget deficits; requiring the judicial branch to include the statement in its contracts; requiring the agency head, executive director, or chief judge, as appropriate, or a designated senior management employee, to sign contracts that exceed a specified amount; requiring the agency head, executive director, or chief judge to review certain contracts and certify compliance with ch. 216, F.S.; requiring contracts exceeding a specified amount to require written acceptance or rejection of contract deliverables; providing that contracts in violation of these provisions are null and void; providing penalties; amending s. 287.063, F.S.; prohibiting certain lease or deferred-payment purchases by state agencies unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending s. 287.064, F.S.; prohibiting certain master equipment financing agreements unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending ss. 376.3075 and 403.1837, F.S.; conforming cross-references; repealing s. 287.056(2), F.S., relating to provisions providing agencies with the option of purchasing services from state term contracts; amending s. 45, chapter 2010-151, Laws of Florida; providing that certain contracts are subject to transaction fees; providing for application; providing an effective date.

—was placed on the Calendar.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Secretary of Corrections Appointee: Buss, Edwin G., Zionsville, IN	Pleasure of Governor

Referred to the Committee on Criminal Justice; and Rules Subcommittee on Ethics and Elections.

<i>Office and Appointment</i>	<i>For Term Ending</i>
Investment Advisory Council Appointees: Garcia, Martin L., Esquire, Tampa Newman, Charles W., Ponte Vedra Beach	02/22/2015 02/01/2015

Referred to the Committee on Governmental Oversight and Accountability; and Rules Subcommittee on Ethics and Elec- tions.

<i>Office and Appointment</i>	<i>For Term Ending</i>
Secretary of Health Care Administration Appointee: Dudek, Elizabeth, Tallahassee	Pleasure of Governor
State Surgeon General Appointee: Farmer, Harry Frank, Jr., Ormond Beach	Pleasure of Governor

Referred to the Committee on Health Regulation; and Rules Subcommittee on Ethics and Elections.

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, Florida A & M University Appointees: Dent, Richard A. III, Blacklick, OH White, Karl E., Boston, MA	01/06/2016 01/06/2016
Board of Trustees, Florida Atlantic University Appointees: Stille, Robert J., Tequesta Tanner, Paul C., Ft. Lauderdale	01/06/2016 01/06/2016
Board of Trustees, Florida State University Appointee: Camps, Joseph L., Tallahassee	01/06/2016
Board of Trustees, Florida Gulf Coast University Appointees: Catti, Joseph R., Ft. Myers Wells, Robert A. III, Ft. Myers	01/06/2016 01/06/2016
Board of Trustees, Florida International University Appointee: Maury, Albert R., Pinecrest	01/06/2016
Board of Trustees, New College of Florida Appointees: Coleman, Audrey R., Lakewood Ranch Ruiz, Mary, Bradenton	01/06/2016 01/06/2016
Board of Trustees, University of North Florida Appointee: Newton, Joan W., Jacksonville	01/06/2016

Board of Trustees, University of South Florida Appointee: Goforth, Stephanie E., Gulfport	01/06/2016
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Referred to the Committee on Higher Education; and Rules Subcommittee on Ethics and Elections.

FIRST READING

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 4067, HB 4081, CS for HB 4099, HB 4129, HB 4181 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Representative(s) McBurney—

HB 4067—A bill to be entitled An act relating to residence of the clerk of the circuit court; repealing s. 28.08, F.S., relating to the clerk of the circuit court's place of residence; providing an effective date.

—was referred to the Committee on Judiciary.

By Representative(s) Horner—

HB 4081—A bill to be entitled An act relating to the repeal of obsolete insurance provisions; amending s. 215.5595, F.S.; deleting an obsolete requirement for the State Board of Administration to transfer to the Citizens Property Insurance Corporation certain funds of the Insurance Capital Build-Up Incentive Program; amending s. 627.311, F.S.; deleting an obsolete presuit notice requirement for the Florida Automobile Joint Underwriting Association; amending s. 627.706, F.S.; deleting an obsolete form filing deadline for sinkhole coverage; amending s. 627.7065, F.S.; deleting an obsolete reporting requirement for activities relating to the sinkhole database; repealing s. 627.7077, F.S., relating to a feasibility and cost-benefit study of a Florida Sinkhole Insurance Facility and other matters related to affordability and availability of sinkhole insurance; amending s. 627.712, F.S.; deleting an obsolete effective date for the exclusion of windstorm and contents coverage; providing an effective date.

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

By Insurance & Banking Subcommittee and Representative(s) Nelson—

CS for HB 4099—A bill to be entitled An act relating to the repeal of property and casualty insurance provisions; amending s. 215.5595, F.S.; deleting an obsolete requirement for the State Board of Administration to transfer to the Citizens Property Insurance Corporation certain funds of the Insurance Capital Build-Up Incentive Program; amending s. 627.311, F.S.; deleting an obsolete presuit notice requirement for the Florida Automobile Joint Underwriting Association; repealing s. 627.3519, F.S., relating to annual report of aggregate net probable maximum losses, financing options, and potential assessments; amending s. 627.706, F.S.; deleting an obsolete form filing deadline for sinkhole coverage; amending s. 627.7065, F.S.; deleting an obsolete reporting requirement for activities relating to the sinkhole database; repealing s. 627.7077, F.S., relating to a feasibility and cost-benefit study of a Florida Sinkhole Insurance Facility and other matters related to affordability and availability of sinkhole insurance; amending s. 627.712, F.S.; deleting an obsolete effective date for the exclusion of windstorm and contents coverage; providing an effective date.

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

By Representative(s) Crisafulli—

HB 4129—A bill to be entitled An act relating to a residential property structural soundness evaluation grant program; amending s. 627.0629, F.S.; deleting an obsolete Citizens Property Insurance Corporation residential property structural soundness evaluation grant program; providing an effective date.

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

By Representative(s) Davis—

HB 4181—A bill to be entitled An act relating to prohibited activities of Citizens Property Insurance Corporation; repealing s. 215.55951, F.S., relating to an obsolete prohibition against Citizens Property Insurance Corporation's use of certain amendments or transfers of funds for rate or assessment increase purposes; providing an effective date.

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

CO-INTRODUCERS

Senators Altman—SB 330, CS for SB 368, CS for CS for SB 450, CS for SB 520, SJR 592, SB 704, SB 826, SB 894, SB 904, CS for SB 1110, CS

for SB 1230, CS for SB 1502; Bennett—SB 1190; Bullard—CS for SB 86, SB 844, CS for SB 1246; Dockery—CS for CS for SB 1524; Hill—SB 1190; Joyner—CS for SB 1206, CS for SB 1334; Lynn—CS for SB 426, CS for SB 786, CS for SB 1128, SB 1500; Siplin—SB 1190; Sobel—CS for SB 524

SENATE PAGES

April 4-8, 2011

Taylor Ballard, Tallahassee; Cyrus Calhoun III, Tallahassee; Blake Edwards, Gulf Breeze; Adam Gabrini, Tallahassee; Kobe Lawson, Tallahassee; Jacob Morello, Tampa; Graziella Pastor, Palmetto Bay; Sarah Stanley, Inverness; Lauriel Stewart, Tyrone, GA; Kathryn Underwood, Tallahassee; Tayler Uselton, Palmetto; Javonte Wilkerson, Jacksonville



Journal of the Senate

Number 13—Regular Session

Wednesday, April 6, 2011

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CALL TO ORDER

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

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	
Flores	Norman	

Excused: Senator Bullard

PRAYER

The following prayer was offered by Rev. Richard Hills, First Presbyterian Church of Daytona Beach:

Almighty God, give those gathered in this great assembly a sense of your will for our world. Help each elected official remember they serve a public trust beyond personal gain of glory.

Grant tough minds to wrestle with hard questions, and tender hearts to make compassionate decisions. May all actions reflect a profound respect for justice, fairness, and the well-being of all our citizens.

So may it be this day. Amen.

PLEDGE

Senate Pages Javonte Wilkerson of Jacksonville; Kobe Lawson, granddaughter of former Senator Al Lawson, and Cyrus Calhoun III of Tallahassee; and Blake Edwards of Gulf Breeze, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Elias Sarkis of Gainesville, sponsored by Senator Oelrich, as doctor of the day. Dr. Sarkis specializes in Psychiatry.

ADOPTION OF RESOLUTIONS

On motion by Senator Rich—

By Senators Rich and Gaetz—

SR 194—A resolution recognizing the students, faculty, staff, board of trustees, and alumni of Broward College as they celebrate its 50 years as an outstanding institution of higher education.

WHEREAS, in 1960, Broward College opened its doors as the Junior College of Broward County, with 73 students, and

WHEREAS, following accreditation by the Commission on Colleges of the Southern Association of Colleges and Schools, Broward College became the primary point of access to higher education in Broward County, and

WHEREAS, today Broward College enrolls 61,173 diverse students, who hail from 157 countries, and offers an affordable, high-quality education and the convenience of three campuses, in Pembroke Pines, Davie, and Coconut Creek, and six centers: the Willis Holcombe Center, the Pines Center, the Institute for Economic Development, the Weston Center, the Broward College Maroone Automotive Training Center, and Coconut Creek, and

WHEREAS, a number of outstanding Broward College graduates have won prestigious scholarships, including Jack Kent Cooke scholarships, have transferred to universities, and gone on to attend graduate and professional schools, and

WHEREAS, a “branch campus” for Black students, which opened in 1961 at Dillard High School, was merged with the main campus during the 1963-1964 academic year and Broward College is currently one of the nation’s top producers of associate degrees awarded to minority students, and

WHEREAS, Broward College was the first community college in the country to endow teaching chairs for its faculty members, demonstrating commitment to quality instruction by recognizing and fostering faculty excellence, and

WHEREAS, Broward College offers six online associate degrees, 200 online course titles, and many blended programs that combine the benefits of online and face-to-face classes, and is accredited to award bachelor’s degrees in a number of areas, including teacher education in critical-need fields, supervision and management, information technology, and technology management, and

WHEREAS, Broward College’s 56 certificate programs, including digital media web production, dental assisting, and marine technology, prepare men and women for rewarding careers and are designed to lead directly into the workforce within 3 to 12 months, and

WHEREAS, Broward College boasts such popular courses of study as accounting technology, aviation, graphic design technology, legal assisting technology, marine engineering management, massage therapy, and automotive technology, and

WHEREAS, Broward College offers 1,000 continuing education classes for professional and personal development and just for fun, and

WHEREAS, Broward College is one of the schools that make up this state's "Great 28" network of state colleges, educating the teachers, nurses, public safety personnel, and other valued professionals who make Florida a better place to live, NOW, THEREFORE,

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

That the students, faculty, staff, board of trustees, and alumni of Broward College are recognized and congratulated as Broward College celebrates 50 years as an outstanding institution of higher education.

—was introduced out of order and read by title. On motion by Senator Rich, **SR 194** was read the second time in full and adopted.

On motion by Senator Flores—

By Senator Flores—

SR 2080—A resolution recognizing April 6 and 7, 2011, as "Miami-Dade County Days."

WHEREAS, Greater Miami-Dade County contains thousands of businesses that employ millions of people and is the site of foreign consulates, international trade offices, and bi-national chambers of commerce, and

WHEREAS, Miami-Dade County is a center of world finance, with hundreds of financial institutions and foreign agencies within its boundaries, and

WHEREAS, the film and music industry have made Miami-Dade County one of the largest production centers in the nation, and

WHEREAS, agriculture continues to provide millions in economic activity to Miami-Dade County, and the agricultural industry has diversified in such a manner that Miami-Dade County is now one of the largest producers in the United States of tropical fruits, ornamental plants, and fish, and

WHEREAS, manufacturing is also a key industry in Miami-Dade County, with thousands of companies employing tens of thousands of individuals in manufacturing jobs, and

WHEREAS, Miami-Dade County is currently experiencing a cultural boom in world-class entertainment and cultural activities, which is evidenced by the thousands of nonprofit cultural organizations offering dance, theater, music, and visual arts, and festivals and special events, and

WHEREAS, the Miami-Dade County community is a microcosm of the world, in which hundreds of countries are represented, and diverse languages are spoken daily, and

WHEREAS, 22 years, ago the late Representative John F. Cosgrove, as chair of the then-Dade County legislative delegation, worked with the private sector to create what is now Miami-Dade County Days in Tallahassee, NOW, THEREFORE,

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

That April 6 and 7, 2011, are recognized as "Miami-Dade County Days."

—was introduced out of order and read by title. On motion by Senator Flores, **SR 2080** was read the second time in full and adopted.

At the request of Senator Evers—

By Senator Evers—

SR 2166—A resolution recognizing April 5, 2011, as "Department of Juvenile Justice: Youth Success Day" in Florida.

WHEREAS, the State of Florida and the Florida Department of Juvenile Justice recognize the importance of preventing juvenile delinquency, reducing recidivism of those currently in the juvenile system, and contributing to the safety of Florida's citizens and communities, and

WHEREAS, the Florida Department of Juvenile Justice's array of prevention, education, health, probation, and community intervention coupled with its diversion, detention, and residential services have resulted in a reduction in juvenile crime and a safer Florida for all residents, and

WHEREAS, youth, families, law enforcement agencies, the courts, program providers, local boards and councils, schools, volunteers, and other partners work tirelessly to improve the lives of young people, and

WHEREAS, juvenile justice programs help at-risk children and their families stay crime-free, lowering the crime rate and saving lives, and

WHEREAS, the Florida Department of Juvenile Justice is charged with the mission of increasing public safety by reducing juvenile delinquency through effective prevention, intervention, and treatment services that strengthen families and turn around the lives of troubled youth, and

WHEREAS, the Florida Department of Juvenile Justice is part of the community and part of the solution in reducing juvenile crime, NOW, THEREFORE,

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

That the members of the Florida Senate recognize April 5, 2011, as "Department of Juvenile Justice: Youth Success Day" in Florida and encourage families, schools, providers, faith-based and civic organizations, businesses, and communities to join with the department in preventing juvenile crime.

—**SR 2166** was introduced, read and adopted by publication.

At the request of Senator Jones—

By Senator Jones—

SR 1078—A resolution recognizing April 2011 as "Adopt a Shelter Pet Month" in Florida.

WHEREAS, in the United States, six to eight million homeless pets enter animal shelters each year, with as many as four million of these animals being euthanized, including healthy, loving cats, dogs, kittens, and puppies, and

WHEREAS, the faltering economy has forced many pet owners to surrender their beloved pets to local animal shelters, which are already overburdened, and

WHEREAS, Florida communities are experiencing unprecedented budget shortfalls, which is placing an increased strain on local animal shelters, threatening the lives of thousands of animals, and

WHEREAS, Florida animal shelters cannot save and support the large numbers of animals arriving at their doors, and

WHEREAS, adopting a pet from a local animal shelter is one way that Floridians can make a difference in these uncertain economic times, giving hope to those who must surrender their pet that the pet will be loved and cared for, and

WHEREAS, adopting a pet from a local animal shelter deeply enriches the lives of those who open their homes and hearts to shelter animals, NOW, THEREFORE,

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

That April 2011 is recognized as "Adopt a Shelter Pet Month" in Florida.

—**SR 1078** was introduced, read and adopted by publication.

CONSENT CALENDAR

Consideration of **SM 954** was removed by objection.

Consideration of **SB 464** was deferred.

CS for SB 138—A bill to be entitled An act relating to military veterans convicted of criminal offenses; providing a short title; creating s. 921.00242, F.S.; providing that persons found to have committed criminal offenses who allege that the offenses resulted from posttraumatic stress disorder, traumatic brain injury, substance use disorder, or psychological problems stemming from service in a combat theater in the United States military may have a hearing on that issue before sentencing; providing that defendants found to have committed offenses due to such causes and who are eligible for probation or community control may be placed in treatment programs in certain circumstances; providing for sentence credit for defendants placed in treatment who would have otherwise been incarcerated; providing a preference for treatment programs that have histories of successfully treating such combat veterans; amending s. 948.08, F.S.; creating a pretrial veterans’ treatment intervention program; providing requirements for a defendant to be voluntarily admitted to the pretrial program; providing certain exceptions to such admission; providing for the disposition of pending charges following a defendant’s completion of the pretrial intervention program; providing for the charges to be expunged under certain circumstances; amending s. 948.16, F.S.; creating a misdemeanor pretrial veterans’ treatment intervention program; providing requirements for voluntary admission to the misdemeanor pretrial program; providing for the misdemeanor charges to be expunged under certain circumstances; exempting treatment services provided by the Department of Veterans’ Affairs or the United States Department of Veterans Affairs from certain contract requirements; providing an effective date.

—was read the second time by title.

Senator Bennett moved the following amendment which was adopted:

Amendment 1 (159540)—Delete lines 93-96 and insert:

(7)(a) A person who is charged with a felony, other than a felony listed in s. 948.06(8)(c), and identified as a

On motions by Senator Bennett, by two-thirds vote **CS for SB 138** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	
Flores	Oelrich	

Nays—None

Consideration of **CS for SB 400** and **SB 240** was deferred.

CS for SB 782—A bill to be entitled An act relating to road and bridge designations; designating the Sgt. Thomas J. Baitinger, Officer Jeffrey A. Yaslowitz, and Officer David S. Crawford Memorial Highway in Pinellas County; designating the Officer Jeffrey A. Kocab and Officer David L. Curtis Memorial Highway in Hillsborough County; providing an effective date.

—was read the second time by title. On motions by Senator Latvala, by two-thirds vote **CS for SB 782** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	
Gaetz	Oelrich	

Nays—None

Vote after roll call:

Yea—Evers

CS for CS for SB 244—A bill to be entitled An act relating to motor vehicles; creating the “Highway Safety Act”; providing legislative intent relating to road rage and aggressive careless driving; amending s. 316.003, F.S.; defining the term “road rage”; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving, including imposition of an increased fine; amending s. 318.121, F.S.; revising the preemption of additional fees, fines, surcharges, and court costs to allow imposition of the increased fine for aggressive careless driving; amending s. 318.18, F.S.; specifying the amount of the fine and the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; requiring the Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver’s license educational materials; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; providing an effective date.

—was read the second time by title. On motions by Senator Bennett, by two-thirds vote **CS for CS for SB 244** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	
Flores	Oelrich	

Nays—1

Lynn

Consideration of **SB 330** was deferred.

SB 634—A bill to be entitled An act relating to prohibited activities of Citizens Property Insurance Corporation; repealing s. 215.55951, F.S., relating to an obsolete prohibition against Citizens Property Insurance Corporation’s use of certain amendments or transfers of funds for rate or assessment increase purposes; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 634**, on motion by Senator Simmons, by two-thirds vote **HB 4181** was withdrawn from the Committees on Banking and Insurance; Community Affairs; and Budget.

On motion by Senator Simmons—

HB 4181—A bill to be entitled An act relating to prohibited activities of Citizens Property Insurance Corporation; repealing s. 215.55951, F.S., relating to an obsolete prohibition against Citizens Property Insurance Corporation’s use of certain amendments or transfers of funds for rate or assessment increase purposes; providing an effective date.

—a companion measure, was substituted for **SB 634** and read the second time by title.

On motions by Senator Simmons, by two-thirds vote **HB 4181** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

SB 636—A bill to be entitled An act relating to the repeal of obsolete insurance provisions; amending s. 215.5595, F.S.; deleting an obsolete requirement for the State Board of Administration to transfer to the Citizens Property Insurance Corporation certain funds of the Insurance Capital Build-Up Incentive Program; amending s. 627.311, F.S.; deleting an obsolete presuit notice requirement for the Florida Automobile Joint Underwriting Association; amending s. 627.706, F.S.; deleting an obsolete form filing deadline for sinkhole coverage; amending s. 627.7065, F.S.; deleting an obsolete reporting requirement for activities relating to the sinkhole database; repealing s. 627.7077, F.S., relating to a feasibility and cost-benefit study of a Florida Sinkhole Insurance Facility and other matters related to affordability and availability of sinkhole insurance; amending s. 627.712, F.S.; deleting an obsolete effective date for the exclusion of windstorm and contents coverage; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 636**, on motion by Senator Simmons, by two-thirds vote **HB 4081** was withdrawn from the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Budget.

On motion by Senator Simmons—

HB 4081—A bill to be entitled An act relating to the repeal of obsolete insurance provisions; amending s. 215.5595, F.S.; deleting an obsolete requirement for the State Board of Administration to transfer to the

Citizens Property Insurance Corporation certain funds of the Insurance Capital Build-Up Incentive Program; amending s. 627.311, F.S.; deleting an obsolete presuit notice requirement for the Florida Automobile Joint Underwriting Association; amending s. 627.706, F.S.; deleting an obsolete form filing deadline for sinkhole coverage; amending s. 627.7065, F.S.; deleting an obsolete reporting requirement for activities relating to the sinkhole database; repealing s. 627.7077, F.S., relating to a feasibility and cost-benefit study of a Florida Sinkhole Insurance Facility and other matters related to affordability and availability of sinkhole insurance; amending s. 627.712, F.S.; deleting an obsolete effective date for the exclusion of windstorm and contents coverage; providing an effective date.

—a companion measure, was substituted for **SB 636** and read the second time by title.

On motions by Senator Simmons, by two-thirds vote **HB 4081** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

SB 638—A bill to be entitled An act relating to a residential property structural soundness evaluation grant program; amending s. 627.0629, F.S.; deleting an obsolete Citizens Property Insurance Corporation residential property structural soundness evaluation grant program; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 638**, on motion by Senator Simmons, by two-thirds vote **HB 4129** was withdrawn from the Committees on Banking and Insurance; Community Affairs; and Budget.

On motion by Senator Simmons—

HB 4129—A bill to be entitled An act relating to a residential property structural soundness evaluation grant program; amending s. 627.0629, F.S.; deleting an obsolete Citizens Property Insurance Corporation residential property structural soundness evaluation grant program; providing an effective date.

—a companion measure, was substituted for **SB 638** and read the second time by title.

On motions by Senator Simmons, by two-thirds vote **HB 4129** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Altman	Dockery	Hill
Benacquisto	Evers	Jones
Bennett	Fasano	Joyner
Bogdanoff	Flores	Latvala
Braynon	Gaetz	Lynn
Dean	Garcia	Margolis
Detert	Gardiner	Montford
Diaz de la Portilla	Hays	Negron

Norman	Sachs	Storms
Oelrich	Simmons	Thrasher
Rich	Siplin	Wise
Richter	Smith	
Ring	Sobel	

Nays—None

Vote after roll call:

Yea—Mr. President

SB 330—A bill to be entitled An act relating to violations of the Florida Election Code; creating s. 104.2715, F.S.; providing that a candidate who, in a primary or other election, falsely represents that he or she served or is currently serving in the military, commits a violation of the Florida Election Code; permitting any person to file a complaint with the Florida Elections Commission alleging that a candidate has falsely represented his or her military service; requiring that the commission adopt rules to provide for an expedited hearing for complaints filed with the commission; requiring that the Director of the Division of Administrative Hearings assign an administrative law judge to provide an expedited hearing in certain cases; requiring the commission or administrative law judge to assess a civil penalty of up to a specified amount against a candidate who is found to have falsely misrepresented his or her military service; providing an effective date.

—was read the second time by title. On motions by Senator Gaetz, by two-thirds vote **SB 330** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	
Gaetz	Oelrich	

Nays—None

Vote after roll call:

Yea—Mr. President

Consideration of **CS for CS for SB 170** was deferred.

SB 1100—A bill to be entitled An act relating to residence of the clerk of the circuit court; repealing s. 28.08, F.S., relating to the clerk of the circuit court's place of residence; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1100**, on motion by Senator Detert, by two-thirds vote **HB 4067** was withdrawn from the Committee on Judiciary.

On motion by Senator Detert—

HB 4067—A bill to be entitled An act relating to residence of the clerk of the circuit court; repealing s. 28.08, F.S., relating to the clerk of the circuit court's place of residence; providing an effective date.

—a companion measure, was substituted for **SB 1100** and read the second time by title.

On motions by Senator Detert, by two-thirds vote **HB 4067** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

CS for SB 382—A bill to be entitled An act relating to property taxation; amending s. 197.502, F.S.; revising provisions relating to applications for tax deeds; providing payment requirements; authorizing the tax collector to charge a fee to cover the costs to the tax collector for electronic tax deed programs or services; providing an effective date.

—was read the second time by title. On motions by Senator Bogdanoff, by two-thirds vote **CS for SB 382** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

SB 462—A bill to be entitled An act relating to the Beverage Law; amending ss. 561.15 and 561.17, F.S.; exempting performance arts centers from obtaining approval from the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation of volunteer officers or directors of the performing arts center or of changes in such positions; providing an effective date.

—was read the second time by title. On motions by Senator Latvala, by two-thirds vote **SB 462** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Diaz de la Portilla	Jones
Alexander	Dockery	Joyner
Altman	Evers	Latvala
Benacquisto	Fasano	Lynn
Bennett	Flores	Margolis
Bogdanoff	Gaetz	Montford
Braynon	Gardiner	Negron
Dean	Hays	Norman
Detert	Hill	Oelrich

Rich	Simmons	Thrasher
Richter	Siplin	Wise
Ring	Smith	
Sachs	Sobel	

Nays—1

Storms

Vote after roll call:

Yea—Garcia

CS for SB 312—A bill to be entitled An act relating to the practice of dentistry; requiring persons who apply for licensure renewal as a dentist or dental hygienist to furnish certain information to the Department of Health in a dental workforce survey; requiring the Board of Dentistry to issue a nondisciplinary citation and a notice for failure to complete the survey within a specified time; providing notification requirements for the citation; requiring the department to serve as the coordinating body for the purpose of collecting, disseminating, and updating dental workforce data; requiring the department to maintain a database regarding the state’s dental workforce; requiring the department to develop strategies to maximize federal and state programs and to work with an advisory body to address matters relating to the state’s dental workforce; providing membership of the advisory body; providing for members of the advisory body to serve without compensation; requiring the department to act as a clearinghouse for collecting and disseminating information regarding the dental workforce; requiring the department and the board to adopt rules; providing legislative intent regarding implementation of the act within existing resources; amending s. 499.01, F.S.; authorizing certain business entities to pay for prescription drugs obtained by practitioners licensed under ch. 466, F.S.; amending s. 624.91, F.S.; revising the membership of the board of directors of the Florida Healthy Kids Corporation to include a member nominated by the Florida Dental Association and appointed by the Governor; providing an effective date.

—was read the second time by title. On motions by Senator Richter, by two-thirds vote **CS for SB 312** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 968—A bill to be entitled An act relating to boating safety; amending s. 327.395, F.S.; providing an exemption from the requirement that certain persons must possess a boating safety identification card while operating a motor vessel of a specified horsepower or greater; amending s. 327.54, F.S.; requiring liveries to require that a person present a valid boater safety identification card or provide proof that the person passed the boating education safety course or examination; providing an effective date.

—was read the second time by title. On motions by Senator Dean, by two-thirds vote **CS for SB 968** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 960—A bill to be entitled An act relating to liquefied petroleum gas; amending s. 527.06, F.S.; prohibiting the Department of Agriculture and Consumer Services and other state agencies from requiring compliance with certain national standards for liquefied petroleum gas tanks unless the department or agencies require compliance with a specified edition of the national standards; providing for future expiration of such requirements; amending s. 527.21, F.S.; revising the term “propane” for purposes of the Florida Propane Gas Education, Safety, and Research Act, to incorporate changes to certain national standards in a reference thereto; providing an effective date.

—was read the second time by title. On motions by Senator Bennett, by two-thirds vote **CS for SB 960** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Consideration of **CS for SB 650** was removed by objection.

SB 1142—A bill to be entitled An act relating to adverse possession; amending s. 95.18, F.S.; specifying that occupation and maintenance of property satisfies the requirements for possession for purposes of gaining title to property via adverse possession without color of title; requiring a person seeking property by adverse possession to use a uniform adverse possession return provided by the Department of Revenue; requiring the property appraiser to notify the owner of record of an adverse possession claim; requiring that a person claiming adverse possession attest to the truthfulness of the information provided in the return under penalty of perjury; authorizing the Department of Revenue to adopt emergency rules; requiring that the property appraiser add certain information related to the adverse possession claim to the parcel information on the tax roll and prescribing conditions for removal of that information; prescribing procedures and requirements for adverse possession claims against a portion of an identified parcel or against property to which the property appraiser has not assigned a parcel number; requiring the property appraiser to include a notation of an adverse possession filing in any searchable property database maintained by the property appraiser; amending s. 197.212, F.S.; excluding property sub-

ject to adverse possession claims without color of title from provisions authorizing the tax collector not to send a tax notice for minimum tax bills; creating s. 197.3335, F.S.; requiring the tax collector to determine whether a duplicate tax payment is made by an adverse possessor; providing for priority of tax payments made by an owner of record who is subject to an adverse possession claim; providing for a refund of tax payments under certain conditions; providing for retroactive application of certain provisions governing procedures for administering a claim of adverse possession and establishing tax priority for owners of record; providing an effective date.

—was read the second time by title. On motions by Senator Dockery, by two-thirds vote **SB 1142** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 702—A bill to be entitled An act relating to umbilical cord blood banking; requiring the Department of Health to post on its website certain resources and a website link to specified materials regarding umbilical cord blood banking; requiring the department to encourage certain health care providers to make available to their pregnant patients information related to umbilical cord blood banking; providing that a health care provider or health care facility and its employees or agents are not liable for damages in a civil action, subject to prosecution in a criminal proceeding, or subject to disciplinary action by the appropriate regulatory board for acting in good faith to comply with the act; providing an effective date.

—was read the second time by title. On motions by Senator Flores, by two-thirds vote **SB 702** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 246—A bill to be entitled An act relating to human trafficking; creating s. 480.0535, F.S.; requiring operators of massage establishments to maintain valid work authorization documents on the premises for each employee who is not a United States citizen; requiring presentation of such documents upon request of a law enforcement officer; prohibiting the use of a massage establishment license for the

purpose of lewdness, assignation, or prostitution; providing criminal penalties; amending s. 921.0022, F.S.; including within the severity ranking chart of the Criminal Punishment Code certain offenses prohibited by the act; providing an effective date.

—was read the second time by title. On motions by Senator Joyner, by two-thirds vote **CS for SB 246** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 400—A bill to be entitled An act relating to treatment-based drug court programs; amending s. 397.334, F.S.; requiring all offenders sentenced to a postadjudicatory drug court program who are drug court participants and who are the subject of a violation of probation or community control hearing under specified provisions to have the violation of probation or community control heard by the judge presiding over the drug court program; providing that treatment-based drug court programs may include postadjudicatory programs provided under specified provisions; amending s. 921.0026, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.01, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.06, F.S.; making defendants other than those who have violated probation or community control by a failed or suspect substance abuse test eligible for postadjudicatory treatment-based drug court programs; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.20, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; providing an effective date.

—was read the second time by title. On motions by Senator Wise, by two-thirds vote **CS for SB 400** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 240—A bill to be entitled An act relating to violations of injunctions for protection; amending s. 784.047, F.S.; adding circumstances that violate an injunction for protection against repeat violence, sexual violence, or dating violence; providing an effective date.

—was read the second time by title. On motions by Senator Joyner, by two-thirds vote **SB 240** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for CS for SB 170—A bill to be entitled An act relating to electronic filing and receipt of court documents; creating ss. 27.341 and 27.5112, F.S.; requiring each state attorney and public defender to electronically file court documents with the clerk of the court and receive court documents from the clerk of the court; defining the term “court documents”; providing legislative expectations that the state attorneys and public defenders consult with specified entities; requiring the Florida Prosecuting Attorneys Association and the Florida Public Defender Association report to the President of the Senate and the Speaker of the House of Representatives by a specified date on the progress made to use the Florida Courts E-Portal system or the clerks’ offices portals to electronically file and receive court documents; providing an effective date.

—was read the second time by title.

Senator Bennett moved the following amendment which was adopted:

Amendment 1 (288966) (with title amendment)—Between lines 95 and 96 insert:

Section 3. Subsections (1) and (8) of section 440.192, Florida Statutes, are amended to read:

440.192 Procedure for resolving benefit disputes.—

(1) Any employee may, for any benefit that is ripe, due, and owing, file by certified mail, or by electronic means approved by the Deputy Chief Judge, with the Office of the Judges of Compensation Claims a petition for benefits which meets the requirements of this section and the definition of specificity in s. 440.02. *An employee represented by an attorney shall file by electronic means approved by the Deputy Chief Judge. An employee not represented by an attorney may file by certified mail or by electronic means approved by the Deputy Chief Judge.* The department shall inform employees of the location of the Office of the Judges of Compensation Claims and the office’s website address for purposes of filing a petition for benefits. The employee shall also serve copies of the petition for benefits by certified mail, or by electronic means approved by the Deputy Chief Judge, upon the employer and the employer’s carrier. The Deputy Chief Judge shall refer the petitions to the judges of compensation claims.

(8) Within 14 days after receipt of a petition for benefits by certified mail or by approved electronic means, the carrier must either pay the requested benefits without prejudice to its right to deny within 120 days from receipt of the petition or file a response to petition with the Office of the Judges of Compensation Claims. *The response shall be filed by electronic means approved by the Deputy Chief Judge.* The carrier must list all benefits requested but not paid and explain its justification for nonpayment in the response to petition. A carrier that does not deny

compensability in accordance with s. 440.20(4) is deemed to have accepted the employee’s injuries as compensable, unless it can establish material facts relevant to the issue of compensability that could not have been discovered through reasonable investigation within the 120-day period. The carrier shall provide copies of the response to the filing party, employer, and claimant by certified mail or by electronic means approved by the Deputy Chief Judge.

Section 4. Subsection (1) and paragraphs (a), (c), and (e) of subsection (4) of section 440.25, Florida Statutes, are amended to read:

440.25 Procedures for mediation and hearings.—

(1) Forty days after a petition for benefits is filed under s. 440.192, the judge of compensation claims shall notify the interested parties by order that a mediation conference concerning such petition has been scheduled unless the parties have notified the judge of compensation claims that a private mediation has been held or is scheduled to be held. A mediation, whether private or public, shall be held within 130 days after the filing of the petition. Such order must give the date the mediation conference is to be held. Such order may be served personally upon the interested parties or may be sent to the interested parties by mail or by electronic means approved by the Deputy Chief Judge. If multiple petitions are pending, or if additional petitions are filed after the scheduling of a mediation, the judge of compensation claims shall consolidate all petitions into one mediation. The claimant or the adjuster of the employer or carrier may, at the mediator’s discretion, attend the mediation conference by telephone or, if agreed to by the parties, other electronic means. A continuance may be granted upon the agreement of the parties or if the requesting party demonstrates to the judge of compensation claims that the reason for requesting the continuance arises from circumstances beyond the party’s control. Any order granting a continuance must set forth the date of the rescheduled mediation conference. A mediation conference may not be used solely for the purpose of mediating attorney’s fees.

(4)(a) If the parties fail to agree to written submission of pretrial stipulations, the judge of compensation claims shall conduct a live pretrial hearing. The judge of compensation claims shall give the interested parties at least 14 days’ advance notice of the pretrial hearing by mail or by electronic means approved by the Deputy Chief Judge.

(c) The judge of compensation claims shall give the interested parties at least 14 days’ advance notice of the final hearing, served upon the interested parties by mail or by electronic means approved by the Deputy Chief Judge.

(e) The order making an award or rejecting the claim, referred to in this chapter as a “compensation order,” shall set forth the findings of ultimate facts and the mandate; and the order need not include any other reason or justification for such mandate. The compensation order shall be filed in the Office of the Judges of Compensation Claims at Tallahassee. A copy of such compensation order shall be sent by mail or by electronic means approved by the Deputy Chief Judge to the parties and attorneys of record and any parties not represented by an attorney at the last known address of each, with the date of mailing noted thereon.

Section 5. Subsection (3) of section 440.29, Florida Statutes, is amended to read:

440.29 Procedure before the judge of compensation claims.—

(3) The practice and procedure before the judges of compensation claims shall be governed by rules adopted by the Office of the Judges of Compensation Claims Supreme Court, except to the extent that such rules conflict with the provisions of this chapter.

Section 6. Subsection (4) of section 440.45, Florida Statutes, is amended to read:

440.45 Office of the Judges of Compensation Claims.—

(4) The Office of the Judges of Compensation Claims shall adopt rules to carry out effect the purposes of this section. Such rules must shall include procedural rules applicable to workers’ compensation claim resolution, including rules requiring electronic filing and service where deemed appropriate by the Deputy Chief Judge, and uniform criteria for measuring the performance of the office, including, but not limited to, the number of cases assigned and resolved disposed, the age of pending

and resolved ~~disposed~~ cases, timeliness of ~~decisions~~ decisionmaking, extraordinary fee awards, and other data necessary for the judicial nominating commission to review the performance of judges as required in paragraph (2)(c). ~~The workers' compensation rules of procedure approved by the Supreme Court apply until the rules adopted by the Office of the Judges of Compensation Claims pursuant to this section become effective.~~

Section 7. Subsection (5) of section 120.52, Florida Statutes, is amended to read:

120.52 Definitions.—As used in this act:

(5) “Division” means the Division of Administrative Hearings. *Any document filed with the division by a party represented by an attorney shall be filed by electronic means through the division’s website. Any document filed with the division by a party not represented by an attorney shall, whenever possible, be filed by electronic means through the division’s website.*

Section 8. Paragraph (b) of subsection (5) of section 120.54, Florida Statutes, is amended to read:

120.54 Rulemaking.—

(5) UNIFORM RULES.—

(b) The uniform rules of procedure adopted by the commission pursuant to this subsection shall include, but are not limited to:

1. Uniform rules for the scheduling of public meetings, hearings, and workshops.

2. Uniform rules for use by each state agency that provide procedures for conducting public meetings, hearings, and workshops, and for taking evidence, testimony, and argument at such public meetings, hearings, and workshops, in person and by means of communications media technology. The rules shall provide that all evidence, testimony, and argument presented shall be afforded equal consideration, regardless of the method of communication. If a public meeting, hearing, or workshop is to be conducted by means of communications media technology, or if attendance may be provided by such means, the notice shall so state. The notice for public meetings, hearings, and workshops utilizing communications media technology shall state how persons interested in attending may do so and shall name locations, if any, where communications media technology facilities will be available. Nothing in this paragraph shall be construed to diminish the right to inspect public records under chapter 119. Limiting points of access to public meetings, hearings, and workshops subject to the provisions of s. 286.011 to places not normally open to the public shall be presumed to violate the right of access of the public, and any official action taken under such circumstances is void and of no effect. Other laws relating to public meetings, hearings, and workshops, including penal and remedial provisions, shall apply to public meetings, hearings, and workshops conducted by means of communications media technology, and shall be liberally construed in their application to such public meetings, hearings, and workshops. As used in this subparagraph, “communications media technology” means the electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, and digital video by any method available.

3. Uniform rules of procedure for the filing of notice of protests and formal written protests. The Administration Commission may prescribe the form and substantive provisions of a required bond.

4. Uniform rules of procedure for the filing of petitions for administrative hearings pursuant to s. 120.569 or s. 120.57. Such rules shall require the petition to include:

a. The identification of the petitioner, *including the petitioner’s e-mail address, if any, for the transmittal of subsequent documents by electronic means.*

b. A statement of when and how the petitioner received notice of the agency’s action or proposed action.

c. An explanation of how the petitioner’s substantial interests are or will be affected by the action or proposed action.

d. A statement of all material facts disputed by the petitioner or a statement that there are no disputed facts.

e. A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the agency’s proposed action.

f. A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency’s proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes.

g. A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the proposed action.

5. Uniform rules for the filing of request for administrative hearing by a respondent in agency enforcement and disciplinary actions. Such rules shall require a request to include:

a. The name, address, *e-mail address*, and telephone number of the party making the request and the name, address, and telephone number of the party’s counsel or qualified representative upon whom service of pleadings and other papers shall be made;

b. A statement that the respondent is requesting an administrative hearing and disputes the material facts alleged by the petitioner, in which case the respondent shall identify those material facts that are in dispute, or that the respondent is requesting an administrative hearing and does not dispute the material facts alleged by the petitioner; and

c. A reference by file number to the administrative complaint that the party has received from the agency and the date on which the agency pleading was received.

The agency may provide an election-of-rights form for the respondent’s use in requesting a hearing, so long as any form provided by the agency calls for the information in sub-subparagraphs a. through c. and does not impose any additional requirements on a respondent in order to request a hearing, unless such requirements are specifically authorized by law.

6. Uniform rules of procedure for the filing and prompt disposition of petitions for declaratory statements. The rules shall also describe the contents of the notices that must be published in the Florida Administrative Weekly under s. 120.565, including any applicable time limit for the filing of petitions to intervene or petitions for administrative hearing by persons whose substantial interests may be affected.

7. Provision of a method by which each agency head shall provide a description of the agency’s organization and general course of its operations. The rules shall require that the statement concerning the agency’s organization and operations be published on the agency’s website.

8. Uniform rules establishing procedures for granting or denying petitions for variances and waivers pursuant to s. 120.542.

Section 9. Paragraph (b) of subsection (4) of section 57.111, Florida Statutes, is amended to read:

57.111 Civil actions and administrative proceedings initiated by state agencies; attorneys’ fees and costs.—

(4)

(b)1. To apply for an award under this section, the attorney for the prevailing small business party must submit an itemized affidavit to the court which first conducted the adversarial proceeding in the underlying action, or *by electronic means through the division’s website* to the Division of Administrative Hearings which shall assign an administrative law judge, in the case of a proceeding pursuant to chapter 120, which affidavit shall reveal the nature and extent of the services rendered by the attorney as well as the costs incurred in preparations, motions, hearings, and appeals in the proceeding.

2. The application for an award of attorney’s fees must be made within 60 days after the date that the small business party becomes a prevailing small business party.

Section 10. Paragraphs (c) and (d) of subsection (1) of section 120.56, Florida Statutes, are amended to read:

120.56 Challenges to rules.—

(1) GENERAL PROCEDURES FOR CHALLENGING THE VALIDITY OF A RULE OR A PROPOSED RULE.—

(c) The petition shall be filed *by electronic means* with the division which shall, immediately upon filing, forward *by electronic means* copies to the agency whose rule is challenged, the Department of State, and the committee. Within 10 days after receiving the petition, the division director shall, if the petition complies with the requirements of paragraph (b), assign an administrative law judge who shall conduct a hearing within 30 days thereafter, unless the petition is withdrawn or a continuance is granted by agreement of the parties or for good cause shown. Evidence of good cause includes, but is not limited to, written notice of an agency's decision to modify or withdraw the proposed rule or a written notice from the chair of the committee stating that the committee will consider an objection to the rule at its next scheduled meeting. The failure of an agency to follow the applicable rulemaking procedures or requirements set forth in this chapter shall be presumed to be material; however, the agency may rebut this presumption by showing that the substantial interests of the petitioner and the fairness of the proceedings have not been impaired.

(d) Within 30 days after the hearing, the administrative law judge shall render a decision and state the reasons therefor in writing. The division shall forthwith transmit *by electronic means* copies of the administrative law judge's decision to the agency, the Department of State, and the committee.

Section 11. Paragraph (a) of subsection (2) of section 120.569, Florida Statutes, is amended to read:

120.569 Decisions which affect substantial interests.—

(2)(a) Except for any proceeding conducted as prescribed in s. 120.56, a petition or request for a hearing under this section shall be filed with the agency. If the agency requests an administrative law judge from the division, it shall so notify the division *by electronic means through the division's website* within 15 days after receipt of the petition or request. A request for a hearing shall be granted or denied within 15 days after receipt. On the request of any agency, the division shall assign an administrative law judge with due regard to the expertise required for the particular matter. The referring agency shall take no further action with respect to a proceeding under s. 120.57(1), except as a party litigant, as long as the division has jurisdiction over the proceeding under s. 120.57(1). Any party may request the disqualification of the administrative law judge by filing an affidavit with the division prior to the taking of evidence at a hearing, stating the grounds with particularity.

Section 12. Paragraph (d) of subsection (3) of section 120.57, Florida Statutes, is amended to read:

120.57 Additional procedures for particular cases.—

(3) ADDITIONAL PROCEDURES APPLICABLE TO PROTESTS TO CONTRACT SOLICITATION OR AWARD.—Agencies subject to this chapter shall use the uniform rules of procedure, which provide procedures for the resolution of protests arising from the contract solicitation or award process. Such rules shall at least provide that:

(d)1. The agency shall provide an opportunity to resolve the protest by mutual agreement between the parties within 7 days, excluding Saturdays, Sundays, and state holidays, after receipt of a formal written protest.

2. If the subject of a protest is not resolved by mutual agreement within 7 days, excluding Saturdays, Sundays, and state holidays, after receipt of the formal written protest, and if there is no disputed issue of material fact, an informal proceeding shall be conducted pursuant to subsection (2) and applicable agency rules before a person whose qualifications have been prescribed by rules of the agency.

3. If the subject of a protest is not resolved by mutual agreement within 7 days, excluding Saturdays, Sundays, and state holidays, after receipt of the formal written protest, and if there is a disputed issue of material fact, the agency shall refer the protest to the division *by elec-*

tronic means through the division's website for proceedings under subsection (1).

Section 13. Subsection (1) of section 552.40, Florida Statutes, is amended to read:

552.40 Administrative remedy for alleged damage due to the use of explosives in connection with construction materials mining activities.—

(1) A person may initiate an administrative proceeding to recover damages resulting from the use of explosives in connection with construction materials mining activities by filing a petition with the Division of Administrative Hearings *by electronic means through the division's website* on a form provided by it and accompanied by a filing fee of \$100 within 180 days after the occurrence of the alleged damage. If the petitioner submits an affidavit stating that the petitioner's annual income is less than 150 percent of the applicable federal poverty guideline published in the Federal Register by the United States Department of Health and Human Services, the \$100 filing fee must be waived.

Section 14. Paragraph (b) of subsection (4) of section 553.73, Florida Statutes, is amended to read:

553.73 Florida Building Code.—

(4)

(b) Local governments may, subject to the limitations of this section, adopt amendments to the technical provisions of the Florida Building Code which apply solely within the jurisdiction of such government and which provide for more stringent requirements than those specified in the Florida Building Code, not more than once every 6 months. A local government may adopt technical amendments that address local needs if:

1. The local governing body determines, following a public hearing which has been advertised in a newspaper of general circulation at least 10 days before the hearing, that there is a need to strengthen the requirements of the Florida Building Code. The determination must be based upon a review of local conditions by the local governing body, which review demonstrates by evidence or data that the geographical jurisdiction governed by the local governing body exhibits a local need to strengthen the Florida Building Code beyond the needs or regional variation addressed by the Florida Building Code, that the local need is addressed by the proposed local amendment, and that the amendment is no more stringent than necessary to address the local need.

2. Such additional requirements are not discriminatory against materials, products, or construction techniques of demonstrated capabilities.

3. Such additional requirements may not introduce a new subject not addressed in the Florida Building Code.

4. The enforcing agency shall make readily available, in a usable format, all amendments adopted pursuant to this section.

5. Any amendment to the Florida Building Code shall be transmitted within 30 days by the adopting local government to the commission. The commission shall maintain copies of all such amendments in a format that is usable and obtainable by the public. Local technical amendments shall not become effective until 30 days after the amendment has been received and published by the commission.

6. Any amendment to the Florida Building Code adopted by a local government pursuant to this paragraph shall be effective only until the adoption by the commission of the new edition of the Florida Building Code every third year. At such time, the commission shall review such amendment for consistency with the criteria in paragraph (9)(a) and adopt such amendment as part of the Florida Building Code or rescind the amendment. The commission shall immediately notify the respective local government of the rescission of any amendment. After receiving such notice, the respective local government may readopt the rescinded amendment pursuant to the provisions of this paragraph.

7. Each county and municipality desiring to make local technical amendments to the Florida Building Code shall by interlocal agreement establish a countywide compliance review board to review any amendment to the Florida Building Code, adopted by a local government within

the county pursuant to this paragraph, that is challenged by any substantially affected party for purposes of determining the amendment's compliance with this paragraph. If challenged, the local technical amendments shall not become effective until time for filing an appeal pursuant to subparagraph 8. has expired or, if there is an appeal, until the commission issues its final order determining the adopted amendment is in compliance with this subsection.

8. If the compliance review board determines such amendment is not in compliance with this paragraph, the compliance review board shall notify such local government of the noncompliance and that the amendment is invalid and unenforceable until the local government corrects the amendment to bring it into compliance. The local government may appeal the decision of the compliance review board to the commission. If the compliance review board determines such amendment to be in compliance with this paragraph, any substantially affected party may appeal such determination to the commission. Any such appeal shall be filed with the commission within 14 days of the board's written determination. The commission shall promptly refer the appeal to the Division of Administrative Hearings by *electronic means through the division's website* for the assignment of an administrative law judge. The administrative law judge shall conduct the required hearing within 30 days, and shall enter a recommended order within 30 days of the conclusion of such hearing. The commission shall enter a final order within 30 days thereafter. The provisions of chapter 120 and the uniform rules of procedure shall apply to such proceedings. The local government adopting the amendment that is subject to challenge has the burden of proving that the amendment complies with this paragraph in proceedings before the compliance review board and the commission, as applicable. Actions of the commission are subject to judicial review pursuant to s. 120.68. The compliance review board shall determine whether its decisions apply to a respective local jurisdiction or apply countywide.

9. An amendment adopted under this paragraph shall include a fiscal impact statement which documents the costs and benefits of the proposed amendment. Criteria for the fiscal impact statement shall include the impact to local government relative to enforcement, the impact to property and building owners, as well as to industry, relative to the cost of compliance. The fiscal impact statement may not be used as a basis for challenging the amendment for compliance.

10. In addition to subparagraphs 7. and 9., the commission may review any amendments adopted pursuant to this subsection and make nonbinding recommendations related to compliance of such amendments with this subsection.

Section 15. Paragraph (b) of subsection (4) of section 961.03, Florida Statutes, is amended to read:

961.03 Determination of status as a wrongfully incarcerated person; determination of eligibility for compensation.—

(4)

(b) If the prosecuting authority responds as set forth in paragraph (2)(b), and the court determines that the petitioner is eligible under the provisions of s. 961.04, but the prosecuting authority contests the nature, significance or effect of the evidence of actual innocence, or the facts related to the petitioner's alleged wrongful incarceration, the court shall set forth its findings and transfer the petition by *electronic means through the division's website* to the division for findings of fact and a recommended determination of whether the petitioner has established that he or she is a wrongfully incarcerated person who is eligible for compensation under this act.

And the title is amended as follows:

Delete lines 3-17 and insert: court and other legal documents; creating ss. 27.341 and 27.5112, F.S.; requiring each state attorney and public defender to electronically file court documents with the clerk of the court and receive court documents from the clerk of the court; defining the term "court documents"; providing legislative expectations that the state attorneys and public defenders consult with specified entities; requiring the Florida Prosecuting Attorneys Association and the Florida Public Defender Association report to the President of the Senate and the Speaker of the House of Representatives by a specified date on the progress made to use the Florida Courts E-Portal system or the clerks'

offices portals to electronically file and receive court documents; amending ss. 440.192 and 440.25, F.S.; providing for electronic procedures for filing documents and resolving benefit disputes in workers' compensation proceedings; requiring a response to a petition for workers' compensation benefits to be filed by approved electronic means; amending ss. 440.29 and 440.45, F.S.; requiring that the practice and procedure before the judges of compensation claims be governed by the Office of the Judges of Compensation Claims instead of the Supreme Court; authorizing the Office of the Judges of Compensation Claims to adopt rules to implement electronic procedures; amending s. 120.52, F.S.; requiring use of electronic procedures by those represented by an attorney; amending s. 120.54, F.S.; requiring a petitioner requesting an administrative hearing to include the petitioner's e-mail address; amending ss. 57.111, 120.56, 120.569, 120.57, 552.40, 553.73, and 961.03, F.S.; providing for electronic procedures in administrative proceedings; providing an effective date.

On motions by Senator Bennett, by two-thirds vote **CS for CS for SB 170** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SPECIAL ORDER CALENDAR

SENATOR BENNETT PRESIDING

THE PRESIDENT PRESIDING

Consideration of **SB 2000** and **SB 2002** was deferred.

On motion by Senator Simmons—

SB 2120—A bill to be entitled An act relating to K-12 education funding; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information regarding the gross receipts tax to the State Board of Education, the Division of Bond Finance, and the Office of Economic and Demographic Research; amending s. 215.61, F.S.; requiring that, for purposes of servicing public education capital outlay bonds, the State Board of Education disregard the effects on the gross receipts tax revenues collected during a tax period of a refund resulting from a specified settlement agreement; amending s. 1001.25, F.S.; requiring that the Department of Education provide a means of extending educational services through educational television or other electronic media; amending s. 1001.271, F.S.; requiring that the Commissioner of Education facilitate and coordinate the use of the Florida Information Resource Network by school districts, educational institutions in the Florida College System, state universities, and other eligible users; amending s. 1001.28, F.S.; deleting a reference to the Florida Knowledge Network as it relates to the department's distance learning duties; amending s. 1001.451, F.S.; revising provisions relating to incentive grants for regional consortium service organizations; authorizing regional consortium service organizations to use various means to generate revenue for future activities; amending s. 1002.33, F.S.; revising provisions relating to charter schools; providing for an additional student population to be included for enrollment in a charter school; providing that a charter school system may be designated as a local edu-

cational agency for funding purposes if certain requirements are met; amending s. 1002.34, F.S.; conforming a cross-reference; amending s. 1003.01, F.S.; redefining the terms “core-curricula courses” and “extra-curricular courses”; amending s. 1003.03, F.S.; deleting a reference to the State Constitution regarding class size maximums; requiring that class size maximums be satisfied on or before the October student membership survey each year; requiring that the class size maximums be maintained after the October student membership survey unless certain conditions occur; providing that a student who enrolls in a school after the October student membership survey may be assigned to classes that temporarily exceed class size maximums if the school board determines that not assigning the student would be impractical, educationally unsound, or disruptive to student learning; providing for a specified number of students to be assigned above the maximum if the district school board makes this determination; requiring that the district school board develop a plan providing that the school will be in full compliance with the maximum class size requirements by the next October student membership survey; amending s. 1004.02, F.S.; revising the definition of the term “adult student”; creating s. 1006.282, F.S.; authorizing each district school board to designate schools to implement a pilot program for the transition to instructional materials in an electronic or digital format; providing definitions; providing requirements for the designation of pilot schools; providing exemptions for such schools; requiring that the district school board report to the department by a specified date each year; requiring that the report include certain information; requiring that each district school board submit a review of the pilot program to the department, the Executive Office of the Governor, and the chairs of the legislative appropriations committees by a specified date each year; amending s. 1011.62, F.S.; revising provisions relating to district funding for the operation of schools; deleting provisions relating to the coenrollment of high school students; providing the maximum full-time equivalent membership value for students completing an industry-certified career and professional academy program; requiring that the Department of Education assign the appropriate full-time equivalent value for each certification based on rigor and employment value; requiring that the State Board of Education include the assigned values in the Industry Certification Funding List under rules adopted by the state board; creating s. 1011.621, F.S.; requiring that the Department of Education, upon request by a school district and verification by the Department of Juvenile Justice, direct a school district receiving funds through the Florida Education Finance Program to transfer a pro rata share of the funds to another district that served the same students during the same survey period but were unable to report the students for funding purposes; requiring that the amount of the transfer be based on the percentage of the survey period in which the students were served by each district; amending s. 1011.685, F.S.; revising provisions relating to class size reduction operational categorical funds; authorizing a school district that meets the maximum class size requirement to use the funds for any lawful operating expenditure; amending s. 1011.71, F.S.; revising provisions relating to the district school tax; providing for future expiration of provisions relating to additional millage levied by district school boards; authorizing district school boards to levy additional millage if approved by the voters; providing that the local funds generated by the additional millage not be included in the calculation of funding through the Florida Education Finance Program; amending s. 1012.225, F.S.; discontinuing state funding for the Merit Award Program for Instructional Personnel and School-Based Administrators; amending s. 1013.737, F.S.; changing the name of the Class Size Reduction and Educational Facilities Lottery Revenue Bond Program; authorizing the issuance of educational facilities bonds; adopting by reference the alternate compliance calculation amounts to the class size operating categorical, as submitted by the Governor on behalf of the Department of Education for approval by the Legislative Budget Commission; requiring that the Commissioner of Education modify payments to school districts for the 2010-2011 fiscal year consistent with the amendment; providing effective dates.

—was read the second time by title.

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (625648) (with title amendment)—Delete lines 330-413 and insert:

(a) *Courses in language arts/reading, mathematics, social studies, and science in prekindergarten through grade 3;*

(b) *Courses in grades 4 through 8 in subjects that are measured by state assessment at any grade level and courses required for middle school promotion;*

(c) *Courses in grades 9 through 12 in subjects that are measured by state assessment at any grade level and courses that are specifically identified by name in statute as required for high school graduation and that are not measured by state assessment, excluding any extracurricular courses pursuant to subsection (15);*

(d) *Exceptional student education courses; and*

(e) ~~*English for Speakers of Other Languages courses. courses defined by the Department of Education as mathematics, language arts/reading, science, social studies, foreign language, English for Speakers of Other Languages, exceptional student education, and courses taught in traditional self-contained elementary school classrooms.*~~

The term is limited in meaning and used for the sole purpose of designating classes that are subject to the maximum class size requirements established in s. 1, Art. IX of the State Constitution. This term does not include courses offered under ss. 1002.37, 1002.415, and 1002.45.

(15) “Extracurricular courses” means all courses that are not defined as “core-curricula courses,” which may include, but are not limited to, physical education, fine arts, performing fine arts, and career education, and courses that may result in college credit. The term is limited in meaning and used for the sole purpose of designating classes that are not subject to the maximum class size requirements established in s. 1, Art. IX of the State Constitution.

Section 10. Subsections (1) and (2) of section 1003.03, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

1003.03 Maximum class size.—

(1) ~~CONSTITUTIONAL CLASS SIZE MAXIMUMS.—~~*Each year, on or before the October student membership survey, the following class size maximums shall be satisfied Pursuant to s. 1, Art. IX of the State Constitution, beginning in the 2010-2011 school year:*

(a) The maximum number of students assigned to each teacher who is teaching core-curricula courses in public school classrooms for pre-kindergarten through grade 3 may not exceed 18 students.

(b) The maximum number of students assigned to each teacher who is teaching core-curricula courses in public school classrooms for grades 4 through 8 may not exceed 22 students. *The maximum number of students assigned to a core-curricula high school course in which a student in grades 4 through 8 is enrolled shall be governed by the requirements in s. 1003.03(1)(c).*

(c) The maximum number of students assigned to each teacher who is teaching core-curricula courses in public school classrooms for grades 9 through 12 may not exceed 25 students.

These maximums shall be maintained after the October student membership survey, except as provided in paragraph (2)(b) or due to an extreme emergency beyond the control of the district school board.

(2) IMPLEMENTATION.—

(a) The Department of Education shall annually calculate class size measures described in subsection (1) based upon the October student membership survey.

(b) *A student who enrolls in a school after the October student membership survey may be assigned to an existing class that temporarily exceeds the maximum number of students in subsection (1) if the district school board determines it to be impractical, educationally unsound, or disruptive to student learning to not assign the student to the class. If the district school board makes this determination:*

1. *Up to three students may be assigned to a teacher in kindergarten through grade 3 above the maximum as provided in paragraph (1)(a);*

2. *Up to five students may be assigned to a teacher in grades 4 through 12 above the maximum as provided in paragraphs (1)(b) and (1)(c), respectively; and*

3. *The district school board shall develop a plan that provides that the school will be in full compliance with the maximum class size in subsection (1) by the next October student membership survey.*

~~(b) Prior to the adoption of the district school budget for 2010-2011, each district school board shall hold public hearings and provide information to parents on the district's website, and through any other means by which the district provides information to parents and the public, on the district's strategies to meet the requirements in subsection (1).~~

(6) *COURSES FOR COMPLIANCE.—Consistent with the provisions in ss. 1003.01(14) and 1003.428, the Department of Education shall identify from the Course Code Directory the core-curricula courses for the purpose of satisfying the maximum class size requirement in this section. The department may adopt rules to implement this subsection, if necessary.*

And the title is amended as follows:

Delete line 57 and insert: the next October student membership survey; requiring that the Department of Education identify from the Course Code Directory the core-curricula courses for the purpose of satisfying the maximum class size requirement; authorizing the department to adopt rules; amending

Pursuant to Rule 4.19, **SB 2120** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SB 2150—A bill to be entitled An act relating to postsecondary education funding; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information regarding the gross receipts tax to the State Board of Education, the Division of Bond Finance, and the Office of Economic and Demographic Research; amending s. 215.61, F.S.; requiring that, for purposes of servicing public education capital outlay bonds, the State Board of Education disregard the effects on the gross receipts tax revenues collected during a tax period of a refund resulting from a specified settlement agreement; amending s. 1001.706, F.S.; prohibiting the Board of Governors from establishing and maintaining a foundation, a direct-support organization, or any similar entity; requiring that any funds currently held by the board in a foundation be returned to the donor; prohibiting the board from paying an employee compensation from a foundation, direct-support organization, or similar entity; amending s. 1004.091, F.S.; revising provisions relating to the duties of the Florida Distance Learning Consortium; requiring that the consortium implement a streamlined, automated, online registration process for transient students who are undergraduate students currently enrolled and pursuing a degree at a public postsecondary educational institution; requiring that the consortium work with the Florida College System and the State University System to implement the admissions application process; providing certain requirements for state universities and state colleges; amending s. 1006.72, F.S.; revising provisions relating to the licensing of electronic library resources; requiring that the Chancellor and Vice Chancellor of the Florida College System and the State University System report cost savings resulting from the collaborative licensing process to the Executive Office of the Governor and the chairs of the legislative appropriations committees; amending s. 1007.28, F.S.; revising provisions relating to the computer-assisted student advising system; requiring that the system provide a transient student admissions application process for certain students; creating s. 1009.215, F.S.; authorizing each university, with the approval of the Board of Governors of the State University System, to plan and implement a program for students to enroll for the spring and summer terms rather than the fall terms in order to align student enrollment with available instructional staff and facilities; providing for eligibility for the Bright Futures Scholarship to conform to periods of a student's enrollment; requiring each university that implements the plan to report to the Legislature by a specified date; amending s. 1009.22, F.S.; revising provisions relating to workforce education postsecondary student fees; revising the standard tuition for programs leading to a career certificate or an applied technology diploma; requiring that a block tuition be assessed for residents and nonresidents enrolled in adult general education programs; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an in-

crease; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; amending s. 1009.23, F.S.; revising provisions relating to community college student fees, including the standard tuition for residents and nonresidents and the out-of-state fee; authorizing each college to assess a transient student fee that does not exceed a specified amount per distance learning course; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; amending s. 1009.24, F.S.; revising provisions relating to state university student fees; authorizing each university board of trustees to establish a transient student fee that does not exceed a specified amount per distance learning course for processing the transient student admissions application; revising provisions relating to the tuition differential; amending s. 1009.25, F.S.; deleting provisions that exempt students from paying tuition and fees for adult basic, adult secondary, or career preparatory instruction; creating s. 1009.251, F.S.; creating the STEM Scholarship Program; providing a purpose; providing definitions; providing eligibility requirements; providing that funds appropriated by the Legislature in the General Appropriations Act be allocated by the Office of Student Financial Assistance within the Department of Education; providing for the issuance of scholarship awards annually; authorizing the State Board of Education to establish rules; amending s. 1009.286, F.S.; revising provisions relating to a surcharge for hours exceeding baccalaureate degree program completion requirements at state universities; increasing the percentage of the tuition rate that must be paid; amending ss. 1009.55, 1009.56, 1009.57, 1009.60, 1009.68, and 1009.69, F.S.; requiring that the funding for the Rosewood Family Scholarship Program, the Seminole and Miccosukee Indian Scholarships, the Florida Teacher Scholarship and Forgivable Loan Program, the Minority Teacher Education Scholars Program, the Florida Minority Medical Education Program, and the Virgil Hawkins Fellows Assistance Program be as provided in the General Appropriations Act; amending s. 1009.701, F.S.; revising provisions relating to the First Generation Matching Grant Program; requiring that the first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; amending ss. 1009.73 and 1009.74, F.S.; providing that funding for the Mary McLeod Bethune Scholarship Program and the Theodore R. and Vivian M. Johnson Scholarship Program be as provided in the General Appropriations Act; amending s. 1009.77, F.S.; revising provisions relating to the Florida Work Experience Program; requiring that first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; requiring that the funding of the program be provided as in the General Appropriations Act; amending ss. 1009.89 and 1009.891, F.S.; requiring that funding of the William L. Boyd, IV, Florida Resident Access Grant Program and the Access to Better Learning and Education Grant Program be provided as in the General Appropriations Act; amending s. 1011.32, F.S.; providing that state matching funds for the Community College Facility Enhancement Challenge Grant Program be temporarily suspended for donations made after a specified date; providing that existing donations remain eligible for future matching funds; amending s. 1011.52, F.S.; deleting a provision that requires the Legislature to provide an annual appropriation to the first accredited medical school; amending s. 1011.61, F.S.; revising the definition of the term "full-time equivalent student"; amending s. 1011.80, F.S.; revising provisions relating to funds for the operation of workforce education programs; prohibiting the expenditure of funds for the education of state or federal inmates; prohibiting the reporting of a student who is coenrolled in a K-12 education program and an adult education program for funding purposes; amending s. 1011.81, F.S.; revising provisions relating to the Community College Program Fund to prohibit the expenditure of funds for the education of state or federal inmates; amending s. 1011.85, F.S.; revising provisions relating to the Dr. Philip Benjamin Matching Grant Program for Community Colleges; providing that funds received from community events, festivals, or other such activities are not eligible for state matching funds; providing that state matching funds under the program be temporarily suspended for donations after a specified date; providing that existing donations remain eligible for future matching funds; amending ss. 1011.94 and 1013.79, F.S.; providing that state matching funds for donations to the

University Major Gifts Program and the University Facility Enhancement Challenge Grant Program are temporarily suspended; providing that existing donations remain eligible for future matching funds; amending s. 1013.737, F.S.; revising the name of the Class Size Reduction Lottery Revenue Bond Program to the Class Size Reduction and Educational Facilities Lottery Revenue Bond Program; authorizing the issuance of educational facilities bonds; requiring that the Department of Education work with the College Center for Library Automation to transfer the Sunlink bibliographic database for inclusion in CCLA's online discovery tool product for the public to search; requiring that the department also develop an ongoing process to provide for the updating of such data; requiring that the Florida Center for Library Automation and the CCLA develop and submit a plan to the Governor and the Legislature for establishing a single postsecondary education union catalog; requiring that the Task Force for the Future of Academic Libraries in Florida submit a plan to the Governor and Legislature regarding the establishment of a joint library technology organizational structure; providing effective dates.

—was read the second time by title.

On motion by Senator Lynn, further consideration of **SB 2150** was deferred.

On motion by Senator Fasano—

SB 2114—A bill to be entitled An act relating to juvenile justice; creating s. 985.665, F.S.; providing legislative intent; defining the term “regional coordinating agency”; providing requirements for a regional coordinating agency; requiring the Department of Juvenile Justice to contract with regional coordinating agencies for specified services relating to juvenile justice; giving hiring preference to current department employees who meet provider qualifications if they apply for employment with the regional coordinating agencies; providing that the department may maintain certain statewide contracts in place on the effective date of the act; providing for annual measurement and reporting concerning the outcomes and effectiveness of community-based juvenile justice services; requiring regional coordinating agencies to comply with specified requirements; providing for liability of regional coordinating agencies and contracted providers with respect to the treatment of juvenile offenders; providing for governance of regional coordinating agencies; providing for 2-year pilot programs in specified judicial circuits; requiring that the regional coordinating agencies participating in the pilot programs be established organizations within the circuit; requiring the pilot programs to commence by a specified date; requiring annual evaluation reports to the Governor and Legislature; requiring reports; amending s. 985.441, F.S.; prohibiting a court from committing certain youth at a restrictiveness level other than minimum-risk non-residential; authorizing a court to commit certain youth to a low- or moderate-risk residential placement; amending ss. 985.0301, 985.033, and 985.46, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2114** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

SB 2116—A bill to be entitled An act relating to the state judicial system; creating the Judicial Caseload Incentive Plan; prescribing the purpose of the plan; providing for performance goals for each judicial circuit; authorizing financial awards to certain judges based on the performance of the circuit in meeting the goals; amending s. 27.511, F.S.; authorizing each office of criminal conflict and civil regional counsel to create a direct-support organization; prescribing requirements related to the creation and operation of the direct-support organization; amending s. 27.5304, F.S.; authorizing the Office of the State Courts Administrator to pay private court-appointed counsel if a court orders payment above specified flat-fee amounts; providing for a portion of such payments to be paid from funds appropriated to the office for that purpose; amending s. 318.18, F.S.; requiring the clerk of court and the Florida Clerks of Court Operations Corporation to submit reports on local traffic assessments in an electronic format; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2116** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lynn, the Senate resumed consideration of—

SB 2150—A bill to be entitled An act relating to postsecondary education funding; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information regarding the gross receipts tax to the State Board of Education, the Division of Bond Finance, and the Office of Economic and Demographic Research; amending s. 215.61, F.S.; requiring that, for purposes of servicing public education capital outlay bonds, the State Board of Education disregard the effects on the gross receipts tax revenues collected during a tax period of a refund resulting from a specified settlement agreement; amending s. 1001.706, F.S.; prohibiting the Board of Governors from establishing and maintaining a foundation, a direct-support organization, or any similar entity; requiring that any funds currently held by the board in a foundation be returned to the donor; prohibiting the board from paying an employee compensation from a foundation, direct-support organization, or similar entity; amending s. 1004.091, F.S.; revising provisions relating to the duties of the Florida Distance Learning Consortium; requiring that the consortium implement a streamlined, automated, online registration process for transient students who are undergraduate students currently enrolled and pursuing a degree at a public postsecondary educational institution; requiring that the consortium work with the Florida College System and the State University System to implement the admissions application process; providing certain requirements for state universities and state colleges; amending s. 1006.72, F.S.; revising provisions relating to the licensing of electronic library resources; requiring that the Chancellor and Vice Chancellor of the Florida College System and the State University System report cost savings resulting from the collaborative licensing process to the Executive Office of the Governor and the chairs of the legislative appropriations committees; amending s. 1007.28, F.S.; revising provisions relating to the computer-assisted student advising system; requiring that the system provide a transient student admissions application process for certain students; creating s. 1009.215, F.S.; authorizing each university, with the approval of the Board of Governors of the State University System, to plan and implement a program for students to enroll for the spring and summer terms rather than the fall terms in order to align student enrollment with available instructional staff and facilities; providing for eligibility for the Bright Futures Scholarship to conform to periods of a student's enrollment; requiring each university that implements the plan to report to the Legislature by a specified date; amending s. 1009.22, F.S.; revising provisions relating to workforce education postsecondary student fees; revising the standard tuition for programs leading to a career certificate or an applied technology diploma; requiring that a block tuition be assessed for residents and nonresidents enrolled in adult general education programs; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; amending s. 1009.23, F.S.; revising provisions relating to community college student fees, including the standard tuition for residents and nonresidents and the out-of-state fee; authorizing each college to assess a transient student fee that does not exceed a specified amount per distance learning course; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; amending s. 1009.24, F.S.; revising provisions relating to state university student fees; authorizing each university board of trustees to establish a transient student fee that does not exceed a specified amount per distance learning course for processing the transient student admissions application; revising provisions relating to the tuition differ-

ential; amending s. 1009.25, F.S.; deleting provisions that exempt students from paying tuition and fees for adult basic, adult secondary, or career preparatory instruction; creating s. 1009.251, F.S.; creating the STEM Scholarship Program; providing a purpose; providing definitions; providing eligibility requirements; providing that funds appropriated by the Legislature in the General Appropriations Act be allocated by the Office of Student Financial Assistance within the Department of Education; providing for the issuance of scholarship awards annually; authorizing the State Board of Education to establish rules; amending s. 1009.286, F.S.; revising provisions relating to a surcharge for hours exceeding baccalaureate degree program completion requirements at state universities; increasing the percentage of the tuition rate that must be paid; amending ss. 1009.55, 1009.56, 1009.57, 1009.60, 1009.68, and 1009.69, F.S.; requiring that the funding for the Rosewood Family Scholarship Program, the Seminole and Miccosukee Indian Scholarships, the Florida Teacher Scholarship and Forgivable Loan Program, the Minority Teacher Education Scholars Program, the Florida Minority Medical Education Program, and the Virgil Hawkins Fellows Assistance Program be as provided in the General Appropriations Act; amending s. 1009.701, F.S.; revising provisions relating to the First Generation Matching Grant Program; requiring that the first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; amending ss. 1009.73 and 1009.74, F.S.; providing that funding for the Mary McLeod Bethune Scholarship Program and the Theodore R. and Vivian M. Johnson Scholarship Program be as provided in the General Appropriations Act; amending s. 1009.77, F.S.; revising provisions relating to the Florida Work Experience Program; requiring that first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; requiring that the funding of the program be provided as in the General Appropriations Act; amending ss. 1009.89 and 1009.891, F.S.; requiring that funding of the William L. Boyd, IV, Florida Resident Access Grant Program and the Access to Better Learning and Education Grant Program be provided as in the General Appropriations Act; amending s. 1011.32, F.S.; providing that state matching funds for the Community College Facility Enhancement Challenge Grant Program be temporarily suspended for donations made after a specified date; providing that existing donations remain eligible for future matching funds; amending s. 1011.52, F.S.; deleting a provision that requires the Legislature to provide an annual appropriation to the first accredited medical school; amending s. 1011.61, F.S.; revising the definition of the term “full-time equivalent student”; amending s. 1011.80, F.S.; revising provisions relating to funds for the operation of workforce education programs; prohibiting the expenditure of funds for the education of state or federal inmates; prohibiting the reporting of a student who is coenrolled in a K-12 education program and an adult education program for funding purposes; amending s. 1011.81, F.S.; revising provisions relating to the Community College Program Fund to prohibit the expenditure of funds for the education of state or federal inmates; amending s. 1011.85, F.S.; revising provisions relating to the Dr. Philip Benjamin Matching Grant Program for Community Colleges; providing that funds received from community events, festivals, or other such activities are not eligible for state matching funds; providing that state matching funds under the program be temporarily suspended for donations after a specified date; providing that existing donations remain eligible for future matching funds; amending ss. 1011.94 and 1013.79, F.S.; providing that state matching funds for donations to the University Major Gifts Program and the University Facility Enhancement Challenge Grant Program are temporarily suspended; providing that existing donations remain eligible for future matching funds; amending s. 1013.737, F.S.; revising the name of the Class Size Reduction Lottery Revenue Bond Program to the Class Size Reduction and Educational Facilities Lottery Revenue Bond Program; authorizing the issuance of educational facilities bonds; requiring that the Department of Education work with the College Center for Library Automation to transfer the Sunlink bibliographic database for inclusion in CCLA’s online discovery tool product for the public to search; requiring that the department also develop an ongoing process to provide for the updating of such data; requiring that the Florida Center for Library Automation and the CCLA develop and submit a plan to the Governor and the Legislature for establishing a single postsecondary education union catalog; requiring that the Task Force for the Future of Academic Libraries in Florida submit a plan to the Governor and Legislature regarding the establishment of a joint library technology organizational structure; providing effective dates.

—which was previously considered this day.

Pursuant to Rule 4.19, **SB 2150** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

SB 2118—A bill to be entitled An act relating to criminal justice; repealing s. 16.61, F.S., relating to the Cybercrime Office within the Department of Legal Affairs; amending s. 943.13, F.S.; limiting the number of hours in the basic recruit training program required for correctional officers, unless the officer is otherwise exempt; creating s. 943.0415, F.S.; creating the Cybercrime Office within the Department of Law Enforcement to investigate certain violations of state law pertaining to the sexual exploitation of children; repealing ss. 951.231(1)(c) and 958.045, F.S., relating to the basic training program for youthful offenders within the Department of Corrections; transferring and reassigning functions and responsibilities of the Cybercrime Office from the Department of Legal Affairs to the Department of Law Enforcement; transferring, renumbering, and amending s. 938.25, F.S.; requiring a court to assess an additional amount against a defendant who pleads guilty or nolo contendere to, or who is convicted of, violating certain specified offenses, and the services of a criminal analysis laboratory are used in the investigation of the offense; providing for the proceeds of the assessment to be deposited into the Operating Trust Fund of the Department of Law Enforcement and used by the statewide criminal analysis laboratory system; prohibiting the court from waiving the assessment; amending ss. 921.187 and 943.361, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2118** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

SB 2112—A bill to be entitled An act relating to juvenile detention facilities; amending s. 985.686, F.S.; exempting a county that covers the costs of detention care for pre-adjudicated juveniles within its jurisdiction or other jurisdictions from certain requirements for sharing the costs for juvenile detention; amending s. 985.688, F.S.; providing that a county or county sheriff that meets certain prerequisites with respect to the operation of its juvenile detention facility is exempt from certain requirements of law governing the administration of such facilities; authorizing a county or county sheriff to operate regional detention facilities; requiring that the facility comply with federal requirements to separate juvenile inmates from adult inmates; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2112** was placed on the calendar of Bills on Third Reading.

SENATOR BENNETT PRESIDING

On motion by Senator Negron—

SB 2144—A bill to be entitled An act relating to Medicaid; amending s. 409.904, F.S.; providing for funding the Medicaid reimbursement for certain persons age 65 or older while the optional program is being phased out; renaming the “medically needy” program as the “Medicaid nonpoverty medical subsidy”; limiting certain categories of persons eligible for the subsidy to only physician services after a certain date; amending s. 409.905, F.S.; deleting the hospitalist program; amending s. 409.908, F.S.; revising the factors for calculating the maximum allowable fee for pharmaceutical ingredient costs; directing the Agency for Health Care Administration to establish reimbursement rates for the next fiscal year; amending s. 409.9082, F.S.; revising the aggregated amount of the quality assessment for nursing home facilities; amending s. 409.911, F.S.; updating references to data to be used for the disproportionate share program; amending s. 409.9112, F.S.; extending the prohibition against distributing moneys under the regional perinatal intensive care centers disproportionate share program for another year; amending s. 409.9113, F.S.; extending the disproportionate share program for teaching hospitals for another year; amending s. 409.9117, F.S.;

extending the prohibition against distributing moneys under the primary care disproportionate share program for another year; amending s. 409.912, F.S.; allowing the agency to continue to contract for electronic access to certain pharmacology drug information; eliminating the requirement to implement a wireless handheld clinical pharmacology drug information database for practitioners; revising the factors for calculating the maximum allowable fee for pharmaceutical ingredient costs; amending ss. 409.9122, 409.915, and 409.9301, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Rich moved the following amendment which was adopted:

Amendment 1 (282366) (with directory and title amendments)—Between lines 284 and 285 insert:

(3)

(d) Effective July 1, 2011 ~~2009~~, the agency ~~shall~~ ~~may~~ exempt from the quality assessment ~~any or apply a lower quality assessment rate to a~~ qualified public, nonstate-owned or operated nursing home facility whose total annual indigent census days are greater than ~~15~~ ~~25~~ percent of the facility's total annual census days.

And the directory clause is amended as follows:

Delete lines 253-254 and insert:

Section 4. Subsection (2) and paragraph (d) of subsection (3) of section 409.9082, Florida Statutes, are amended to read:

And the title is amended as follows:

Delete line 17 and insert: nursing home facilities; exempting certain nursing home facilities from the quality assessment; amending s. 409.911, F.S.;

Pursuant to Rule 4.19, **SB 2144** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Negron—

SB 2146—A bill to be entitled An act relating to the Department of Children and Family Services; reordering and amending s. 39.903, F.S.; revising provisions relating to the department's duties with respect to domestic violence; providing that annual certification of domestic violence centers depends on a favorable review by the Florida Coalition Against Domestic Violence; authorizing the coalition to enter and inspect centers for monitoring purposes; requiring the department to contract with the coalition for the management of domestic violence service delivery and the monitoring of centers; requiring the department to contract with the Florida Council Against Sexual Violence with respect to the STOP Violence Against Women Grant Program; requiring the department to be the lead agency for grant application and for coordinating the state STOP Program implementation plan with input from the coalition; deleting the requirement that the department serve as an information clearinghouse on information relating to domestic violence and provide educational programs on domestic violence; amending s. 39.904, F.S.; revising the annual report to the Legislature on domestic violence to place responsibility for the report on the coalition and to revise the content of the report; amending s. 39.905, F.S.; revising provisions relating to the certification of domestic violence centers; providing that the grant, denial, suspension, or revocation of certification is not an administrative action subject to ch. 120, F.S.; amending ss. 381.006, 381.0072, 741.281, 741.2902, and 741.316, F.S.; conforming provisions to changes made by the act; amending s. 741.32, F.S.; deleting the requirement that batterers' intervention programs be certified; amending s. 741.325, F.S.; providing requirements for batterers' programs; repealing s. 741.327, F.S., relating to the certification and monitoring of batterers' intervention programs; amending s. 938.01, F.S.; conforming a cross-reference; amending s. 948.038, F.S.; conforming provisions to changes made by the act; amending s. 394.908, F.S.; directing funding appropriated for forensic mental health treatment services to state areas with the greatest demand; amending ss. 394.76 and 397.321, F.S.; authorizing the department to terminate contracts if funding becomes unavailable; creating s. 409.16713, F.S.; defining terms; providing for

the allocation of funding for community-based care lead agencies; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2146** was placed on the calendar of Bills on Third Reading.

On motion by Senator Negron—

SB 2148—A bill to be entitled An act relating to the Agency for Persons with Disabilities; prohibiting the agency from expending funds above the amount appropriated in the General Appropriations Act; requiring that the agency monitor monthly program expenditures and provide quarterly reports to the Governor and Legislature; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2148** was placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING

On motion by Senator Hays—

SB 2122—A bill to be entitled An act relating to consumer protection; amending s. 20.14, F.S.; removing the Division of Dairy Industry within the department; amending s. 320.90, F.S.; requiring the Department of Legal Affairs, rather than the Department of Agriculture and Consumer Services, to distribute free of charge a motor vehicle consumer's rights pamphlet; amending s. 501.160, F.S.; providing for the state attorneys and the Department of Legal Affairs, rather than the Department of Agriculture and Consumer Services, to enforce the law prohibiting price gouging; reenacting s. 570.18, F.S., relating to the organization of the Department of Agriculture and Consumer Services, to incorporate the amendment made to s. 570.29, F.S., in a reference thereto; amending s. 570.20, F.S.; removing the time limitations on provisions authorizing moneys in the General Inspection Trust Fund to be used for programs operated by the Department of Agriculture and Consumer Services; amending s. 570.29, F.S.; removing the Division of Dairy Industry, to conform, and adding the Division of Licensing as a division within the department; repealing ss. 570.40 and 570.41, F.S., relating to the powers and duties of the Division of Dairy Industry; amending s. 570.50, F.S.; adding the inspection of dairy farms, milk plants, and milk product plants and other specified functions to the duties of the Division of Food Safety within the department; amending s. 601.15, F.S.; requiring review and approval by the Legislative Budget Commission of any proposal by the Citrus Commission to increase the box tax rate; repealing s. 681.102(7), F.S., relating to the definition of the term "division"; amending ss. 681.103, 681.108, 681.109, 681.1095, 681.1096, 681.110, 681.112, 681.114, 681.117, and 681.118, F.S.; providing for the Department of Legal Affairs, rather than the Division of Consumer Services of the Department of Agriculture and Consumer Services, to enforce the state Lemon Law; consolidating enforcement duties under the Motor Vehicle Warrant Enforcement Act within the Department of Legal Affairs; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2122** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2124—A bill to be entitled An act relating to the Department of Revenue; amending s. 195.096, F.S.; extending from once every 2 years to once every 3 years the requirement that the department conduct an in-depth review of the assessment roll of each county; providing for a study of certain classifications constituting 5 percent or more of the total assessed value of real property on the previous assessment roll; replacing assessed value with just value of all real property that the department may combine for purposes of assessment ration studies; amending s. 212.05, F.S.; imposing a tax on the charges for the use of

coin-operated amusement machines operated on the licensed premises of a pari-mutuel facility located in certain cities or counties; amending s. 213.69, F.S.; exempting the department from paying charges imposed by the clerks of the court for recording tax liens; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2124** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2126—A bill to be entitled An act relating to the Department of Management Services; amending s. 110.181, F.S.; providing for the reimbursement to the department of actual costs for coordinating the Florida State Employee's Charitable Campaign; amending ss. 216.0158 and 216.043, F.S.; requiring the cost factors for a fixed capital outlay project to include an estimate for the finishing of interiors; amending s. 216.182, F.S.; requiring the standards for use of a project to include an analysis of the cost of the constructed space; amending s. 216.301, F.S.; requiring that cost savings realized when actual costs are less than the projected costs for a fixed capital outlay project be used to reduce the overall construction costs; specifying that additional purchases may not be made if they are not included in the approved plan; amending s. 255.043, F.S.; defining the term "art"; prohibiting the purchase of art using public funds except as authorized by law; amending s. 255.29, F.S.; requiring the department to adopt standards for materials and components used in the construction of a fixed capital outlay project; providing criteria; requiring written justification and analysis if a material or component does not meet the standards; amending s. 255.30, F.S.; clarifying the meaning of supervisory authority in the context of the delegation of authority to a state agency by the department; amending s. 273.055, F.S.; deleting provisions requiring department approval for the disposal of state-owned aircraft; amending s. 282.0041, F.S.; revising a cross-reference; amending s. 282.702, F.S.; revising the powers and duties of the department relating to state telecommunications; requiring additional items relating to SUNCOM to be included in the department's annual report; requiring the department to submit an annual benchmark comparison of SUNCOM rates to other rates to the Governor and Legislature; requiring the department to work with the Agency for Enterprise Information Technology to produce a feasibility analysis for reprocurring the telecommunications network and to submit the analysis to the Governor and the Legislature by a certain date; requiring state agencies to cooperate with the department; requiring the Department of Transportation to provide certain information to assist the department in conducting the feasibility analysis and to develop procedures for disposing of property at less than fair market value; requiring the Department of Transportation to establish certain procedures in the state's right-of-way manual, providing criteria; amending s. 282.703, F.S.; prohibiting state agencies from creating a telecommunications network outside the SUNCOM network; requiring violations to be reported; requiring the department to develop a competitive solicitation to procure end-to-end network services by a certain date; requiring vendors to respond by a certain date; providing the specifications for the procurement; requiring all state agencies to complete the transition to the network services by a certain date; requiring state agencies to cooperate in the procurement; amending s. 287.16, F.S.; removing references to state-owned or leased aircraft; removing a requirement that the department report to the Legislature on the use of aircraft in the executive pool; repealing s. 287.161, F.S., relating to the executive aircraft pool; amending s. 287.17, F.S.; removing the provision that authorizes certain persons to use state-owned aircraft; removing the provision requiring payment by certain persons for the use of state-owned aircraft; amending ss. 318.18 and 318.21, F.S.; delaying the expiration of provisions imposing a surcharge on certain offenses and traffic violations, the proceeds of which are deposited into the State Agency Law Enforcement Radio System Trust Fund of the department; creating s. 760.12, F.S.; requiring that an aggrieved person pay a filing fee when requesting an administrative hearing under ch. 760, F.S., relating to discrimination in the treatment of persons; providing an exception for a person who is indigent; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2126** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2128—A bill to be entitled An act relating to the Public Employees Relations Commission; amending s. 447.205, F.S.; requiring that the commission be composed of a chair and two part-time members rather than two full-time members; providing for the chair of the commission to remain as a full-time appointment; prohibiting the part-time members from engaging in any business, vocation, or employment that conflicts with their duties while in such office; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2128** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2130—A bill to be entitled An act relating to pollution control; amending s. 403.1835, F.S.; revising requirements for the deposit of funds used in providing financial assistance for water pollution control; requiring that such funds be deposited into the department's Federal Grants Trust Fund rather than the department's Grants and Donations Trust Fund; specifying additional uses of moneys deposited into the Federal Grants Trust Fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2130** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2132—A bill to be entitled An act relating to the Department of Financial Services; repealing ss. 17.53 and 17.556, F.S., relating to the Chief Financial Officer's authorization to operate a personal check-cashing service or a remote financial service unit at the capitol and to employ additional persons to assist in performing such services; abolishing appropriations from the General Revenue Fund to pay the salaries of the additional employees; amending s. 20.121, F.S.; revising the duties of the Division of Consumer Services; amending ss. 284.01 and 284.36, F.S.; revising the criteria for premiums charged to agencies and departments for purposes of the State Risk Management Trust Fund; amending s. 284.42, F.S.; revising requirements for reports concerning the state insurance program; requiring the Division of Risk Management to analyze and report on certain agency return-to-work programs and activities; amending s. 284.50, F.S.; requiring certain agencies to establish and maintain return-to-work programs for certain employees; providing program goals; requiring the Division of Risk Management to evaluate agency risk management programs; requiring reports; requiring agencies to respond to the division's evaluation and recommendations; requiring the division to submit certain evaluation reports to the legislative appropriations committees; amending s. 440.13, F.S.; revising requirements for determining the amount of reimbursement for repackaged or relabeled prescription medication; providing limitations; amending s. 440.50, F.S.; providing for reversion of certain unencumbered and undisbursed funds to the Workers' Compensation Administration Trust Fund; providing an effective date.

—was read the second time by title.

Senator Smith moved the following amendment which failed:

Amendment 1 (765844) (with title amendment)—Delete lines 39 and 40.

And the title is amended as follows:

Delete lines 3-10 and insert: Services; amending s. 20.121, F.S.;

Pursuant to Rule 4.19, **SB 2132** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2134—A bill to be entitled An act relating to the Citizens Property Insurance Corporation; repealing s. 627.351(6)(e) and (f), F.S., relating to

the procurement of goods and services by the corporation; creating s. 627.3514, F.S.; providing standards for procurements by Citizens Property Insurance Corporation; providing legislative intent; providing definitions; providing general purchasing rules for the procurement of goods or services by the Citizens Property Insurance Corporation; requiring the corporation's legal department and purchasing department to jointly prepare a contract for the procurement of goods or services; requiring the legal department to review and approve a contract before it is executed; providing that certain procurements of goods or services are subject to competitive solicitation; providing that a public bid opening is not required except under certain circumstances; requiring a competitive solicitation to include a contract term; requiring the corporation's purchasing department to coordinate and manage the competitive solicitation process; providing for the use of four methods for the competitive solicitation process; requiring the business unit to provide certain information in order for the purchasing department to initiate the competitive solicitation process; requiring the corporation to create a process for the evaluation of vendor proposals appropriate for the goods or services being procured and to coordinate the receipt and evaluation of responses to the competitive solicitation; requiring the corporation to give public notice of a competitive solicitation by electronically posting the competitive solicitation on its website and the state's procurement website; prohibiting certain persons from communicating with any member of the board or employee of Citizens Property Insurance Corporation, or with any public official, officer, or employee of the executive or legislative branch of government, concerning any aspect of the solicitation; providing a procedure for breaking a tie between two vendors in the competitive solicitation process; requiring the redaction of certain confidential and exempt information in a vendor's bid; requiring the corporation to post a copy of each contract executed on its website for certain contracts executed on or after a specified date; authorizing a respondent to a competitive solicitation to appeal the award of certain contracts of more than a specified amount by the corporation's board; requiring the corporation's board to hear an appeal at a publicly noticed meeting conducted according to appeal procedures established by the board; authorizing a respondent to a competitive solicitation to appeal the award of a contract having a value at or above a specified amount and less than a specified amount according to appeal procedures established by the board; providing that such appeals are not required to be heard by the board; authorizing certain exemptions from the competitive solicitation process; requiring the corporation's purchasing policy to address procurement issues regarding conflicts of interest and to include procedures for protecting against any conflict of interest by Citizens' board members and employees and other expert consultants who are acting as an evaluator in the purchasing process; requiring the corporation to strive to increase business with minority business enterprises; requiring the director of purchasing to certify a business as a minority business enterprise upon review and evaluation of evidence provided by the business; requiring the corporation to strive to increase business with Florida small business enterprises by providing education and outreach to Florida small business enterprises regarding business opportunities with the corporation; authorizing the corporation to use the status of a business as a Florida small business enterprise as a vendor-evaluation criterion in the procurement of goods or services; requiring the director of the corporation's purchasing department to certify a business as a Florida small business enterprise upon review and evaluation of evidence provided by the entity; authorizing the corporation to use the status of a business as a Florida business enterprise as a vendor-evaluation criterion in the procurement of goods or services; requiring the corporation to verify the status of a Florida business enterprise; requiring the corporation's board to annually review and adopt the purchasing policy for the corporation; requiring the corporation's board to submit a copy of the purchasing policy to the Office of Insurance Regulation; requiring the Auditor General to have access to the corporation's procurement documents and related materials; requiring the documents and materials held by the Auditor General to remain confidential; amending s. 838.014, F.S.; including a board member or an employee of the corporation within the definition of the term "public servant" as it relates to the crime of bribery and the misuse of public office; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2134** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2136—A bill to be entitled An act relating to trust funds; creating s. 455.1165, F.S.; creating the Federal Grants Trust Fund within the Department of Business and Professional Regulation; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2136** was placed on the calendar of Bills on Third Reading.

SB 2142—A bill to be entitled An act relating to the water management districts; creating s. 373.502, F.S.; providing requirements with respect to revenues received by each water management district and the unexpended balances of a district's local account; requiring that each district's expenditure of funds be as provided in the General Appropriations Act; providing for a contingency if a court finds such restriction to be invalid; amending s. 373.503, F.S.; providing that the Legislature may annually set the amount of revenue a district may raise through its ad valorem tax authority; prohibiting a district from imposing ad valorem taxes if the Legislature does not set the amount of revenue; amending s. 373.536, F.S.; changing the districts' fiscal year; revising provisions relating to the development of district budgets and review by the Executive Office of the Governor and Legislature; requiring that each district make budget information available to the public through the district's website; amending s. 403.891, F.S., relating to the Water Protection and Sustainability Program Trust Fund; conforming provisions to changes made by the act; amending ss. 373.026, 373.036, 373.707, and 373.709, F.S.; conforming cross-references; specifying the district millage rate during those months that the districts are in transition to a new fiscal year and capping the amount of revenues that may be collected; providing that each district may expend funds until its final budget is approved; appropriating all prior year incurred obligations; providing for future expiration; providing an effective date.

—was read the second time by title.

On motion by Senator Hays, further consideration of **SB 2142** was deferred.

On motion by Senator Gaetz—

SB 2152—A bill to be entitled An act relating to transportation; amending s. 310.002, F.S.; redefining the term "port" to include Port Citrus; amending s. 311.07, F.S.; providing additional funds for 5 years to fund certain projects through the Florida Deepwater Seaport Program; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; amending s. 338.165, F.S.; specifying that certain statutory provisions related to special matters to be considered in rule adoption do not apply to the adjustment of toll rates; transferring control of the Tampa-Hillsborough County Expressway Authority, the Orlando-Orange County Expressway Authority, and the Mid-Bay Bridge Authority systems to the Florida Turnpike Enterprise; transferring all assets, rights, powers, duties, and bond liabilities of the authorities to the turnpike enterprise; transferring all provisions that protect the rights of certain bondholders from the authorities to the turnpike enterprise; providing for the turnpike enterprise to annually transfer funds from the activities of each of the transferred authorities to the State Transportation Trust Fund to repay certain long-term debt; amending s. 338.2215, F.S.; adding certain expressway and bridge systems to the Florida Turnpike Enterprise; amending s. 338.231, F.S.; requiring that the toll rates collected electronically equal the rates for cash collection; amending s. 338.2275, F.S.; increasing the maximum amount of bonds that may be outstanding for approved turnpike projects; repealing s. 338.251, F.S., relating to the Toll Facilities Revolving Trust Fund; transferring all funds in the trust fund and future payments of obligated funds to the Turnpike General Reserve Trust Fund; creating s. 339.2821, F.S.; providing requirements for contracts for transportation projects; providing duties of the Department of Transportation; providing for the transfer of funds; requiring that funds be allocated to each district equitably; authorizing Space Florida to serve as a local government or a contracting agency within spaceport territory; repealing s. 343.805(6),

F.S., relating to the definition of the term “lease-purchase agreement” as it relates to the Northwest Florida Transportation Corridor Authority and the Department of Transportation; amending s. 343.835, F.S.; deleting references to lease-purchase agreements; amending s. 343.836, F.S.; deleting references to lease-purchase agreements in remedies to bondholders as they relate to the U.S. 98 Corridor System; repealing s. 343.837, F.S., relating to lease-purchase agreements that provide for the leasing of the U.S. 98 Corridor System to the Department of Transportation; repealing s. 343.885, F.S., relating to the enforceability of pledges by bondholders; repealing s. 343.91(1)(h), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to the Tampa Bay Area Regional Transportation Authority and the Department of Transportation; amending s. 343.94, F.S.; deleting references to lease-purchase agreements; amending s. 343.944, F.S.; deleting references to lease-purchase agreements in remedies to bondholders as they relate to the Tampa Bay Area Regional Transportation Authority; repealing s. 343.945, F.S., relating to the enforceability of pledges to the Tampa Bay Area Regional Transportation Authority; repealing s. 343.946, F.S., relating to lease-purchase agreements that provide for the leasing of projects of the Tampa Bay Area Regional Transportation Authority to the Department of Transportation; repealing s. 348.0002(11), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to expressway authorities and the Department of Transportation; amending s. 348.0004, F.S.; authorizing authorities created pursuant to the Florida Expressway Authority Act to own expressway systems; deleting the power of such authorities to lease such systems; deleting obsolete provisions; amending s. 348.0005, F.S.; deleting a reference to the Department of Transportation to conform to changes made by the act; repealing s. 348.0006, F.S., which provides for lease-purchase agreements in the Florida Expressway Act; repealing part II of ch. 348, F.S., which provides for the creation and operation of the Brevard County Expressway Authority; repealing part III of ch. 348, F.S., which provides for the creation and operation of the Broward County Expressway Authority; repealing part IV of ch. 348, F.S., which provides for the creation and operation of the Tampa-Hillsborough County Expressway Authority; repealing part V of ch. 348, F.S., which provides for the creation and operation of the Orlando-Orange County Expressway Authority; repealing part VI of ch. 348, F.S., which provides for the creation and operation of the Pasco County Expressway Authority; repealing part VII of ch. 348, F.S., which provides for the creation and operation of the St. Lucie County Expressway and Bridge Authority; repealing part VIII of ch. 348, F.S., which provides for the creation and operation of the Seminole County Expressway Authority; repealing part X of ch. 348, F.S., which provides for the creation and operation of the Southwest Florida Expressway Authority; repealing s. 348.9955, F.S., relating to the power of the Osceola Expressway Authority to enter into lease-purchase agreements with the Department of Transportation; repealing s. 349.02(1)(d), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to the Jacksonville Transportation Authority and the Department of Transportation; amending s. 349.04, F.S.; deleting the authority of the Jacksonville Transportation Authority to enter lease-purchase agreements; amending s. 349.05, F.S.; deleting authorization for lease-purchase agreements in bond agreements of the Jacksonville Transportation Authority; repealing s. 349.07, F.S., relating to lease-purchase agreements that provide for the leasing of the Jacksonville Expressway System to the Department of Transportation; amending s. 349.15, F.S.; deleting certain bond authority of the department; amending s. 374.976, F.S.; including Port Citrus in provisions relating to the authority of inland navigation districts; amending s. 403.021, F.S.; conforming provisions to include Port Citrus in legislative declarations relating to environmental control; amending s. 403.061, F.S.; conforming provisions to include Port Citrus in provisions relating to powers of the Department of Environmental Protection; amending s. 403.813, F.S.; including Port Citrus in provisions relating to permits issued at Department of Environmental Protection district centers; amending s. 403.816, F.S.; including Port Citrus in provisions relating to certain maintenance projects at deepwater ports and beach restoration projects; repealing chapter 2000-411, Laws of Florida, relating to the Mid-Bay Bridge Authority; amending s. 212.08, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2152** was placed on the calendar of Bills on Third Reading.

RECESS

On motion by Senator Thrasher, the Senate recessed at 1:09 p.m. to reconvene at 2:00 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by President Haridopolos at 2:00 p.m. A quorum present—37:

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Norman	
Flores	Negron	

SPECIAL ORDER CALENDAR

On motion by Senator Gaetz—

SB 2154—A bill to be entitled An act relating to the Florida Housing Finance Corporation; amending s. 201.15, F.S.; deleting provisions on the distributions of documentary stamp tax revenues to the State Housing Trust Fund and the Local Government Housing Trust Fund; conforming cross-references; amending ss. 420.0003 and 420.0004, F.S.; replacing references to the Department of Community Affairs with Jobs Florida; amending s. 420.0005, F.S.; providing for the deposit of certain moneys into the State Housing Trust Fund within the State Treasury; replacing references to the Secretary of the Department of Community Affairs with the Commissioner of Jobs Florida; subjecting expenditures from the State Housing Fund for administrative and personnel costs to appropriation by the Legislature; providing for the interest received on investments of moneys of the State Housing Fund in excess of the amounts appropriated for the current fiscal year to be credited to the General Revenue Fund; amending ss. 420.101, 420.111, 420.36, 420.424, 420.503, 420.504, and 420.506, F.S.; replacing references to the Department of Community Affairs with Jobs Florida and replacing references to the Secretary of the Department of Community Affairs with the Commissioner of Jobs Florida; amending s. 420.507, F.S.; providing for certain moneys to be deposited into the State Housing Trust Fund; subjecting expenditures of funds to appropriation by the Legislature; deleting provisions exempting the corporation from certain state budgetary requirements; deleting the provision that authorizes the corporation to retain unused operational expenditures; amending s. 420.508, F.S.; providing for the deposit of certain moneys into the State Housing Trust Fund; providing that expenditures from the Florida Housing Finance Corporation Fund are subject to appropriation by the Legislature; amending s. 420.5087, F.S.; conforming a cross-reference; requiring that loan repayments and certain proceeds be accounted for by the corporation and be deposited into the State Housing Trust Fund; deleting a provision that prohibits loan repayments and certain proceeds from reverting to the General Revenue Fund; requiring that expenditures from the State Apartment Incentive Loan Fund be subject to appropriation by the Legislature; authorizing the corporation to seek a budget amendment to use certain funds for construction in fiscal years subsequent to the fiscal years for which the funds were appropriated; requiring the corporation to account for certain funds and to deposit them into the State Housing Trust Fund; requiring the corporation to seek a budget amendment to transfer funds for its loan loss insurance reserve; amending s. 420.5088, F.S.; revising provisions relating to the Florida Homeownership Assistance Program; requiring the corporation to account for certain monies deposited into the State Housing Trust Fund; subjecting expenditures from the Florida Homeownership Assistance Fund to appropriation by the Legislature; amending s. 420.5089, F.S.; revising provisions relating to the HOME Investment Partnership Program; requiring the corporation to account for certain monies deposited into the State Housing Trust Fund; authorizing the corporation

to seek a budget amendment to use certain funds for construction in fiscal years subsequent to the fiscal years for which the funds were appropriated; providing for certain funds to be deposited into the State Housing Trust Fund; amending s. 420.5091, F.S.; revising provisions relating to the HOPE Program; providing for the deposit of certain funds into the State Housing Trust Fund; amending s. 420.5092, F.S.; revising provisions relating to the Florida Affordable Housing Guarantee Program; authorizing certain funds to be used to support the Florida Affordable Housing Guarantee Program; conforming cross-references; amending s. 420.5095, F.S.; replacing a reference to the Department of Community Affairs with Jobs Florida; amending s. 420.525, F.S.; requiring that expenditures from the Housing Predevelopment Fund be subject to appropriation by the Legislature; authorizing the corporation to seek a budget amendment to use certain funds for predevelopment activities in fiscal years subsequent to the fiscal years for which the funds were appropriated; providing for certain monies to be accounted by the corporation and deposited into the State Housing Trust Fund; deleting a provision that prohibits certain funds, loan repayments, proceeds from reverting to the General Revenue Fund; amending ss. 420.526 and 420.529, F.S.; providing for certain monies to be accounted by the corporation and repaid to, or deposited into, the State Housing Trust Fund; amending s. 420.602, F.S.; redefining definitions; amending ss. 420.606, 420.609, 420.622, and 420.631, F.S.; replacing references to the Department of Community Affairs with Jobs Florida and replacing references to the Secretary of the Department of Community Affairs with the Commissioner of Jobs Florida; amending s. 420.9073, F.S.; revising local housing distribution provisions under the State Housing Initiatives Partnership Program; amending s. 420.9079, F.S.; providing for the deposit of certain monies into the Local Government Housing Trust Fund; providing for the interest on certain investments of the Local Government Housing Trust Fund to be credited to the General Revenue Fund; amending s. 201.0205, F.S.; changing the source of funding for certain local housing programs; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Smith, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Smith moved the following amendment which failed:

Amendment 1 (260494) (with title amendment)—Delete lines 112-208.

And the title is amended as follows:

Delete lines 3-7 and insert: Corporation; amending ss. 420.0003 and 420.0004, F.S.;

Pursuant to Rule 4.19, **SB 2154** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz—

SB 2156—A bill to be entitled An act relating to governmental reorganization; transferring the functions and trust funds of the Agency for Workforce Innovation to other agencies; transferring the Office of Early Learning Services to the Department of Education; transferring the Office of Unemployment Compensation to Jobs Florida; transferring the Office of Workforce Services to Jobs Florida; transferring the functions and trust funds of the Department of Community Affairs to other agencies; transferring the Florida Housing Finance Corporation to Jobs Florida; transferring the Division of Housing and Community Development to Jobs Florida; transferring the Division of Community Planning to Jobs Florida; transferring the Division of Emergency Management to the Executive Office of the Governor and renaming it as the “Office of Emergency Management”; transferring the Florida Building Commission to the Department of Business and Professional Regulation; transferring the responsibilities under the Florida Communities Trust to the Department of Environmental Protection; transferring the responsibilities under the Stan Mayfield Working Waterfronts program to the Department of Environmental Protection; transferring functions and trust funds of the Office of Tourism, Trade, and Economic Development in the Executive Office of the Governor to Jobs Florida; providing legislative intent with respect to the transfer of programs and adminis-

trative responsibilities; providing for a transition period; providing for coordination between the Agency for Workforce Innovation, the Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development and other state agencies to implement the transition; requiring that the Governor appoint a representative to coordinate the transition plan; requiring that the Governor submit information and obtain waivers as required by federal law; authorizing the Governor to transfer funds and positions between agencies upon approval from the Legislative Budget Commission to implement the act; directing the nonprofit entities to enter into a plan for merger; transferring the functions of Space Florida to the Jobs Florida Partnership, Inc.; providing legislative intent with respect to the merger of Enterprise Florida, Inc., the Florida Sports Foundation Incorporated, the Florida Tourism Industry Marketing Corporation d/b/a VISIT Florida, and the Florida Black Business Investment Board, Inc., into and the transfer of Space Florida to the Jobs Florida Partnership, Inc.; providing for a transition period; requiring that the Governor appoint a representative to coordinate the transition plan; providing for the transfer of any funds held in trust by the entities to be transferred to the Jobs Florida Partnership, Inc., to be used for their original purposes; requiring that the Governor submit information and obtain waivers as required by federal law; providing a directive to the Division of Statutory Revision to prepare conforming legislation; creating s. 14.2016, F.S.; establishing the Office of Emergency Management as a separate budget entity within the Executive Office of the Governor; providing for the director of the office to serve at the pleasure of the Governor; amending s. 20.15, F.S.; establishing the Division of Early Learning within the Department of Education; providing for the office to administer the school readiness system and the Voluntary Prekindergarten Education Program; creating s. 20.60, F.S.; creating Jobs Florida as a new department of state government; providing for the commissioner of Jobs Florida to be appointed by the Governor and confirmed by the Senate; establishing divisions of Jobs Florida and specifying their responsibilities; providing for Jobs Florida to serve as the designated agency for the purposes of federal workforce development grants; authorizing Jobs Florida to contract for training for employees of administrative entities and case managers of contracted providers; specifying that the Unemployment Appeals Commission is not subject to control, supervision, or direction from Jobs Florida; specifying the responsibilities of the commissioner of Jobs Florida; limiting the amount of the commissioner’s public remuneration; specifying powers and responsibilities of the Chief Inspector General in the Executive Office of the Governor with respect to Jobs Florida; providing for Jobs Florida to have an official seal; providing for Jobs Florida to administer the role of state government with respect to laws relating to housing; authorizing Jobs Florida to adopt rules; amending s. 112.044, F.S.; requiring an employer, employment agency, and labor organization to post notices required by the United States Department of Labor and the United States Equal Employment Opportunity Commission; amending s. 163.3164, F.S.; redefining the terms “state land planning agency” and “optional sector plans”; amending ss. 163.3177 and 163.3180, F.S.; deleting the word “optional” from the phrase “optional sector plans” to conform to changes made by the act; amending s. 163.3184, F.S.; creating exceptions to requirements for comprehensive plan amendments to be reviewed by the state land planning agency; requiring the state land planning agency to submit a copy of a comprehensive plan or plan amendment that relates to or includes a public schools facilities element to the Department of Education; amending s. 163.3191, F.S.; creating exceptions to requirements for a local government to prepare an evaluation and appraisal report to assess progress in implementing the local government’s comprehensive plan; deleting requirements for a local government to include in an evaluation and appraisal report certain statements to update a comprehensive plan; deleting a requirement for a local government to provide a proposed evaluation and appraisal report to certain entities and interested citizens; deleting provisions relating to a requirement for a local government to adopt an evaluation and appraisal report; providing for the report to be submitted as data and analysis in support of the amendments based on evaluation and appraisal report; deleting provisions relating to the delegation of the review of evaluation and appraisal reports; authorizing the state land planning agency to establish a phased schedule for adoption of amendments based on an evaluation and appraisal report; deleting a requirement for the state land planning agency to review the evaluation and appraisal report process and submit a report to the Governor and the Legislature regarding its findings; amending s. 163.3245, F.S.; renaming optional sector plans as sector plans; increasing the minimum size of geographic areas that qualify for the use of sector plans; revising terminology relating to such plans; deleting ob-

sole provisions; renaming long-term conceptual buildout overlays as long-term master plans; revising the content required to be included in long-term master plans and detailed specified area plans; requiring identification of water development projects and transportation facilities to serve future development needs; exempting certain developments from the requirement to develop a detailed specific area plan; providing that detailed specific area plans shall be adopted by local development orders; requiring that detailed specific area plans include a buildout date and precluding certain changes in the development until after that date; authorizing certain development agreements between the developer and the local government; providing for continuation of certain existing land uses; amending s. 163.3246, F.S.; deleting the word "optional" from the phrase "optional sector plans" to conform to changes made by the act; amending s. 163.32465, F.S.; making the alternative state review of comprehensive plan amendments applicable statewide; amending s. 215.559, F.S.; providing for the Hurricane Loss Mitigation Program to be housed within the Office of Emergency Management; extending the repeal date of the program; deleting an obsolete provision relating to the use of funds for programs to retrofit certain existing hurricane shelters; creating s. 288.005, F.S.; defining the terms "economic benefits" and "commissioner"; creating s. 288.048, F.S.; creating the incumbent worker training program within Jobs Florida; providing for the program to provide preapproved, direct, training-related costs; providing for the administration of the program by Jobs Florida in conjunction with Workforce Florida, Inc.; amending s. 288.061, F.S.; providing for Jobs Florida and the Jobs Florida Partnership, Inc., to review applications for state economic development incentives; authorizing Jobs Florida to enter into an agreement with an applicant relating to all incentives offered by the state; amending s. 288.095, F.S.; providing for the Economic Development Incentives account to be used for certain economic development incentives programs; providing for Jobs Florida to approve applications for certification or requests for participation in certain economic development programs; amending s. 288.1081, F.S.; providing for the Economic Gardening Business Loan Pilot Program to be administered by Jobs Florida; deleting provisions providing for certain funds to be deposited into the General Revenue Fund; deleting provisions that provide for the future repeal of the program; amending s. 288.1082, F.S.; providing for the Economic Gardening Technical Assistance Pilot Program to be administered by Jobs Florida; requesting the Division of Statutory Revision to rename part VII of ch. 288, F.S., as "Jobs Florida Partnership, Inc."; amending s. 288.901, F.S.; creating the Jobs Florida Partnership, Inc., as a nonprofit corporation; specifying that the partnership is subject to the provisions of chs. 119 and 286, F.S.; specifying that the partnership's board of directors is subject to certain requirements in ch. 112, F.S.; specifying the purposes of the partnership; creating the board of directors for the partnership; naming the Governor as chair of the board of directors; specifying appointment procedures, terms of office, selecting a vice chairperson, filling vacancies, and removing board members; providing for the appointment of at-large members to the board of directors; specifying terms; allowing the at-large members to make contributions to the partnership; specifying that the commissioner of Jobs Florida and the chairs of the advisory councils for each division shall serve as ex officio, nonvoting members of the board of directors; specifying that members of the board of directors shall serve without compensation, but are entitled to reimbursement for all reasonable, necessary, and actual expenses as determined by the board of directors; amending s. 288.9015, F.S.; specifying the powers of the partnership and the board of directors; authorizing liberal construction of the partnership's statutory powers; prohibiting the partnership from pledging the full faith and credit of the state; allowing the partnership to indemnify, purchase, and maintain insurance on its board members, officers, and employees; amending s. 288.903, F.S.; specifying the duties of the partnership; amending s. 288.904, F.S.; providing for legislative appropriations; requiring a private match equal to at least 35 percent of the appropriation of public funds; specifying potential sources of private funding; directing the board of directors to develop annual budgets; providing for the partnership to enter into an agreement with Jobs Florida; requiring performance measures; requiring review of the partnership's activities as a return on the public's financial investment; directing the partnership to consult with the Office of Economic and Demographic Research when hiring an economic analysis firm to prepare the return on investment analysis and when hiring a survey research firm to develop, analyze and report on the results of its customer satisfaction survey; amending s. 288.905, F.S.; directing the partnership's board of directors to hire a president, who shall serve at the pleasure of the Governor; defining the president's role and responsibilities; specifying that no employee of the partnership shall earn more than the

Governor, but provides for the granting of performance-based incentive payments to employees that may increase their total compensation in excess of the Governor's; amending s. 288.906, F.S.; requiring the partnership to prepare an annual report by December 1 of each year; specifying the content of the annual report; creating s. 288.907, F.S.; requiring the partnership to create an annual incentives report; specifying the required components of the report; amending s. 288.911, F.S.; requiring the partnership to promote and market this state to businesses in target industries and high-impact industries; creating s. 288.912, F.S.; requiring that certain counties and municipalities annually provide to the partnership an overview of certain local economic development activities; creating s. 288.92, F.S.; specifying divisions within the partnership; providing for hiring of staff; requiring each division to have a 15-member advisory council; specifying selection and appointments to the advisory council; creating s. 288.921, F.S.; creating the Division of International Trade and Business Development; specifying its responsibilities; providing for administration of a grant program; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.922, F.S.; creating the Division of Business Retention and Recruitment; specifying its responsibilities; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.923, F.S.; creating the Division of Tourism Marketing; providing definitions; specifying the division's responsibilities and duties, including a 4-year marketing plan; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.925, F.S.; creating the Division of Minority Business Development; specifying the division's responsibilities and duties; requiring an annual report; specifying minimum responsibilities of the advisory council; transferring, renumbering, and amending s. 288.1229, F.S.; creating the Division of Sports Industry Development; specifying the division's responsibilities; requiring an annual report; specifying minimum responsibilities of the advisory board; advisory board; amending s. 290.0055, F.S.; authorizing certain governing bodies to apply to Jobs Florida to amend the boundary of an enterprise zone that includes a rural area of critical economic concern; providing a limitation; authorizing Jobs Florida to approve the amendment application subject to certain requirements; requiring that Jobs Florida establish the effective date of certain enterprise zones; creating s. 290.00726, F.S.; authorizing Martin County to apply to Jobs Florida for designation of an enterprise zone; providing application requirements; authorizing Jobs Florida to designate an enterprise zone in Martin County; providing responsibilities of Jobs Florida; amending s. 409.942, F.S.; deleting amending s. 409.942, F.S.; deleting requirements that Workforce Florida, Inc., establish an electronic transfer benefit program; amending s. 411.0102, F.S.; requiring each participating early learning coalition board to develop a plan for the use of child care purchasing pool funds; amending s. 1002.73, F.S.; requiring the Department of Education to administer the operational requirements of the Voluntary Prekindergarten Education Program; requiring the Department of Education to adopt procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts; requiring the Department of Education to adopt procedures for the distribution of funds to early learning coalitions; amending ss. 11.45, 14.20195, 15.18, 15.182, 16.615, 39.001, 45.031, 69.041, 112.3135, 119.071, 120.80, 125.01045, 159.803, 159.8081, 159.8083, 161.54, 163.03, 163.3178, 163.3221, 163.360, 166.0446, 175.021, 186.504, 186.505, 202.037, 212.08, 212.096, 212.097, 212.098, 212.20, 213.053, 215.5586, 216.136, 216.292, 216.231, 218.64, 220.03, 220.183, 220.191, 222.15, 250.06, 252.32, 252.34, 252.35, 252.355, 252.3568, 252.36, 252.365, 252.37, 252.371, 252.373, 252.38, 252.385, 252.40, 252.41, 252.42, 252.43, 252.44, 252.46, 252.55, 252.60, 252.61, 252.82, 252.83, 252.85, 252.86, 252.87, 252.88, 252.936, 252.937, 252.943, 252.946, 255.099, 259.035, 260.0142, 272.11, 282.34, 282.709, 287.09431, 287.09451, 287.0947, 288.012, 288.017, 288.018, 288.019, 288.021, 288.035, 288.047, 288.065, 288.0655, 288.0656, 288.06561, 288.0657, 288.0658, 288.0659, 288.075, 288.1045, 288.106, 288.107, 288.108, 288.1083, 288.1088, 288.1089, 288.1095, 288.1162, 288.11621, 288.1168, 288.1169, 288.1171, 288.122, 288.12265, 288.124, 288.1251, 288.1252, 288.1253, 288.1254, 288.386, 288.7011, 288.7015, 288.705, 288.706, 288.7094, 288.7102, 288.714, 288.773, 288.774, 288.776, 288.7771, 288.816, 288.809, 288.826, 288.95155, 288.955, 288.9519, 288.9520, 288.9603, 288.9604, 288.9605, 288.9606, 288.9614, 288.9624, 288.9625, 288.975, 288.980, 288.984, 288.9913, 288.9914, 288.9916, 288.9917, 288.9918, 288.9919, 288.9920, 288.9921, 290.004, 290.0055, 290.0056, 290.0065, 290.0066, 290.00710, 290.0072, 290.00725, 290.0073, 290.0074, 290.0077, 290.014, 311.09, 311.11, 311.115, 311.22, 320.08058, 331.302, 331.3081, 331.369, 339.08, 339.135, 364.0135, 377.703, 377.711, 377.712, 377.804, 380.031, 380.06,

380.115, 380.285, 381.0054, 381.0086, 381.7354, 381.855, 383.14, 402.281, 402.45, 402.56, 403.42, 403.7032, 403.973, 409.017, 409.1451, 409.2576, 409.944, 409.946, 411.01, 411.0101, 411.01013, 411.01014, 411.01015, 411.0103, 411.0104, 411.0106, 411.011, 411.226, 411.227, 414.24, 414.40, 414.295, 414.411, 420.631, 420.635, 429.907, 440.12, 440.15, 440.381, 440.385, 440.49, 443.012, 443.036, 443.041, 443.051, 443.071, 443.091, 443.101, 443.111, 443.1113, 443.1115, 443.1116, 443.1215, 443.1216, 443.1217, 443.131, 443.1312, 443.1313, 443.1315, 443.1316, 443.1317, 443.141, 443.151, 443.163, 443.171, 443.1715, 443.181, 443.191, 443.211, 443.221, 445.002, 445.003, 445.004, 445.006, 445.007, 445.009, 445.016, 445.024, 445.0325, 445.038, 445.045, 445.048, 445.049, 445.051, 445.056, 446.41, 446.44, 446.50, 446.52, 448.109, 448.110, 450.161, 450.191, 450.31, 464.203, 468.529, 469.002, 469.003, 489.1455, 489.5335, 526.143, 526.144, 551.104, 553.62, 570.248, 570.96, 597.006, 624.5105, 625.3255, 627.0628, 657.042, 658.67, 768.13, 943.03, 943.03101, 943.0311, 943.0312, 943.0313, 944.012, 944.708, 944.801, 945.10, 985.601, 1002.375, 1002.53, 1002.55, 1002.61, 1002.63, 1002.67, 1002.69, 1002.71, 1002.72, 1002.77, 1002.79, 1003.491, 1003.492, 1003.493, 1003.575, 1003.4285, 1003.493, 1004.226, 1004.65, 1004.77, 1004.78, 1008.39, 1008.41, 1011.76, and 1012.2251, F.S.; conforming provisions to changes made by the act; conforming cross-references; deleting obsolete provisions; transferring, renumbering, and amending ss. 20.505 and 1004.99, F.S.; conforming provisions to changes made by the act; repealing s. 14.2015, F.S., which relates to the creation of the Office of Tourism, Trade, and Economic Development; repealing s. 20.18, F.S., which relates to the creation of the Department of Community Affairs; repealing s. 20.50, F.S., which relates to the creation of the Agency for Workforce Innovation; repealing ss. 255.551, 255.552, 255.553, 255.5535, 255.555, 255.556, 255.557, 255.5576, 255.558, 255.559, 255.56, 255.561, 255.562, and 255.563, F.S., which relates to the abatement of asbestos in state buildings; repealing s. 287.115, F.S., which relates to a requirement for the Chief Financial Officer to submit a report on contractual service contracts disallowed; repealing s. 288.038, F.S., which relates to agreements appointing county tax collectors as an agent of the Department of Labor and Employment Security for licenses and other similar registrations; repealing s. 288.063, F.S., which relates to contracts for transportation projects with the Office of Tourism, Trade, and Economic Development; repealing ss. 288.1221, 288.1222, 288.1223, 288.1224, 288.1226, and 288.1227, F.S., which relate to the Florida Commission on Tourism and the Florida Tourism Industry Marketing Corporation; repealing ss. 288.7065, 288.707, 288.708, 288.709, 288.7091, and 288.712, F.S., which relate to the Black Business Investment Board; repealing s. 288.12295, F.S., which relates to a public records exemption for donors for a direct support organization on promotion and development of sports-related industries and amateur athletics; repealing s. 288.90151, F.S., which relates to Return on investment from activities of Enterprise Florida, Inc.; repealing s. 288.9415, F.S., which relates to Enterprise Florida, Inc., and international trade grants; repealing s. 288.9618, F.S., which relates to an economic development program for microenterprises; repealing s. 288.982, F.S., which relates to a public records exemption for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 411.0105, F.S., which designates the Agency for Workforce Innovation as the lead agency to administer specified federal laws; repealing s. 446.60, F.S., which relates to assistance for displaced local exchange telecommunications company workers; repealing s. 1002.75, F.S., relating to the powers and duties of the Agency for Workforce Innovation; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Flores, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Flores moved the following amendment which was adopted:

Amendment 1 (876626) (with title amendment)—Delete lines 16214-16230 and insert:

Section 277. Subsection (1) of section 443.111, Florida Statutes, is amended to read:

443.111 Payment of benefits.—

(1) MANNER OF PAYMENT.—Benefits are payable from the fund in accordance with rules adopted by *Jobs Florida the Agency for Workforce Innovation*, subject to the following requirements:

(a) Benefits are payable by mail or electronically, *except that an individual being paid by paper warrant on July 1, 2011, may continue to be paid in that manner until the expiration of the claim. Jobs Florida Notwithstanding s. 409.942(4), the agency may develop a system for the payment of benefits by electronic funds transfer, including, but not limited to, debit cards, electronic payment cards, or any other means of electronic payment that Jobs Florida the agency deems to be commercially viable or cost-effective. Commodities or services related to the development of such a system shall be procured by competitive solicitation, unless they are purchased from a state term contract pursuant to s. 287.056. Jobs Florida The agency shall adopt rules necessary to administer this paragraph the system.*

And the title is amended as follows:

Delete lines 353-418 and insert: 443.051, 443.071, 443.091, 443.101, 443.1113, 443.1115, 443.1116, 443.1215, 443.1216, 443.1217, 443.131, 443.1312, 443.1313, 443.1315, 443.1316, 443.1317, 443.141, 443.151, 443.163, 443.171, 443.1715, 443.181, 443.191, 443.211, 443.221, 445.002, 445.003, 445.004, 445.006, 445.007, 445.009, 445.016, 445.024, 445.0325, 445.038, 445.045, 445.048, 445.049, 445.051, 445.056, 446.41, 446.44, 446.50, 446.52, 448.109, 448.110, 450.161, 450.191, 450.31, 464.203, 468.529, 469.002, 469.003, 489.1455, 489.5335, 526.143, 526.144, 551.104, 553.62, 570.248, 570.96, 597.006, 624.5105, 625.3255, 627.0628, 657.042, 658.67, 768.13, 943.03, 943.03101, 943.0311, 943.0312, 943.0313, 944.012, 944.708, 944.801, 945.10, 985.601, 1002.375, 1002.53, 1002.55, 1002.61, 1002.63, 1002.67, 1002.69, 1002.71, 1002.72, 1002.77, 1002.79, 1003.491, 1003.492, 1003.493, 1003.575, 1003.4285, 1003.493, 1004.226, 1004.65, 1004.77, 1004.78, 1008.39, 1008.41, 1011.76, and 1012.2251, F.S.; conforming provisions to changes made by the act; conforming cross-references; deleting obsolete provisions; transferring, renumbering, and amending ss. 20.505 and 1004.99, F.S.; conforming provisions to changes made by the act; repealing s. 14.2015, F.S., which relates to the creation of the Office of Tourism, Trade, and Economic Development; repealing s. 20.18, F.S., which relates to the creation of the Department of Community Affairs; repealing s. 20.50, F.S., which relates to the creation of the Agency for Workforce Innovation; repealing ss. 255.551, 255.552, 255.553, 255.5535, 255.555, 255.556, 255.557, 255.5576, 255.558, 255.559, 255.56, 255.561, 255.562, and 255.563, F.S., which relates to the abatement of asbestos in state buildings; repealing s. 287.115, F.S., which relates to a requirement for the Chief Financial Officer to submit a report on contractual service contracts disallowed; repealing s. 288.038, F.S., which relates to agreements appointing county tax collectors as an agent of the Department of Labor and Employment Security for licenses and other similar registrations; repealing s. 288.063, F.S., which relates to contracts for transportation projects with the Office of Tourism, Trade, and Economic Development; repealing ss. 288.1221, 288.1222, 288.1223, 288.1224, 288.1226, and 288.1227, F.S., which relate to the Florida Commission on Tourism and the Florida Tourism Industry Marketing Corporation; repealing ss. 288.7065, 288.707, 288.708, 288.709, 288.7091, and 288.712, F.S., which relate to the Black Business Investment Board; repealing s. 288.12295, F.S., which relates to a public records exemption for donors for a direct support organization on promotion and development of sports-related industries and amateur athletics; repealing s. 288.90151, F.S., which relates to return on investment from activities of Enterprise Florida, Inc.; repealing s. 288.9415, F.S., which relates to Enterprise Florida, Inc., and international trade grants; repealing s. 288.9618, F.S., which relates to an economic development program for microenterprises; repealing s. 288.982, F.S., which relates to a public records exemption for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 411.0105, F.S., which designates the Agency for Workforce Innovation as the lead agency to administer specified federal laws; amending s. 443.111, F.S.; providing that unemployment benefits are payable electronically, except that an individual being paid by paper warrant on a specified date may continue to be paid in that manner until the expiration of a claim for unemployment compensation; conforming provisions to changes made by the act; repealing s. 446.60, F.S., which relates to

MOTION

On motion by Senator Joyner, by the required two-thirds vote, consideration of the following amendments was allowed:

Senators Joyner and Wise offered the following amendments which were moved by Senator Joyner and adopted:

Amendment 2 (735614) (with title amendment)—Between lines 582 and 583 insert:

Section 4. *Type two transfers from the Department of Education.*—

(1) *All powers, duties, functions, records, offices, personnel, associated administrative support positions, property, pending issues, existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to the Division of Vocational Rehabilitation and the Division of Blind Services of the Department of Education are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to Jobs Florida.*

(2) *The Grants and Donations Trust Fund of the Division of Blind Services is transferred from the Department of Education to Jobs Florida.*

(3) *Any binding contract or interagency agreement existing before July 1, 2011, between the Division of Vocational Rehabilitation or the Division of Blind Services, or an entity or agent of the divisions, and any other agency, entity, or person shall continue as a binding contract or agreement for the remainder of the term of such contract or agreement on the successor department, agency, or entity responsible for the program, activity, or functions relative to the contract or agreement.*

(4) *All powers, duties, functions, records, offices, personnel, property, pending issues, and existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to the Division of Vocational Rehabilitation and the Division of Blind Services which are not specifically transferred by this section are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to Jobs Florida.*

And the title is amended as follows:

Delete line 27 and insert: Office of the Governor to Jobs Florida; transferring the functions relating to the Division of Vocational Rehabilitation from the Department of Education to Jobs Florida; transferring the functions and trust fund relating to the Division of Blind Services of the Department of Education to Jobs Florida; providing

The vote was:

Yeas—24

Mr. President	Garcia	Ring
Altman	Hays	Sachs
Braynon	Hill	Simmons
Dean	Jones	Siplin
Evers	Joyner	Smith
Fasano	Montford	Storms
Flores	Norman	Thrasher
Gaetz	Oelrich	Wise

Nays—13

Alexander	Dockery	Rich
Benacquisto	Gardiner	Richter
Bennett	Latvala	Sobel
Detert	Lynn	
Diaz de la Portilla	Margolis	

Amendment 3 (838354) (with title amendment)—Delete lines 778-811 and insert:

Section 8. Subsection (3) of section 20.15, Florida Statutes, is amended, and subsection (9) is added to that section, to read:

20.15 Department of Education.—There is created a Department of Education.

(3) DIVISIONS.—The following divisions of the Department of Education are established:

(a) Division of Florida Colleges.

(b) Division of Public Schools.

(c) Division of Career and Adult Education.

~~(d) Division of Vocational Rehabilitation.~~

~~(e) Division of Blind Services.~~

~~(d)(f)~~ Division of Accountability, Research, and Measurement.

~~(e)(g)~~ Division of Finance and Operations.

(f) *The Division of Early Learning, which shall administer the school readiness system in accordance with s. 411.01 and the operational requirements of the Voluntary Prekindergarten Education Program in accordance with part V of chapter 1002. The division shall be directed by the Deputy Commissioner for Early Learning, who shall be appointed by and serve at the pleasure of the commissioner.*

(9) TRAINING.—*The department may provide or contract for training for employees of administrative entities and case managers of any contracted providers to ensure they have the necessary competencies and skills to provide adequate administrative oversight and delivery of the full array of client services.*

Section 9. Section 20.60, Florida Statutes, is created to read:

20.60 *Jobs Florida; creation; powers and duties.*—

(1) *There is created a department that, notwithstanding the provisions of s. 20.04(1), shall be called Jobs Florida.*

(2) *The head of Jobs Florida is the commissioner of Jobs Florida, who shall be appointed by the Governor, subject to confirmation by the Senate. The commissioner shall serve at the pleasure of and report to the Governor.*

(3) *The following divisions of Jobs Florida are established:*

(a) *The Division of Strategic Business Development.*

(b) *The Division of Community Development.*

(c) *The Division of Workforce Services.*

(d) *The Division of Finance and Administration.*

(e) *Division of Vocational Rehabilitation.*

(f) *Division of Blind Services.*

And the title is amended as follows:

Between lines 64 and 65 insert: removing the Division of Vocational Rehabilitation and the Division of Blind Services from the Department of Education;

Amendment 4 (724440)—Delete lines 20558-20572 and insert:

Section 366. Subsections (2) and (3) of section 1003.575, Florida Statutes, are amended to read:

1003.575 Assistive technology devices; findings; interagency agreements.—Accessibility, utilization, and coordination of appropriate assistive technology devices and services are essential as a young person with disabilities moves from early intervention to preschool, from preschool to school, from one school to another, and from school to employment or independent living. To ensure that an assistive technology device issued to a young person as part of his or her individualized family support plan, individual support plan, or an individual education plan remains with the individual through such transitions, the following agencies shall enter into interagency agreements, as appropriate, to ensure the transaction of assistive technology devices:

(2) The Division of Blind Services of *Jobs Florida*, the Bureau of Exceptional Education and Student Services, and the Division of Vocational Rehabilitation of *Jobs Florida* ~~the Department of Education~~.

Amendment 5 (717748) (with title amendment)—Between lines 20824 and 20825 insert:

Section 377. Subsection (5) of section 90.6063, Florida Statutes, is amended to read:

90.6063 Interpreter services for deaf persons.—

(5) The appointing authority may channel requests for qualified interpreters through:

- (a) The Florida Registry of Interpreters for the Deaf;
- (b) The Division of Vocational Rehabilitation of *Jobs Florida* ~~the Department of Education~~; or

(c) Any other resource wherein the appointing authority knows that qualified interpreters can be found.

Section 378. Paragraph (b) of subsection (6) of section 121.051, Florida Statutes, is amended to read:

121.051 Participation in the system.—

(6) SEASONAL STATE EMPLOYMENT; BLIND VENDING FACILITY OPERATORS.—

(b)1. All blind or partially sighted persons employed or licensed by the Division of Blind Services as vending facility operators on or after December 1, 1970, and prior to July 1, 1996, are hereby declared to be state employees within the meaning of this chapter, and all vending facility operators licensed and employed during that period shall be compulsory members of the Florida Retirement System in compliance with this chapter for as long as the member is a vending facility operator, except as provided in subparagraph 3.

2. Blindness shall not be deemed a retirement disability within the provisions of this chapter for such members as are contemplated by this paragraph.

3. Any vending facility operator as described in subparagraph 1. may elect, on or before July 31, 1996, to withdraw from the Florida Retirement System as provided in s. 413.051(10) ~~s. 413.051(11)~~. The election to withdraw shall take effect as of July 1, 1996, and the decision to withdraw is irrevocable. A vending facility operator who withdraws from the Florida Retirement System as provided in this subparagraph shall retain all creditable service earned in the Florida Retirement System through the month that retirement contributions ceased to be reported, and no creditable service shall be earned as a vending facility operator after such month. However, any such person may participate in the Florida Retirement System in the future if employed by a participating employer in a covered position.

4. All blind or partially sighted persons employed or licensed by the Division of Blind Services as vending facility operators on or after July 1, 1996, shall be independent contractors within the meaning of this chapter and shall not be eligible for membership in the Florida Retirement System.

Section 379. Section 215.311, Florida Statutes, is amended to read:

215.311 State funds; exceptions.—The provisions of s. 215.31 ~~do shall~~ not apply to funds collected by and under the direction and supervision of the Division of Blind Services of *Jobs Florida* ~~the Department of Education~~ as provided under ss. 413.011, 413.041, and 413.051; however, nothing in this section shall be construed to except from the provisions of s. 215.31 any appropriations made by the state to the division.

Section 380. Subsection (5) of section 394.75, Florida Statutes, is amended to read:

394.75 State and district substance abuse and mental health plans.—

(5) The district plan shall address how substance abuse and mental health services will be provided and how a system of care for target populations will be provided given the resources available in the service district. The plan must include provisions for maximizing client access to the most recently developed psychiatric medications approved by the United States Food and Drug Administration, for developing independent housing units through participation in the Section 811 program operated by the United States Department of Housing and Urban Development, for developing supported employment services through the Division of Vocational Rehabilitation of *Jobs Florida* ~~the Department of Education~~, for providing treatment services to persons with co-occurring mental illness and substance abuse problems which are integrated across treatment systems, and for providing services to adults who have a serious mental illness, as defined in s. 394.67, and who reside in assisted living facilities.

Section 381. Subsection (2) of section 410.604, Florida Statutes, is amended to read:

410.604 Community care for disabled adults program; powers and duties of the department.—

(2) Any person who meets the definition of a disabled adult pursuant to s. 410.603(2) is eligible to receive the services of the community care for disabled adults program. However, the community care for disabled adults program shall operate within the funds appropriated by the Legislature. Priority shall be given to disabled adults who are not eligible for comparable services in programs of or funded by the department or the Division of Vocational Rehabilitation of *Jobs Florida* ~~the Department of Education~~; who are determined to be at risk of institutionalization; and whose income is at or below the existing institutional care program eligibility standard.

Section 382. Paragraph (c) of subsection (4) and subsection (8) of section 413.011, Florida Statutes, are amended to read:

413.011 Division of Blind Services, legislative policy, intent; internal organizational structure and powers; Rehabilitation Council for the Blind.—

(4) DEFINITIONS.—As used in this section, the term:

~~(c) “Department” means the Department of Education.~~

(8) REHABILITATION COUNCIL FOR THE BLIND.—There is created in *Jobs Florida* ~~the department~~ the Rehabilitation Council for the Blind, which is an advisory council as defined in s. 20.03, to assist the division in the planning and development of statewide vocational rehabilitation programs and services pursuant to the Rehabilitation Act of 1973, as amended, to recommend improvements to such programs and services, and to perform the functions provided in this section.

(a) The advisory council shall be composed of:

1. At least one representative of the Independent Living Council, which representative may be the chair or other designee of the council;
2. At least one representative of a parent training and information center established pursuant to s. 631(c)(9) of the Individuals with Disabilities Act, 20 U.S.C. s. 1431(c)(9);
3. At least one representative of the client assistance program established under the act;
4. At least one vocational rehabilitation counselor who has knowledge of and experience in vocational rehabilitation services for the blind, who shall serve as an ex officio nonvoting member of the council if the counselor is an employee of *Jobs Florida* ~~the department~~;
5. At least one representative of community rehabilitation program service providers;
6. Four representatives of business, industry, and labor;
7. At least one representative of a disability advocacy group representing individuals who are blind;
8. At least one parent, family member, guardian, advocate, or authorized representative of an individual who is blind, has multiple dis-

abilities, and either has difficulties representing himself or herself or is unable, due to disabilities, to represent himself or herself;

9. Current or former applicants for, or recipients of, vocational rehabilitation services; and

10. The director of the division, who shall be an ex officio member of the council.

(b) Members of the council shall be appointed by the Governor, who shall select members after soliciting recommendations from representatives of organizations representing a broad range of individuals who have disabilities, and organizations interested in those individuals.

(c) A majority of council members shall be persons who are:

1. Blind; and
2. Not employed by the division.

(d) The council shall select a chair from among its membership.

(e) Each member of the council shall serve for a term of not more than 3 years, except that:

1. A member appointed to fill a vacancy occurring prior to the expiration of the term for which a predecessor was appointed shall be appointed for the remainder of such term; and

2. The terms of service of the members initially appointed shall be, as specified by the Governor, for such fewer number of years as will provide for the expiration of terms on a staggered basis.

(f) A member of the council may not serve more than two consecutive full terms.

(g) Any vacancy occurring in the membership of the council shall be filled in the same manner as the original appointment. A vacancy does not affect the power of the remaining members to execute the duties of the council.

(h) In addition to the other functions specified in this section, the council shall:

1. Review, analyze, and advise the division regarding the performance of the responsibilities of the division under Title I of the act, particularly responsibilities relating to:

- a. Eligibility, including order of selection;
- b. The extent, scope, and effectiveness of services provided; and
- c. Functions performed by state agencies that affect or potentially affect the ability of individuals who are blind to achieve rehabilitation goals and objectives under Title I.

2. Advise *Jobs Florida* ~~the department~~ and the division, and, at the discretion of *Jobs Florida* ~~the department~~ or division, assist in the preparation of applications, the state plan, the strategic plan, and amendments to the plans, reports, needs assessments, and evaluations required by Title I.

3. To the extent feasible, conduct a review and analysis of the effectiveness of, and consumer satisfaction with:

a. The functions performed by state agencies and other public and private entities responsible for performing functions for individuals who are blind.

b. Vocational rehabilitation services:

(I) Provided or paid for from funds made available under the act or through other public or private sources.

(II) Provided by state agencies and other public and private entities responsible for providing vocational rehabilitation services to individuals who are blind.

4. Prepare and submit an annual report on the status of vocational rehabilitation services for the blind in the state to the Governor and the

Commissioner of the Rehabilitative Services Administration, established under s. 702 of the act, and make the report available to the public.

5. Coordinate with other councils within the state, including the Independent Living Council, the advisory panel established under s. 613(a)(12) of the Individuals with Disabilities Education Act, 20 U.S.C. 1413(a)(12), the State Planning Council described in s. 124 of the Developmental Disabilities Assistance and Bill of Rights Act, 42 U.S.C. s. 6024, and the state mental health planning council established under s. 1916(e) of the Public Health Service Act, 42 U.S.C. 300X-4(e).

6. Advise *Jobs Florida* ~~the department~~ and division and provide for coordination and the establishment of working relationships among *Jobs Florida* ~~the department~~, the division, the Independent Living Council, and centers for independent living in the state.

7. Perform such other functions consistent with the purposes of the act as the council determines to be appropriate that are comparable to functions performed by the council.

(i)1. The council shall prepare, in conjunction with the division, a plan for the provision of such resources, including such staff and other personnel, as may be necessary to carry out the functions of the council. The resource plan shall, to the maximum extent possible, rely on the use of resources in existence during the period of implementation of the plan.

2. If there is a disagreement between the council and the division in regard to the resources necessary to carry out the functions of the council as set forth in this section, the disagreement shall be resolved by the Governor.

3. The council shall, consistent with law, supervise and evaluate such staff and other personnel as may be necessary to carry out its functions.

4. While assisting the council in carrying out its duties, staff and other personnel shall not be assigned duties by the division or any other state agency or office that would create a conflict of interest.

(j) A council member may not cast a vote on any matter that would provide direct financial benefit to the member or otherwise give the appearance of a conflict of interest under state law.

(k) The council shall convene at least four meetings each year. These meetings shall occur in such places as the council deems necessary to conduct council business. The council may conduct such forums or hearings as the council considers appropriate. The meetings, hearings, and forums shall be publicly announced. The meetings shall be open and accessible to the public. The council shall make a report of each meeting which shall include a record of its discussions and recommendations, all of which reports shall be made available to the public.

Section 383. Subsection (3) of section 413.0111, Florida Statutes, is amended to read:

413.0111 Blind services direct-support organization.—

(3) The purposes and objectives of the direct-support organization must be consistent with the priority issues and objectives of *Jobs Florida* ~~the Department of Education~~ and must be in the best interests of the state, though the Division of Blind Services may permit, without charge, the appropriate use of property and facilities of the state by the direct-support organization subject to this section. Such use must be directly in keeping with the approved purposes of the direct-support organization.

Section 384. Paragraph (a) of subsection (2) and subsection (3) of section 413.051, Florida Statutes, are amended to read:

413.051 Eligible blind persons; operation of vending stands.—

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

(a) "Blind licensee" means any blind person trained and licensed by the Division of Blind Services of *Jobs Florida* ~~the Department of Education~~ to operate a vending stand.

(3) Blind licensees shall be given the first opportunity to participate in the operation of vending stands on all state properties acquired after

July 1, 1979, when such facilities are operated under the supervision of the Division of Blind Services of *Jobs Florida* ~~the Department of Education~~.

Section 385. Subsection (1) of section 413.091, Florida Statutes, is amended to read:

413.091 Identification cards.—

(1) The Division of Blind Services of *Jobs Florida* ~~the Department of Education~~ shall issue identification cards to persons known to be blind or partially sighted, upon the written request of such individual.

Section 386. Subsection (1) of section 413.092, Florida Statutes, is amended to read:

413.092 Blind Babies Program.—

(1) The Blind Babies Program is created within the Division of Blind Services of *Jobs Florida* ~~the Department of Education~~ to provide community-based early-intervention education to children from birth through 5 years of age who are blind or visually impaired, and to their parents, families, and caregivers, through community-based provider organizations. The division shall enlist parents, ophthalmologists, pediatricians, schools, Infant and Toddlers Early Intervention Programs, and therapists to help identify and enroll blind and visually impaired children, as well as their parents, families, and caregivers, in these educational programs.

Section 387. Subsections (6), (8), and (10) of section 413.20, Florida Statutes, are amended, and present subsections (7) through (26) are renumbered as subsections (6) through (25), respectively, to read:

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

~~(6) “Department” means the Department of Education.~~

~~(7)(8) “Division” means the Division of Vocational Rehabilitation of *Jobs Florida* the Department of Education.~~

~~(9)(10) “Extended services” means one or more ongoing support services and other appropriate services needed to support and maintain a person who has a most significant disability in supported employment and to assist an eligible person in maintaining integrated and competitive employment. Extended services are based upon a determination of the needs of the eligible person as specified in the person’s individualized plan for employment and are provided by a state agency, a nonprofit private organization, an employer, or any other appropriate resource after the person has made the transition from support provided by *Jobs Florida* the department.~~

Section 388. Section 413.203, Florida Statutes, is amended to read:

413.203 Conflict of laws.—It is the intent of the Legislature that the provisions of this part not conflict with any federal statute or implementing regulation governing federal grant-in-aid programs administered by the Division of Vocational Rehabilitation of *Jobs Florida*. Wherever such a conflict is asserted by the applicable agency of the Federal Government, *Jobs Florida* ~~the Department of Education~~ shall submit to the United States Department of Education, or other applicable federal agency, a request for a favorable policy interpretation of the conflicting portions.

Section 389. Subsection (1) of section 413.395, Florida Statutes, is amended to read:

413.395 Florida Independent Living Council.—

(1) There is created the Florida Independent Living Council to assist the division and the Division of Blind Services of *Jobs Florida* ~~the Department of Education~~, as well as other state agencies and local planning and administrative entities assisted under Title VII of the act, in the expansion and development of statewide independent living policies, programs, and concepts and to recommend improvements for such programs and services. The council shall function independently of the division and, unless the council elects to incorporate as a not-for-profit corporation, is assigned to the division for administrative purposes only. The council may elect to be incorporated as a Florida corporation not for profit and, upon such election, shall be assisted in the incorporation by

the division for the purposes stated in this section. The appointed members of the council may constitute the board of directors for the corporation.

Section 390. Section 413.402, Florida Statutes, is amended to read:

413.402 Personal care attendant program.—The Florida Endowment Foundation for Vocational Rehabilitation shall enter into an agreement, ~~no later than October 1, 2008,~~ with the Florida Association of Centers for Independent Living to administer the James Patrick Memorial Work Incentive Personal Attendant Services Program to provide personal care attendants to persons who have severe and chronic disabilities of all kinds and who are eligible under subsection (1). ~~Effective July 1, 2008,~~ The Florida Association of Centers for Independent Living shall receive 12 percent of the funds paid to or on behalf of participants from funds to be deposited with the Florida Endowment Foundation for Vocational Rehabilitation pursuant to ss. 320.08068(4)(d) and 413.4021(1) to administer the program. ~~For the purpose of ensuring continuity of services, a memorandum of understanding shall be executed between the parties to cover the period between July 1, 2008, and the execution of the final agreement.~~

(1) In order to be eligible to participate in the program, a person must:

(a) Be at least 18 years of age, be a legal resident of this state, and be significantly and chronically disabled;

(b) Require a personal care attendant for assistance with or support for at least two activities of daily living as defined in s. 429.02, as determined by a physician, psychologist, or psychiatrist;

(c) Require a personal care attendant in order to accept a job or maintain substantial gainful employment; and

(d) Be able to acquire and direct a personal care attendant.

(2)(a) The Florida Association of Centers for Independent Living shall provide training to program participants on hiring and managing a personal care attendant and, in cooperation with the oversight group described in paragraph (b), adopt and revise the policies and procedures governing the personal care attendant program and the training program.

(b) The oversight group shall include, but need not be limited to, a member of the Florida Association of Centers for Independent Living, a person who is participating in the program, and one representative each from the Department of Revenue, the Department of Children and Family Services, the Division of Vocational Rehabilitation in *Jobs Florida* ~~the Department of Education~~, the Medicaid program in the Agency for Health Care Administration, the Florida Endowment Foundation for Vocational Rehabilitation, and the Brain and Spinal Cord Injury Program in the Department of Health.

Section 391. Paragraph (a) of subsection (2) of section 413.407, Florida Statutes, is amended to read:

413.407 Assistive Technology Advisory Council.—There is created the Assistive Technology Advisory Council, responsible for ensuring consumer involvement in the creation, application, and distribution of technology-related assistance to and for persons who have disabilities. The council shall fulfill its responsibilities through statewide policy development, both state and federal legislative initiatives, advocacy at both the state and federal level, planning of statewide resource allocations, policy-level management, reviews of both consumer responsiveness and the adequacy of program service delivery, and by performing the functions listed in this section.

(2) In addition to the other functions specified in this section, the council shall:

(a) Act as the board of directors of a not-for-profit corporation created by the division. Through the corporation, the council shall provide direction to Florida’s Alliance for Assistive Services and Technology, a project sponsored by *Jobs Florida* ~~the department~~ for the coordination and delivery of appropriate, cost-effective, state-of-the-art assistive technology services and devices.

Section 392. Subsection (1) of section 413.445, Florida Statutes, is amended to read:

413.445 Recovery of third-party payments for vocational rehabilitation and related services.—

(1) As used in this section, *the term* “vocational rehabilitation and related services” means any services that are provided or paid for by the Division of Vocational Rehabilitation of *Jobs Florida* ~~the Department of Education~~.

Section 393. Subsection (3) of section 1013.38, Florida Statutes, is amended to read:

1013.38 Boards to ensure that facilities comply with building codes and life safety codes.—

(3) The Department of Management Services may, upon request, provide facilities services for the Florida School for the Deaf and the Blind, the Division of Blind Services of *Jobs Florida*, and public broadcasting. As used in this section, the term “facilities services” means project management, code and design plan review, and code compliance inspection for projects as defined in s. 287.017(5).

And the title is amended as follows:

Delete line 371 and insert: 1011.76, 1012.2251, 20.15, 90.6063, 121.051, 215.311, 394.75, 410.604, 413.011, 413.0111, 413.051, 413.091, 413.092, 413.20, 413.203, 413.395, 413.402, 413.407, 413.445, and 1013.38, F.S.; conforming provisions to

MOTION

On motion by Senator Gaetz, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Gaetz moved the following amendment which was adopted:

Amendment 6 (432248)—Delete line 3507 and insert: *Tourism Marketing. The division shall be known as VISIT Florida. Jobs Florida Partnership, Inc., may register the fictitious name, “VISIT Florida” for use in its activities of promoting Florida as a tourist destination.*

Pursuant to Rule 4.19, **SB 2156** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz—

SB 2160—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 20.23, F.S.; creating motor carrier weight inspection as an area of program responsibility within the Department of Transportation, which replaces motor carrier compliance; amending s. 20.24, F.S.; revising the divisions within the Department of Highway Safety and Motor Vehicles; creating the Office of Motor Carrier Compliance of the Division of the Florida Highway Patrol within the Department of Highway Safety and Motor Vehicles; amending ss. 110.205, 311.115, 316.302, 316.3025, 316.3026, 316.516, 316.545, 316.640, 320.18, and 321.05, F.S.; conforming provisions to changes made by the act; amending s. 288.816, F.S.; requiring the department rather than the Division of Motor Vehicles to issue special motor vehicle license plates; amending s. 311.121, F.S.; providing for a representative of the department rather than the Division of Driver Licenses to be appointed to the Seaport Security Officer Qualification, Training, and Standards Coordinating Council; amending s. 316.066, F.S.; revising circumstances under which a law enforcement officer is required to submit to the department a Florida Traffic Crash Report, Long Form; providing for the use of driver exchange-of-information forms under certain circumstances; eliminating provisions authorizing counties to establish certified central traffic records centers, including provisions authorizing the funding of such centers; deleting restrictions on the commercial use of crash reports; amending s. 316.1957, F.S.; requiring that motor vehicle records be maintained by the department; amending s. 316.613, F.S.; requiring the department rather than the Division of Motor Vehicles to provide notice of the requirements for child restraint devices; amending s. 318.15, F.S.; providing for the department rather than the Division of Driver Licenses to administer certain provisions governing the suspension of a person’s driver’s license and pri-

vilege to drive; amending s. 320.05, F.S.; providing for a Division of Motorist Services Procedures Manual; clarifying that the creation and maintenance of records by the division is not a law enforcement function; amending s. 320.275, F.S.; providing for a representative of the department rather than the Division of Motor Vehicles to be appointed to the Automobile Dealers Industry Advisory Board; amending s. 321.23, F.S.; specifying the fee to be charged for a copy of a uniform traffic citation; providing for a portion of the fees for crash reports to be distributed to the investigating agency under certain circumstances; authorizing the Department of Highway Safety and Motor Vehicles to scan the records of crash reports, which shall be considered original copies; amending s. 322.02, F.S.; providing for the Division of Motorist Services to administer ch. 322, F.S., relating to driver’s licenses; amending s. 322.135, F.S.; providing duties of the tax collectors with respect to driver’s license services; directing the tax collectors who are constitutional officers to assume all driver’s license issuance services by a certain date and according to a specified schedule; deleting obsolete provisions; authorizing the department to adopt rules creating exceptions for counties that are unable to provide full driver’s license services; providing for interlocal agreements to provide such services; amending s. 322.20, F.S.; providing for the department and the Division of Motorist Services to maintain certain records; amending s. 322.202, F.S.; clarifying that the Division of Motorist Services is not a law enforcement agency and is not an adjunct of any law enforcement agency; amending s. 322.21, F.S.; requiring that a portion of the fees charged for the replacement of a driver’s license or identification card be used to support motorist services activities; requiring that such fees be retained by the tax collectors who issue driver’s licenses following the transition of the driver’s license issuance services to the constitutional tax collectors; providing for the Division of Motorist Services to collect fees and issue driver’s licenses and identification cards and account for all license funds in the administration of ch. 322, F.S.; repealing s. 334.044(32), F.S., relating to the authorization of the Office of Motor Carrier Compliance within the Department of Transportation to employ sworn law enforcement officers to enforce traffic and criminal laws in this state; amending s. 413.012, F.S., relating to certain confidential records; conforming a reference to changes made by the act; amending s. 921.0022, F.S.; conforming a cross-reference; creating the Law Enforcement Consolidation Task Force; providing for membership; requiring the Department of Highway Safety and Motor Vehicles to provide administrative assistance to the task force; requiring the agency that is represented by a member of the task force to bear the travel expenses incurred by the member; requiring the task force to evaluate the duplication of law enforcement functions and to identify possible consolidation; requiring the task force to evaluate administrative functions; requiring the task force to evaluate whether to limit the jurisdiction of the Florida Highway Patrol; requiring the task force to make recommendations and submit a report to the Legislature by a certain date; providing for future expiration; transferring the Office of Motor Carrier Compliance of the Department of Transportation to the Division of the Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles; authorizing the Executive Office of the Governor to transfer funds and positions between agencies; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2160** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz—

SB 2162—A bill to be entitled An act relating to trust funds; creating the Welfare Transition Trust Fund within the Department of Education; providing for sources of funds and purposes; providing for the annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2162** was placed on the calendar of Bills on Third Reading.

On motion by Senator Alexander—

SB 2094—A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse

between the state and certified bargaining units of state employees; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2094** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for SB 1738—A bill to be entitled An act relating to state financial information; amending s. 11.45, F.S.; requiring the Auditor General to annually provide to the Legislature a list of school districts that have failed to comply with certain financial transparency requirements, as identified pursuant to audit; amending s. 215.90, F.S.; conforming a cross-reference; amending s. 215.91, F.S.; providing that the Financial Management Information Board is responsible for the system; deleting provisions relating to the Florida Financial Management Information System Coordinating Council; deleting references to functional owner subsystems; amending s. 215.92, F.S.; redefining terms and adding and deleting definitions; creating s. 215.922, F.S.; establishing the Agency for Enterprise Business Services within the Department of Financial Services; providing that the office is a separate budget entity not subject to the department; providing that the agency is headed by the Governor and Cabinet acting as the Financial Management Information Board; providing for an executive director; providing the duties of the agency; creating s. 215.923, F.S.; establishing the Enterprise Financial Business Operations Council to act in an advisory capacity to the agency; providing the members of the council; providing council duties; creating s. 215.924, F.S.; providing for an Enterprise Financial Business Strategic Plan; requiring the plan to be annually reviewed, updated, and submitted to the Legislature; providing for the contents of the plan; amending s. 215.93, F.S.; revising provisions relating to the Florida Financial Management Information System; renaming the Florida Accounting Information Resource Subsystem the Financial Management Subsystem; adding the Revenue and Tax Collection, Processing, and Distribution Subsystem; deleting references to functional owner subsystems and providing for enterprise business owners; revising the duties of the owners; deleting references to the design and coordination staff; providing for the ownership and functions of the Revenue and Tax Collection, Processing, and Distribution Subsystem by the Department of Revenue; amending s. 215.94, F.S.; deleting references to functional owner subsystems and providing for enterprise business owners; amending s. 215.95, F.S.; providing additional duties for the Financial Management Information Board; repealing s. 215.96, F.S., relating to the coordinating council and design and coordination staff; creating s. 215.961, F.S.; providing state agency requirements relating to the Florida Financial Management Information System and the use of functional information and enterprise agency business subsystems; amending s. 215.985, F.S., relating to the Transparency Florida Act; redefining the term “governmental entity” to include public schools rather than public school districts; requiring the Legislative Auditing Committee to recommend a format for school districts, charter schools, and charter technical career centers to use in collecting and displaying financial information; revising the schedule for adding information to the state’s official website; revising provisions exempting certain municipalities and special districts from the Transparency Florida Act; requiring the Office of Policy and Budget to maintain the state’s financial data on the state website for a specified period; requiring a certified public accountant conducting an audit of a unit of local government to report compliance with the act; establishing a state contract management system on the website; requiring the Legislative Auditing Committee to adopt guidelines for administering the act; conforming terms; amending ss. 17.11, 216.102, 216.141, and 216.237, F.S.; conforming terms; providing for funding; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1738** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2096—A bill to be entitled An act relating to state financial information; amending s. 11.45, F.S.; requiring the Auditor General to annually provide to the Legislature a list of school districts and water

management districts that have failed to comply with certain financial transparency requirements, as identified pursuant to audit; amending s. 215.985, F.S., relating to the Transparency Florida Act; defining the term “department” to mean the Department of Financial Services; removing the term “committee”; redefining the term “governmental entity” to include public schools rather than public school districts; requiring the Chief Financial Officer to develop and maintain the transparency website; providing for the transition of the website to the department; requiring the department to recommend a format for school districts, charter schools, and charter technical career centers to use in collecting and displaying financial information; revising the schedule for adding information to the state’s official website; requiring certain functional owners and governmental entities to provide information specified by the department; revising provisions exempting certain municipalities and special districts from the Transparency Florida Act; requiring each water management district to post certain information on its website; requiring the fiscal year of each water management district to be July 1 to June 30; requiring each water management district to maintain its financial data in a certain manner; requiring each water management district to submit monthly detailed financial reports to the department in a manner specified by the Chief Financial Officer; requiring the Chief Financial Officer to maintain the state’s financial data on the state website for a specified period; requiring a certified public accountant conducting an audit of a unit of local government to report compliance with the Transparency Florida Act; authorizing the department to adopt guidelines for administering the act; providing for public access to a state contract management system on the Transparency Florida website; requiring the collection of certain data; requiring that agency procurement staff update data in the state contract management system following a major change to a contract; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2096** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2098—A bill to be entitled An act relating to the consolidation of state information technology services; transferring, renumbering, and amending s. 14.204, F.S.; establishing the Agency for Enterprise Information Technology in the Department of Management Services rather than the Executive Office of the Governor; revising the duties of the agency to include the planning, project management, and implementation of the enterprise information technology services; requiring the agency to submit a plan to the Legislative Budget Commission for aggregating information technology purchases; deleting references to the Office of Information Security and the Agency Chief Information Officers Council; amending s. 282.0041, F.S.; revising definitions; amending s. 282.0056, F.S.; revising provisions relating to the agency’s annual work plan; amending s. 282.201, F.S.; revising the duties of the agency; deleting obsolete provisions; providing a schedule for the consolidations of state agency data centers; requiring agencies to update their service-level agreements and to develop consolidation plans; requiring the Agency for Enterprise Information Technology to submit a status report to the Governor and Legislature and to develop a comprehensive transition plan; requiring primary data centers to develop transition plans; revising agency limitations relating to technology services; amending s. 282.203, F.S.; deleting obsolete provisions; revising duties of primary data centers relating to state agency resources and equipment relinquished to the centers; requiring state agencies to relinquish all administrative access rights to certain resources and equipment upon consolidation; providing for the appointment of alternate board members; revising provisions relating to state agency representation on data center boards; conforming a cross-reference; amending s. 282.204, F.S.; establishing the Northwood Shared Resource Center in the Department of Management Services rather than the Department of Children and Family Services; creating s. 282.206, F.S.; establishing the Northwest Regional Data Center as a primary data center; providing for a board of trustees and subjecting the board to the rules of the Agency for Enterprise Information Technology; repealing s. 282.315, F.S., relating to the Agency Chief Information Officers Council; amending s. 282.318, F.S.; deleting references to the Office of Information Security with respect to responsibility for enterprise security; deleting obsolete provisions; amending s. 282.33, F.S.; deleting an obsolete provision; revising the schedule for the Agency for Enterprise Information Technology to submit certain recommendations to the Legislature; amending s. 282.34,

F.S.; revising the schedule for migrating state agencies to the statewide e-mail system; revising limitations on state agencies; revising the requirements for rules adopted by the Agency for Enterprise Information Technology; creating s. 282.35, F.S.; providing for a statewide desktop service as an enterprise information technology service to be provided by the Department of Management Services; requiring the Agency for Enterprise Information Technology to develop a plan for the establishment of the service and submit such plan to the Governor and Legislature by a certain date; specifying the contents of the plan; providing agency limitations with respect to such services and exceptions from such limitations if granted by the agency; amending ss. 287.042 and 287.056, F.S.; directing the department to adopt rules establishing conditions under which an agency may be exempted from using a state term contract or purchasing agreement; conforming provisions to changes made by the act; amending s. 287.057, F.S.; authorizing the department to adopt rules to be used by agencies to manage contracts; deleting a prohibition against an entity contracting to provide a feasibility study on certain subject matter from contracting with an agency for that subject matter; amending s. 45 of chapter 2010-151, Laws of Florida; providing that certain contracts are subject to transaction fees; transferring the Agency for Enterprise Information Technology and the Northwood Shared Resource Center to the Department of Management Services; requiring the agency to coordinate with the Southwood Shared Resource Center to provide a status report to the Executive Office of the Governor and to the Legislature; providing an effective date.

—was read the second time by title.

Senator Lynn moved the following amendment which was adopted:

Amendment 1 (415860) (with title amendment)—Delete lines 855-860 and insert: *as a primary data center.*

And the title is amended as follows:

Delete lines 43-46 and insert: Data Center as a primary data center; repealing s. 282.315, F.S., relating to

Pursuant to Rule 4.19, **SB 2098** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SB 2100—A bill to be entitled An act relating to retirement; amending ss. 110.123, 112.0801, 112.363, and 112.65, F.S.; conforming provisions to changes made by the act; amending s. 121.011, F.S.; requiring employee and employer contributions to the retirement system by a certain date; amending s. 121.021, F.S.; redefining the terms “system,” “prior service,” “compensation,” “average final compensation,” “normal retirement date,” “termination,” “benefit,” and “payee”; defining the term “division”; amending s. 121.051, F.S.; conforming provisions to changes made by the act; amending s. 121.0515, F.S.; providing that special risk employee contributions be used, if applicable, when purchasing credit for past service; conforming a cross-reference; amending s. 121.052, F.S., relating to the membership class of elected officers; conforming provisions to changes made by the act; providing for a refund of contributions under certain circumstances for an officer who leaves office; prohibiting such refund if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; conforming a cross-reference; amending s. 121.053, F.S.; conforming provisions to changes made by the act; amending s. 121.055, F.S., relating to the Senior Management Service Class; conforming provisions to changes made by the act; providing for refunds of employee refunds; prohibiting a refund of retirement contributions if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; deleting a prohibition against a retiree’s renewing membership in the Senior Management Service Optional Annuity Program; requiring employee and employer contributions for members in the Senior Management Service Optional Annuity Program after a certain date; limiting the payment of benefits before a member’s termination of employment; amending s. 121.071, F.S.; requiring employee and employer contributions to the retirement system beginning on a certain date; limiting the payment of benefits before a member’s termination of employment; requiring repayment plus interest of an invalid refund; amending s. 121.081, F.S.; providing requirements for contributions for prior service performed on or after a certain date; amending s. 121.091, F.S.; con-

forming a cross-reference; providing for refunds of employee refunds; limiting the payment of benefits before a member’s termination of employment; prohibiting a refund of retirement contributions if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; terminating participation in the Deferred Retirement Option Program after a certain date; conforming provisions to changes made by the act; amending s. 121.1001, F.S.; conforming provisions to changes made by the act; amending s. 121.101, F.S.; revising the cost-of-living adjustment depending on the date of retirement; amending s. 121.121, F.S., relating to the purchase of creditable service following an authorized leave of absence; requiring that service credit be purchased at the employee and employer contribution rates in effect during the leave of absence; reducing the interest rate on benefits payable under the Deferred Retirement Option Program for employees hired after a certain date; amending s. 121.122, F.S.; providing for renewed membership in the retirement system for retirees who are reemployed after a certain date; specifying requirements and limitations; amending s. 121.125, F.S.; conforming provisions to changes made by the act; assessing a penalty against employers for contributions not paid after a member becomes eligible for workers’ compensation; amending s. 121.35, F.S., relating to the optional retirement program for the State University System; conforming provisions to changes made by the act; requiring employee and employer contributions for members participating in the optional retirement program after a certain date; deleting certain requirements governing employer contributions to conform to changes made by the act; prohibiting certain benefits before termination from employment; conforming cross-references; amending s. 121.355, F.S.; conforming provisions to changes made by the act; amending s. 121.4501, F.S.; changing the name of the Public Employee Optional Retirement Program to the Florida Retirement System Investment Plan; limiting the option of enrolling in the State Retirement System’s defined benefit program or defined contribution program to public employees employed before a certain date; requiring public employees employed on or after a certain date to enroll in the investment plan; providing exceptions; requiring that plan members make contributions to the plan based on the employee’s membership class; revising definitions; revising the benefit commencement age for members of the special risk class; providing for contribution adjustments as a result of errors or corrections; deleting obsolete provisions relating to the 2002 optional transfer of public employees from the pension plan to the investment plan; providing for past employees who reenter the system; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; providing for a retiree to retain his or her prior plan choice following a return to employment; limiting certain refunds of contributions which exceed the amount that would have accrued had the member remained in the pension plan; providing certain requirements and limitations with respect to contributions; clarifying that employee and employer contributions are earmarked for specified purposes; providing duties of the third-party administrator; providing that a member is vested immediately with respect to employee contributions paid by the employee; providing for the forfeiture of nonvested employer contributions and service credit based on years of service; amending s. 121.4502, F.S.; conforming provisions to changes made by the act; amending s. 121.4503, F.S.; providing for the deposit of employee contributions into the Florida Retirement System Contributions Clearing Trust Fund; amending s. 121.571, F.S.; conforming provisions to changes made by the act; providing requirements for submitting employee contributions; amending s. 121.591, F.S.; prohibiting the payment of certain benefits before termination of employment; providing for the forfeiture of nonvested accumulations upon payment of certain vested benefits; providing that the distribution payment method selected by the member or beneficiary is irrevocable at the time of distribution; prohibiting a distribution of employee contributions if a qualified domestic relations order is filed against the member’s account; providing for the distribution of an employee’s contributions if the employee dies before being vested; conforming provisions to changes made by the act; amending ss. 121.5911 and 121.70, F.S.; conforming provisions to changes made by the act; amending s. 121.71, F.S.; providing for employee contributions to be deducted from the employee’s monthly salary, beginning on a specified date, and treated as employer contributions under certain provisions of federal law; clarifying that an employee may not receive such contributions directly; specifying the required contribution rate for all members of the Florida Retirement System; specifying the required employer retirement contribution rates for each membership class and subclass of the system in

order to address unfunded actuarial liabilities of the system; requiring an assessment to be imposed if the employee contributions remitted are less than the amount required; providing for the employer to receive a credit for excess contributions remitted; conforming cross-references; amending s. 121.72, F.S.; revising certain requirements governing allocations to optional retirement program member accounts; conforming cross-references; amending s. 121.73, F.S., relating to disability coverage for members of the optional retirement program; conforming provisions to changes made by the act; amending ss. 121.74, 121.75, and 121.77, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 121.78, F.S.; revising certain requirements for administering the payment and distribution of contributions; requiring that certain fees be imposed for delinquent payment; providing that an employer is responsible for recovering any refund provided to an employee in error; revising the terms of an authorized waiver of delinquency; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; amending s. 175.121, F.S.; specifying other sources available to pay the expenses of the Department of Revenue for administering firefighters' pension plans; amending s. 175.341, F.S.; conforming provisions to changes made by the act; amending s. 185.10, F.S.; specifying other sources available to pay the expenses of the department for administering police officers' pension plans; amending s. 185.23, F.S.; conforming provisions to changes made by the act; amending s. 250.22, F.S.; providing that retirement pay for members of the Florida National Guard is determined on the date of retirement and may not be recomputed to reflect an increase in basic pay; directing the Division of Retirement to annually adjust retirement pay after a certain date; amending s. 1012.875, F.S.; requiring employee and employer contributions for members of the State Community College System Optional Retirement Program on a certain date; conforming cross-references; providing that the act fulfills an important state interest; providing a directive to the Division of Statutory Revision; requiring the State Board of Administration and the Department of Management Services to request a private letter ruling from the United States Internal Revenue Service regarding the act; providing employers the option of contributing to the retirement account of a reemployed retiree during a specified period; providing an effective date.

—was read the second time by title.

On motion by Senator Alexander, further consideration of **SB 2100** was deferred.

Consideration of **SB 2102** was deferred.

On motion by Senator Alexander—

CS for CS for SB 1292—A bill to be entitled An act relating to the Chief Financial Officer; creating s. 215.89, F.S.; providing legislative intent; providing definitions; requiring the Chief Financial Officer to conduct workshops with state agencies, local governments, educational entities, and entities of higher education to gather information pertaining to uniform reporting requirements; requiring the Chief Financial Officer to accept comments from state agencies, local governments, educational entities, entities of higher education, and interested parties regarding proposed charts of account by a certain date; requiring the Chief Financial Officer to adopt charts of account which meet certain requirements by a certain date; requiring a review and update of the charts of account; requiring the Chief Financial Officer to consult with the Legislature, the Auditor General, and the affected parties about certain modifications; requiring the Chief Financial Officer to publish the charts of account by memoranda to all affected reporting entities; amending s. 120.52, F.S.; revising the definition of the term "rule" to include certain statements, memoranda, or instructions by the Chief Financial Officer on the manner in which accounts and financial information are kept and reported by state agencies, local governments, educational entities, and entities of higher education; providing a declaration of important state interest; providing an effective date.

—was read the second time by title.

SENATOR DOCKERY PRESIDING

Pursuant to Rule 4.19, **CS for CS for SB 1292** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2104—A bill to be entitled An act relating to the Office of Drug Control; amending s. 14.2019, F.S.; relocating the Statewide Office for Suicide Prevention into the Department of Children and Family Services; requiring the director of the Statewide Office for Suicide Prevention to employ a coordinator for the office; requiring revenues from grants accepted by the Statewide Office for Suicide Prevention to be deposited into the Grants and Donations Trust Fund within the Department of Children and Family Services rather than the Executive Office of the Governor; amending s. 14.20195, F.S.; requiring the director of the Statewide Office for Suicide Prevention, rather than the director of the Office of Drug Control, to appoint members to the Suicide Prevention Coordinating Council; providing that the director of the Statewide Office for Suicide Prevention is a nonvoting member of the coordinating council; repealing s. 311.115, F.S., relating to Seaport Security Standards Advisory Council within the Office of Drug Control; amending s. 311.12, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to maintain a sufficient number of copies of the standards for seaport security at its offices for distribution to the public and provide copies to each affected seaport upon request; conforming provisions to changes made by the act; amending s. 311.123, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to create a maritime domain security awareness training program; amending s. 397.331, F.S.; conforming provisions to changes made by the act; repealing s. 397.332, F.S., relating to the creation of the Office of Drug Control; amending s. 397.333, F.S.; relocating the Statewide Drug Policy Advisory Council into the Department of Health; requiring the Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to be a nonvoting, ex officio member of the advisory council; requiring the department to provide staff support for the advisory council; revising the state officials that are appointed to serve on the advisory council; amending s. 893.055, F.S.; conforming provisions to changes made by the act; requiring the State Surgeon General to appoint a board of directors for the direct-support organization to provide assistance, funding, and promotional support for the activities authorized for the prescription drug monitoring program; requiring the State Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to provide guidance to members of the board of directors; requiring the direct-support organization to operate under written contract with the Department of Health rather than the Office of Drug Control; requiring the activities of the direct-support organization to be consistent with the goals and mission of the department rather than the Office of Drug Control; requiring the direct-support organization to obtain a written approval from the State Surgeon General or his or her designee rather than the director of the Office of Drug Control for any activities in support of the prescription drug monitoring program before undertaking the activities; prohibiting the state from permitting use of any of its administrative services, property, or facilities by a direct-support organization under certain circumstances; amending s. 943.031, F.S.; revising the membership of the Florida Violent Crime and Drug Control Council; conforming provisions to changes made by the act; revising the membership of the Drug Control Strategy and Criminal Gang Committee; amending s. 943.042, F.S., relating to the Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account; conforming provisions to changes made by the act; repealing s. 1006.07(7), F.S., relating to suicide prevention education; requesting the Division of Statutory Revision of the Office of Legislative Services to prepare a reviser's bill to conform the Florida Statutes to the changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2104** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2106—A bill to be entitled An act relating to the Florida Energy and Climate Commission; amending ss. 213.053, 220.192, 288.1089, 288.9607, 366.82, and 366.92, F.S.; eliminating the Florida Energy and Climate Commission and transferring its duties with respect to a tax

credit, an incentive program, and the state's renewable energy policy to the Department of Environmental Protection; repealing s. 377.6015, F.S., relating to the Florida Energy and Climate Commission; amending ss. 377.602, 377.603, 377.604, 377.605, 377.606, 377.608, 377.701, 377.703, 377.803, 377.804, 377.806, 377.807, 377.808, 377.809, 403.44, 526.207, and 1004.648, F.S.; amending ss. 1 and 2 of chapter 2010-282, Laws of Florida; transferring the duties of the Florida Energy and Climate Commission with respect to planning and developing the state's energy policy and its duties under the Florida Energy and Climate Protection Act to the Department of Environmental Protection; providing for the transfer of the commission's duties and records, personnel, property, unexpended balances of appropriations, allocations, and other funds, administrative authority, administrative rules, pending issues, and existing contracts to the Department of Environmental Protection; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2106** was placed on the calendar of Bills on Third Reading.

SB 2108—A bill to be entitled An act relating to the welfare of children; repealing s. 39.001(6), (7), (8), (9), and (12), F.S., relating to the Office of Adoption and Child Protection within the Executive Office of the Governor; amending s. 39.0014, F.S.; requiring all state, county, and local agencies to cooperate, assist, and provide information to the Department of Children and Family Services rather than the Office of Adoption and Child Protection; repealing s. 39.01(46), F.S., relating to the definition of the term "office" as it relates to the Office of Adoption and Child Protection; amending s. 39.302, F.S.; conforming a cross-reference; amending s. 402.56, F.S.; relocating the Children and Youth Cabinet from the Executive Office of the Governor to the Department of Children and Family Services; revising the membership of the cabinet; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (565378) (with title amendment)—Delete lines 22 and 23 and insert:

Section 1. *Subsections (7), (8), (9), and (12) of section 39.001, Florida Statutes, are repealed.*

Section 2. Subsection (6) of section 39.001, Florida Statutes, is amended to read:

39.001 Purposes and intent; personnel standards and screening.—

(6) **LEGISLATIVE INTENT FOR THE PREVENTION OF ABUSE, ABANDONMENT, AND NEGLECT OF CHILDREN.**—The incidence of known child abuse, abandonment, and neglect has increased rapidly over the past 5 years. The impact that abuse, abandonment, or neglect has on the victimized child, siblings, family structure, and inevitably on all citizens of the state has caused the Legislature to determine that the prevention of child abuse, abandonment, and neglect shall be a priority of this state. ~~To further this end, it is the intent of the Legislature that an Office of Adoption and Child Protection be established.~~

And the title is amended as follows:

Delete lines 3-5 and insert: s. 39.001(7), (8), (9), and (12), F.S., relating to the Office of Adoption and Child Protection within the Executive Office of the Governor; amending s. 39.001, F.S.; removing obsolete provisions relating to the Office of Adoption and Child Protection within the Executive Office of the Governor; amending s.

Senator Rich moved the following amendment which was adopted:

Amendment 2 (404058) (with title amendment)—Delete lines 71-127.

And the title is amended as follows:

Delete lines 14-17.

On motion by Senator Hays, further consideration of **SB 2108** as amended was deferred.

On motion by Senator Hays—

SB 2110—A bill to be entitled An act relating to the Auditor General; amending s. 11.45, F.S.; redefining the term "financial audit" to conform with applicable auditing standards; defining the term "operational audit" to provide the objectives of such audits; clarifying the requirement for the Auditor General to conduct financial audits of the accounts and records of all district school boards in counties of a specified size once every 3 years; revising duties and responsibilities of the Auditor General; requiring that the Auditor General conduct operational audits at least every 3 years of certain additional state entities and district school boards and report on the activities of the ad valorem tax program of the Department of Revenue; amending ss. 25.075 and 28.35, F.S.; revising the duties of the Auditor General with respect to responsibilities for auditing certain reports made to the State Supreme Court and the operations of the Florida Clerks of Court Operations Corporation, respectively; repealing s. 195.096(7), F.S., relating to the Auditor General's responsibility for conducting a performance audit of the Department of Revenue's administration of ad valorem tax laws; amending s. 218.31, F.S.; redefining the term "financial audit" to conform with applicable auditing standards; amending s. 273.05, F.S.; revising requirements to issue rules for surplus property; repealing ss. 365.173(3) and 943.25(3), F.S., relating to the Auditor General's responsibilities for auditing the Emergency Communications Number E911 System Fund and criminal justice trust funds, respectively; amending s. 1002.36, F.S.; conforming provisions to changes made by the act; amending s. 1009.53, F.S.; requiring colleges and universities that receive Florida Bright Futures Scholarship Program moneys to submit to the Department of Education a financial audit prepared by an independent certified public accountant or the Auditor General if the college or university expended more than a specified amount of program money; requiring that the audit include an examination of the institute's administration of the program; providing that the audit be submitted to the department within a certain time; requiring any institution that is not subject to the audit to attest, under penalty of perjury, that the moneys were used in compliance with the law; providing for the attestation be made annually in a form and format determined by the Department of Education; reenacting s. 11.40(3), F.S., relating to the Legislative Auditing Committee, to incorporate the amendments made to s. 11.45, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2110** was placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING

On motion by Senator Alexander, the Senate resumed consideration of—

SB 2142—A bill to be entitled An act relating to the water management districts; creating s. 373.502, F.S.; providing requirements with respect to revenues received by each water management district and the unexpended balances of a district's local account; requiring that each district's expenditure of funds be as provided in the General Appropriations Act; providing for a contingency if a court finds such restriction to be invalid; amending s. 373.503, F.S.; providing that the Legislature may annually set the amount of revenue a district may raise through its ad valorem tax authority; prohibiting a district from imposing ad valorem taxes if the Legislature does not set the amount of revenue; amending s. 373.536, F.S.; changing the districts' fiscal year; revising provisions relating to the development of district budgets and review by the Executive Office of the Governor and Legislature; requiring that each district make budget information available to the public through the district's website; amending s. 403.891, F.S., relating to the Water Protection and Sustainability Program Trust Fund; conforming provisions to changes made by the act; amending ss. 373.026, 373.036, 373.707, and 373.709, F.S.; conforming cross-references; specifying the district millage rate during those months that the districts are in transition to a new fiscal year and capping the amount of revenues that may be collected; providing that each district may expend funds until its final

budget is approved; appropriating all prior year incurred obligations; providing for future expiration; providing an effective date.

—which was previously considered this day.

MOTION

On motion by Senator Hays, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Hays moved the following amendment which was adopted:

Amendment 1 (458404)—Delete line 51 and insert: *these funds. Revenues received by each water management district shall be retained and used solely for each district's authorized purposes.*

Pursuant to Rule 4.19, **SB 2142** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Alexander—

CS for CS for SB 1314—A bill to be entitled An act relating to state financial matters; amending s. 216.011, F.S.; defining the term “lease or lease-purchase of equipment”; amending s. 216.023, F.S.; requiring that specified information relating to certain contracts be included in an agency’s legislative budget request; amending s. 216.311, F.S.; defining the terms “contract” and “agreement”; prohibiting an agency or branch of state government, without legislative authority, from contracting to pay liquidated damages or early termination fees resulting from the breach or early termination of a contract or agreement, from paying interest because of insufficient budget authority to pay an obligation in the current year, from obligating the state to make future payments to cover unpaid payments, or from granting a party the right to collect fees or other revenues from nonparties; providing certain exemptions; prohibiting an agency from entering into certain leases without authorization by the Legislature or the Legislative Budget Commission; creating s. 216.312, F.S.; requiring the executive and judicial branch to notify the Governor and Legislature before entering into contracts containing certain provisions relating to expenditures; providing an exception for the Department of Transportation; transferring, renumbering, and amending s. 287.0582, F.S.; requiring a state contract to identify the appropriation that funds a contract; expanding the statement that must be included in state contracts to include grounds for terminating the contract based on budget deficits; requiring the judicial branch to include the statement in its contracts; requiring the agency head, executive director, or chief judge, as appropriate, or a designated senior management employee, to sign contracts that exceed a specified amount; requiring the agency head, executive director, or chief judge to review certain contracts and certify compliance with ch. 216, F.S.; requiring contracts exceeding a specified amount to require written acceptance or rejection of contract deliverables; providing that contracts in violation of these provisions are null and void; providing penalties; amending s. 287.063, F.S.; prohibiting certain lease or deferred-payment purchases by state agencies unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending s. 287.064, F.S.; prohibiting certain master equipment financing agreements unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending ss. 376.3075 and 403.1837, F.S.; conforming cross-references; repealing s. 287.056(2), F.S., relating to provisions providing agencies with the option of purchasing services from state term contracts; amending s. 45, chapter 2010-151, Laws of Florida; providing that certain contracts are subject to transaction fees; providing for application; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1314** was placed on the calendar of Bills on Third Reading.

RECONSIDERATION OF BILL

On motion by Senator Storms, the Senate recalled from Engrossing—

SB 2156—A bill to be entitled An act relating to governmental reorganization; transferring the functions and trust funds of the Agency

for Workforce Innovation to other agencies; transferring the Office of Early Learning Services to the Department of Education; transferring the Office of Unemployment Compensation to Jobs Florida; transferring the Office of Workforce Services to Jobs Florida; transferring the functions and trust funds of the Department of Community Affairs to other agencies; transferring the Florida Housing Finance Corporation to Jobs Florida; transferring the Division of Housing and Community Development to Jobs Florida; transferring the Division of Community Planning to Jobs Florida; transferring the Division of Emergency Management to the Executive Office of the Governor and renaming it as the “Office of Emergency Management”; transferring the Florida Building Commission to the Department of Business and Professional Regulation; transferring the responsibilities under the Florida Communities Trust to the Department of Environmental Protection; transferring the responsibilities under the Stan Mayfield Working Waterfronts program to the Department of Environmental Protection; transferring functions and trust funds of the Office of Tourism, Trade, and Economic Development in the Executive Office of the Governor to Jobs Florida; providing legislative intent with respect to the transfer of programs and administrative responsibilities; providing for a transition period; providing for coordination between the Agency for Workforce Innovation, the Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development and other state agencies to implement the transition; requiring that the Governor appoint a representative to coordinate the transition plan; requiring that the Governor submit information and obtain waivers as required by federal law; authorizing the Governor to transfer funds and positions between agencies upon approval from the Legislative Budget Commission to implement the act; directing the nonprofit entities to enter into a plan for merger; transferring the functions of Space Florida to the Jobs Florida Partnership, Inc.; providing legislative intent with respect to the merger of Enterprise Florida, Inc., the Florida Sports Foundation Incorporated, the Florida Tourism Industry Marketing Corporation d/b/a VISIT Florida, and the Florida Black Business Investment Board, Inc., into and the transfer of Space Florida to the Jobs Florida Partnership, Inc.; providing for a transition period; requiring that the Governor appoint a representative to coordinate the transition plan; providing for the transfer of any funds held in trust by the entities to be transferred to the Jobs Florida Partnership, Inc., to be used for their original purposes; requiring that the Governor submit information and obtain waivers as required by federal law; providing a directive to the Division of Statutory Revision to prepare conforming legislation; creating s. 14.2016, F.S.; establishing the Office of Emergency Management as a separate budget entity within the Executive Office of the Governor; providing for the director of the office to serve at the pleasure of the Governor; amending s. 20.15, F.S.; establishing the Division of Early Learning within the Department of Education; providing for the office to administer the school readiness system and the Voluntary Prekindergarten Education Program; creating s. 20.60, F.S.; creating Jobs Florida as a new department of state government; providing for the commissioner of Jobs Florida to be appointed by the Governor and confirmed by the Senate; establishing divisions of Jobs Florida and specifying their responsibilities; providing for Jobs Florida to serve as the designated agency for the purposes of federal workforce development grants; authorizing Jobs Florida to contract for training for employees of administrative entities and case managers of contracted providers; specifying that the Unemployment Appeals Commission is not subject to control, supervision, or direction from Jobs Florida; specifying the responsibilities of the commissioner of Jobs Florida; limiting the amount of the commissioner’s public remuneration; specifying powers and responsibilities of the Chief Inspector General in the Executive Office of the Governor with respect to Jobs Florida; providing for Jobs Florida to have an official seal; providing for Jobs Florida to administer the role of state government with respect to laws relating to housing; authorizing Jobs Florida to adopt rules; amending s. 112.044, F.S.; requiring an employer, employment agency, and labor organization to post notices required by the United States Department of Labor and the United States Equal Employment Opportunity Commission; amending s. 163.3164, F.S.; redefining the terms “state land planning agency” and “optional sector plans”; amending ss. 163.3177 and 163.3180, F.S.; deleting the word “optional” from the phrase “optional sector plans” to conform to changes made by the act; amending s. 163.3184, F.S.; creating exceptions to requirements for comprehensive plan amendments to be reviewed by the state land planning agency; requiring the state land planning agency to submit a copy of a comprehensive plan or plan amendment that relates to or includes a public schools facilities element to the Department of Education; amending s. 163.3191, F.S.; creating exceptions to requirements for a local govern-

ment to prepare an evaluation and appraisal report to assess progress in implementing the local government's comprehensive plan; deleting requirements for a local government to include in an evaluation and appraisal report certain statements to update a comprehensive plan; deleting a requirement for a local government to provide a proposed evaluation and appraisal report to certain entities and interested citizens; deleting provisions relating to a requirement for a local government to adopt an evaluation and appraisal report; providing for the report to be submitted as data and analysis in support of the amendments based on evaluation and appraisal report; deleting provisions relating to the delegation of the review of evaluation and appraisal reports; authorizing the state land planning agency to establish a phased schedule for adoption of amendments based on an evaluation and appraisal report; deleting a requirement for the state land planning agency to review the evaluation and appraisal report process and submit a report to the Governor and the Legislature regarding its findings; amending s. 163.3245, F.S.; renaming optional sector plans as sector plans; increasing the minimum size of geographic areas that qualify for the use of sector plans; revising terminology relating to such plans; deleting obsolete provisions; renaming long-term conceptual buildout overlays as long-term master plans; revising the content required to be included in long-term master plans and detailed specified area plans; requiring identification of water development projects and transportation facilities to serve future development needs; exempting certain developments from the requirement to develop a detailed specific area plan; providing that detailed specific area plans shall be adopted by local development orders; requiring that detailed specific area plans include a buildout date and precluding certain changes in the development until after that date; authorizing certain development agreements between the developer and the local government; providing for continuation of certain existing land uses; amending s. 163.3246, F.S.; deleting the word "optional" from the phrase "optional sector plans" to conform to changes made by the act; amending s. 163.32465, F.S.; making the alternative state review of comprehensive plan amendments applicable statewide; amending s. 215.559, F.S.; providing for the Hurricane Loss Mitigation Program to be housed within the Office of Emergency Management; extending the repeal date of the program; deleting an obsolete provision relating to the use of funds for programs to retrofit certain existing hurricane shelters; creating s. 288.005, F.S.; defining the terms "economic benefits" and "commissioner"; creating s. 288.048, F.S.; creating the incumbent worker training program within Jobs Florida; providing for the program to provide preapproved, direct, training-related costs; providing for the administration of the program by Jobs Florida in conjunction with Workforce Florida, Inc.; amending s. 288.061, F.S.; providing for Jobs Florida and the Jobs Florida Partnership, Inc., to review applications for state economic development incentives; authorizing Jobs Florida to enter into an agreement with an applicant relating to all incentives offered by the state; amending s. 288.095, F.S.; providing for the Economic Development Incentives account to be used for certain economic development incentives programs; providing for Jobs Florida to approve applications for certification or requests for participation in certain economic development programs; amending s. 288.1081, F.S.; providing for the Economic Gardening Business Loan Pilot Program to be administered by Jobs Florida; deleting provisions providing for certain funds to be deposited into the General Revenue Fund; deleting provisions that provide for the future repeal of the program; amending s. 288.1082, F.S.; providing for the Economic Gardening Technical Assistance Pilot Program to be administered by Jobs Florida; requesting the Division of Statutory Revision to rename part VII of ch. 288, F.S., as "Jobs Florida Partnership, Inc."; amending s. 288.901, F.S.; creating the Jobs Florida Partnership, Inc., as a nonprofit corporation; specifying that the partnership is subject to the provisions of chs. 119 and 286, F.S.; specifying that the partnership's board of directors is subject to certain requirements in ch. 112, F.S.; specifying the purposes of the partnership; creating the board of directors for the partnership; naming the Governor as chair of the board of directors; specifying appointment procedures, terms of office, selecting a vice chairperson, filling vacancies, and removing board members; providing for the appointment of at-large members to the board of directors; specifying terms; allowing the at-large members to make contributions to the partnership; specifying that the commissioner of Jobs Florida and the chairs of the advisory councils for each division shall serve as ex officio, nonvoting members of the board of directors; specifying that members of the board of directors shall serve without compensation, but are entitled to reimbursement for all reasonable, necessary, and actual expenses as determined by the board of directors; amending s. 288.9015, F.S.; specifying the powers of the partnership and the board of directors; authorizing liberal construction

of the partnership's statutory powers; prohibiting the partnership from pledging the full faith and credit of the state; allowing the partnership to indemnify, purchase, and maintain insurance on its board members, officers, and employees; amending s. 288.903, F.S.; specifying the duties of the partnership; amending s. 288.904, F.S.; providing for legislative appropriations; requiring a private match equal to at least 35 percent of the appropriation of public funds; specifying potential sources of private funding; directing the board of directors to develop annual budgets; providing for the partnership to enter into an agreement with Jobs Florida; requiring performance measures; requiring review of the partnership's activities as a return on the public's financial investment; directing the partnership to consult with the Office of Economic and Demographic Research when hiring an economic analysis firm to prepare the return on investment analysis and when hiring a survey research firm to develop, analyze and report on the results of its customer satisfaction survey; amending s. 288.905, F.S.; directing the partnership's board of directors to hire a president, who shall serve at the pleasure of the Governor; defining the president's role and responsibilities; specifying that no employee of the partnership shall earn more than the Governor, but provides for the granting of performance-based incentive payments to employees that may increase their total compensation in excess of the Governor's; amending s. 288.906, F.S.; requiring the partnership to prepare an annual report by December 1 of each year; specifying the content of the annual report; creating s. 288.907, F.S.; requiring the partnership to create an annual incentives report; specifying the required components of the report; amending s. 288.911, F.S.; requiring the partnership to promote and market this state to businesses in target industries and high-impact industries; creating s. 288.912, F.S.; requiring that certain counties and municipalities annually provide to the partnership an overview of certain local economic development activities; creating s. 288.92, F.S.; specifying divisions within the partnership; providing for hiring of staff; requiring each division to have a 15-member advisory council; specifying selection and appointments to the advisory council; creating s. 288.921, F.S.; creating the Division of International Trade and Business Development; specifying its responsibilities; providing for administration of a grant program; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.922, F.S.; creating the Division of Business Retention and Recruitment; specifying its responsibilities; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.923, F.S.; creating the Division of Tourism Marketing; providing definitions; specifying the division's responsibilities and duties, including a 4-year marketing plan; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.925, F.S.; creating the Division of Minority Business Development; specifying the division's responsibilities and duties; requiring an annual report; specifying minimum responsibilities of the advisory council; transferring, renumbering, and amending s. 288.1229, F.S.; creating the Division of Sports Industry Development; specifying the division's responsibilities; requiring an annual report; specifying minimum responsibilities of the advisory board; advisory board; amending s. 290.0055, F.S.; authorizing certain governing bodies to apply to Jobs Florida to amend the boundary of an enterprise zone that includes a rural area of critical economic concern; providing a limitation; authorizing Jobs Florida to approve the amendment application subject to certain requirements; requiring that Jobs Florida establish the effective date of certain enterprise zones; creating s. 290.00726, F.S.; authorizing Martin County to apply to Jobs Florida for designation of an enterprise zone; providing application requirements; authorizing Jobs Florida to designate an enterprise zone in Martin County; providing responsibilities of Jobs Florida; amending s. 409.942, F.S.; deleting amending s. 409.942, F.S.; deleting requirements that Workforce Florida, Inc., establish an electronic transfer benefit program; amending s. 411.0102, F.S.; requiring each participating early learning coalition board to develop a plan for the use of child care purchasing pool funds; amending s. 1002.73, F.S.; requiring the Department of Education to administer the operational requirements of the Voluntary Prekindergarten Education Program; requiring the Department of Education to adopt procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts; requiring the Department of Education to adopt procedures for the distribution of funds to early learning coalitions; amending ss. 11.45, 14.20195, 15.18, 15.182, 16.615, 39.001, 45.031, 69.041, 112.3135, 119.071, 120.80, 125.01045, 159.803, 159.8081, 159.8083, 161.54, 163.03, 163.3178, 163.3221, 163.360, 166.0446, 175.021, 186.504, 186.505, 202.037, 212.08, 212.096, 212.097, 212.098, 212.20, 213.053, 215.5586, 216.136, 216.292, 216.231, 218.64, 220.03, 220.183, 220.191, 222.15,

250.06, 252.32, 252.34, 252.35, 252.355, 252.3568, 252.36, 252.365, 252.37, 252.371, 252.373, 252.38, 252.385, 252.40, 252.41, 252.42, 252.43, 252.44, 252.46, 252.55, 252.60, 252.61, 252.82, 252.83, 252.85, 252.86, 252.87, 252.88, 252.936, 252.937, 252.943, 252.946, 255.099, 259.035, 260.0142, 272.11, 282.34, 282.709, 287.09431, 287.09451, 287.0947, 288.012, 288.017, 288.018, 288.019, 288.021, 288.035, 288.047, 288.065, 288.0655, 288.0656, 288.06561, 288.0657, 288.0658, 288.0659, 288.075, 288.1045, 288.106, 288.107, 288.108, 288.1083, 288.1088, 288.1089, 288.1095, 288.1162, 288.11621, 288.1168, 288.1169, 288.1171, 288.122, 288.12265, 288.124, 288.1251, 288.1252, 288.1253, 288.1254, 288.386, 288.7011, 288.7015, 288.705, 288.706, 288.7094, 288.7102, 288.714, 288.773, 288.774, 288.776, 288.7771, 288.816, 288.809, 288.826, 288.95155, 288.955, 288.9519, 288.9520, 288.9603, 288.9604, 288.9605, 288.9606, 288.9614, 288.9624, 288.9625, 288.975, 288.980, 288.984, 288.9913, 288.9914, 288.9916, 288.9917, 288.9918, 288.9919, 288.9920, 288.9921, 290.004, 290.0055, 290.0056, 290.0065, 290.0066, 290.00710, 290.0072, 290.00725, 290.0073, 290.0074, 290.0077, 290.014, 311.09, 311.11, 311.115, 311.22, 320.08058, 331.302, 331.3081, 331.369, 339.08, 339.135, 364.0135, 377.703, 377.711, 377.712, 377.804, 380.031, 380.06, 380.115, 380.285, 381.0054, 381.0086, 381.7354, 381.855, 383.14, 402.281, 402.45, 402.56, 403.42, 403.7032, 403.973, 409.017, 409.1451, 409.2576, 409.944, 409.946, 411.01, 411.0101, 411.01013, 411.01014, 411.01015, 411.0103, 411.0104, 411.0106, 411.011, 411.226, 411.227, 414.24, 414.40, 414.295, 414.411, 420.631, 420.635, 429.907, 440.12, 440.15, 440.381, 440.385, 440.49, 443.012, 443.036, 443.041, 443.051, 443.071, 443.091, 443.101, 443.111, 443.1113, 443.1115, 443.1116, 443.1215, 443.1216, 443.1217, 443.131, 443.1312, 443.1313, 443.1315, 443.1316, 443.1317, 443.141, 443.151, 443.163, 443.171, 443.1715, 443.181, 443.191, 443.211, 443.221, 445.002, 445.003, 445.004, 445.006, 445.007, 445.009, 445.016, 445.024, 445.0325, 445.038, 445.045, 445.048, 445.049, 445.051, 445.056, 446.41, 446.44, 446.50, 446.52, 448.109, 448.110, 450.161, 450.191, 450.31, 464.203, 468.529, 469.002, 469.003, 489.1455, 489.5335, 526.143, 526.144, 551.104, 553.62, 570.248, 570.96, 597.006, 624.5105, 625.3255, 627.0628, 657.042, 658.67, 768.13, 943.03, 943.03101, 943.0311, 943.0312, 943.0313, 944.012, 944.708, 944.801, 945.10, 985.601, 1002.375, 1002.53, 1002.55, 1002.61, 1002.63, 1002.67, 1002.69, 1002.71, 1002.72, 1002.77, 1002.79, 1003.491, 1003.492, 1003.493, 1003.575, 1003.4285, 1003.493, 1004.226, 1004.65, 1004.77, 1004.78, 1008.39, 1008.41, 1011.76, and 1012.2251, F.S.; conforming provisions to changes made by the act; conforming cross-references; deleting obsolete provisions; transferring, renumbering, and amending ss. 20.505 and 1004.99, F.S.; conforming provisions to changes made by the act; repealing s. 14.2015, F.S., which relates to the creation of the Office of Tourism, Trade, and Economic Development; repealing s. 20.18, F.S., which relates to the creation of the Department of Community Affairs; repealing s. 20.50, F.S., which relates to the creation of the Agency for Workforce Innovation; repealing ss. 255.551, 255.552, 255.553, 255.5535, 255.555, 255.556, 255.557, 255.5576, 255.558, 255.559, 255.56, 255.561, 255.562, and 255.563, F.S., which relates to the abatement of asbestos in state buildings; repealing s. 287.115, F.S., which relates to a requirement for the Chief Financial Officer to submit a report on contractual service contracts disallowed; repealing s. 288.038, F.S., which relates to agreements appointing county tax collectors as an agent of the Department of Labor and Employment Security for licenses and other similar registrations; repealing s. 288.063, F.S., which relates to contracts for transportation projects with the Office of Tourism, Trade, and Economic Development; repealing ss. 288.1221, 288.1222, 288.1223, 288.1224, 288.1226, and 288.1227, F.S., which relate to the Florida Commission on Tourism and the Florida Tourism Industry Marketing Corporation; repealing ss. 288.7065, 288.707, 288.708, 288.709, 288.7091, and 288.712, F.S., which relate to the Black Business Investment Board; repealing s. 288.12295, F.S., which relates to a public records exemption for donors for a direct support organization on promotion and development of sports-related industries and amateur athletics; repealing s. 288.90151, F.S., which relates to Return on investment from activities of Enterprise Florida, Inc.; repealing s. 288.9415, F.S., which relates to Enterprise Florida, Inc., and international trade grants; repealing s. 288.9618, F.S., which relates to an economic development program for microenterprises; repealing s. 288.982, F.S., which relates to a public records exemption for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 411.0105, F.S., which designates the Agency for Workforce Innovation as the lead agency to administer specified federal laws; repealing s. 446.60, F.S., which relates to assistance for displaced local exchange telecommunications company workers; repealing s. 1002.75, F.S., relating to the powers and duties of the Agency for Workforce Innovation; providing an effective date.

—for further consideration as amended this day.

RECONSIDERATION OF AMENDMENTS

On motion by Senator Storms, the Senate reconsidered the vote by which Amendment 2 (735614), Amendment 3 (838354), Amendment 4 (724440), and Amendment 5 (717748) were adopted. Amendment 2 (735614), Amendment 3 (838354), Amendment 4 (724440), and Amendment 5 (717748) failed.

Pursuant to Rule 4.19, SB 2156 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator Thrasher, the rules were waived and time of recess was extended until 6:00 p.m.

On motion by Senator Alexander—

SB 2000—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2011, and ending June 30, 2012, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was read the second time by title.

Senator Detert moved the following amendment:

Amendment 1 (995048)—

Table with columns DELETED and INSERT. Rows include EDUCATION, DEPARTMENT OF Program: Education - Fixed Capital Outlay 48150000, In Section 02 On Page 006, 15C Fixed Capital Outlay 089006 Community College Projects IOEL, In Section 02 On Page 007, DELETED the proviso immediately following Specific Appropriation 15C: SEMINOLE STATE COLLEGE OF FLORIDA Gen ren/rem, infrastruct, site improvement & acquisition... 586,700 Site/Facilities Acquisition-Alt Springs (sp)..... 9,170,666 and insert in lieu thereof: SEMINOLE STATE COLLEGE OF FLORIDA Gen ren/rem, infrastruct, site improvement & acquisition.. 2,586,700 Site/Facilities Acquisition-Alt Springs (sp)..... 7,170,666

Senator Detert moved the following substitute amendment which was adopted:

Substitute Amendment 1 (995059)—

Table with columns DELETED and INSERT. Rows include EDUCATION, DEPARTMENT OF Program: Education - Fixed Capital Outlay 48150000, In Section 02 On Page 006, 15C Fixed Capital Outlay 089006 Community College Projects IOEL, In Section 02 On Page 007, DELETED the proviso immediately following Specific Appropriation 15C: SEMINOLE STATE COLLEGE OF FLORIDA Site/Facilities Acquisition-Alt Springs (sp)..... 9,170,666 STATE COLLEGE OF FLORIDA, MANATEE-SARASOTA Gen ren/rem, infrastruct, site improvement & acquisition 599,976

and insert in lieu thereof:

SEMINOLE STATE COLLEGE OF FLORIDA	
Site/Facilities Acquisition-Alt Springs (sp).....	7,500,000
STATE COLLEGE OF FLORIDA, MANATEE-SARASOTA	
Gen ren/rem, infrastruct, site improvement & acquisition ..	2,270,642

Amendment 3 (995042)—

			DELETE	INSERT
	EDUCATION, DEPARTMENT OF			
	Program: Private Colleges And			
	Universities 48190000			
	In Section 02 On Page 014			
53	Special Categories 104125			
	Florida Resident Access Grant IOEC			
	1000 From General Revenue Fund	72,078,653		73,993,538
	CA 1,914,885 FS11 1,914,885			

Senator Wise moved the following amendment:

Amendment 2 (995054)—

	DELETE	INSERT
	EDUCATION, DEPARTMENT OF	
	Public Schools, Division Of	
	Program: State Grants/K-12 Program - Non	
	FEFP 48250400	
	In Section 02 On Page 022	
75	Special Categories 100952	
	Grants And Aids - Florida Diagnostic And	
	Learning Resources Centers IOEB	

Following Specific Appropriation 53, DELETE:

Funds in Specific Appropriation 53 shall be used for tuition assistance for qualified Florida students. Each college or university shall allocate funds at a minimum of \$500 for each student. The remaining funds shall be used to provide tuition assistance based on student financial need up to a maximum amount of \$2,425 per student.

In proviso following Specific Appropriation 75, DELETE:

University of Florida.....	443,383
University of Miami.....	417,506
Florida State University.....	416,231
University of South Florida.....	435,187
University of Florida Health Science Center at Jacksonville.	518,819

From the funds in Specific Appropriation 53, \$71,278,025 shall be allocated at the average award amount of \$2,066 for 2010-11 FRAG eligible institutions based on actual 2010-11 eligible student enrollment.

From the funds in Specific Appropriation 53, \$800,628 shall be allocated at the average award amount of \$652 for the newly eligible

AND INSERT:

University of Florida.....	446,225
University of Miami.....	446,225
Florida State University.....	446,225
University of South Florida Dept. of Developmental Medicine.	446,225
University of Florida Health Science Center at Jacksonville.	446,226

FRAG institution for 1,226 eligible students.

The Office of Student Financial Assistance may prorate the award and provide a lesser amount in the second term if the funds appropriated are insufficient to provide a full award to all eligible students.

AND INSERT:

MOTION

On motion by Senator Wise, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Wise moved the following substitute amendment which was adopted:

Substitute Amendment 2 (995076)—

	DELETE	INSERT
	EDUCATION, DEPARTMENT OF	
	Public Schools, Division Of	
	Program: State Grants/K-12 Program - Non	
	FEFP 48250400	
	In Section 02 On Page 022	
75	Special Categories 100952	
	Grants And Aids - Florida Diagnostic And	
	Learning Resources Centers IOEB	

Funds in Specific Appropriation 53 shall be used for tuition assistance for qualified Florida students.

From the funds in Specific Appropriation 53, \$71,262,538 shall be allocated at the average award amount of \$2,066 for 2010-11 FRAG eligible institutions based on actual 2010-11 eligible student enrollment. Each college or university shall allocate funds at a minimum of \$1,500 for each student. The remaining funds shall be used to provide tuition assistance based on student financial need up to a maximum amount of \$2,425 per student.

In proviso following Specific Appropriation 75, DELETE:

University of Florida.....	443,383
University of Miami.....	417,506
Florida State University.....	416,231
University of South Florida.....	435,187
University of Florida Health Science Center at Jacksonville.	518,819

From the funds in Specific Appropriation 53, \$2,731,000 shall be allocated at the average award amount of \$500 for the newly eligible FRAG institution for 5,462 eligible students. The institution shall allocate funds at a minimum of \$400 for each student. The remaining funds shall be used to provide tuition assistance based on student financial need up to a maximum amount of \$652 per student.

The Office of Student Financial Assistance may prorate the award and provide a lesser amount in the second term if the funds appropriated are insufficient to provide a full award to all eligible students. The Office of Student Financial Assistance may also reallocate funds between institutions if an eligible institution fails to reach its 2010-11 enrollment.

AND INSERT:

University of Florida.....	446,225
University of Miami.....	446,225
Florida State University.....	446,225
University of South Florida.....	446,225
University of Florida Health Science Center at Jacksonville.	446,226

Universities, Division Of
Program: Educational And General
Activities 48900100

In Section 02 On Page 034
119 Aid To Local Governments 052310
Grants And Aids - Education And General
Activities IOEB

1000 From General Revenue Fund 1,451,302,780 1,449,387,895
CA -1,914,885 FS11 -1,914,885

In existing proviso language, following Specific Appropriation 119, DELETE:

Senator Lynn moved the following amendments which were adopted:

From the funds in Specific Appropriation 119, \$142,865,810 from the General Revenue Fund is provided for the creation or expansion of

programs that prepare students in the science, technology, engineering, and mathematics (STEM) fields. To be eligible for these funds, the university's foundation or external grants shall provide matching funds on a dollar-for-dollar basis. Prior to expending any of the funds, the Board of Governors shall submit a detailed distribution and program plan to the Legislative Budget Commission for review and approval.

AND INSERT:

From the funds in Specific Appropriation 119, \$140,950,925 from the General Revenue Fund is provided for the creation or expansion of programs that prepare students in the science, technology, engineering, and mathematics (STEM) fields. To be eligible for these funds, the university's foundation or external grants shall provide matching funds on a dollar-for-dollar basis. Prior to expending any of the funds, the Board of Governors shall submit a detailed distribution and program plan to the Legislative Budget Commission for review and approval.

Amendment 4 (995052)—

DELETED EDUCATION, DEPARTMENT OF State Board Of Education 48800000

In Section 02 On Page 030

At the end of existing proviso language, preceding Specific Appropriation 102, INSERT:

From the funds provided in Specific Appropriations 102 through 117 and 130 through 134, the State Board of Education and Board of Governors shall identify the percent of day, evening, and weekend utilization of higher education classroom facilities to accurately determine space needs. The State Board of Education and the Board of Governors shall review the data and develop recommendations for a revised funding formula or potential policy changes to increase the evening and weekend utilization of higher education classroom facilities during future school terms. These recommendations shall be provided to the chair of the Senate Budget Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor on or before January 15, 2012.

Amendment 5 (995040) was withdrawn.

Senator Hays moved the following amendment which was adopted:

Amendment 6 (995049)—

DELETED BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF Program: Hotels And Restaurants Compliance And Enforcement 79200100

In Section 06 On Page 280

2134 Expenses 040000 IOEA

Following Specific Appropriation 2134, INSERT:

From the funds provided in Specific Appropriation 2134, up to \$750,000 from the Hotel and Restaurant Trust Fund shall be transferred to the Office of Tourism, Trade, and Economic Development to fund a contract with the Florida Restaurant and Lodging Association, Inc., a Florida non-profit corporation, to continue the multi-media marketing campaign begun in 2010 in the aftermath of the Deepwater Horizon Oil Spill. This campaign shall be conducted throughout the state and the southeastern United States, pursuant to a plan approved and monitored by the office, for the purpose of promoting tourism in those areas of the state affected by the oil spill or the damaging public perception stemming from that event.

Senators Evers and Montford offered the following amendment which was moved by Senator Evers:

Amendment 7 (995038)—

DELETED AGENCY FOR HEALTH CARE ADMINISTRATION Program: Health Care Services Medicaid Services To Individuals 68501400

177 In Section 03 On Page 046 Special Categories 101582 Hospital Inpatient Services IOEE

1000 From General Revenue Fund 29,379,645 25,449,115 CA -3,930,530 FSI2 -3,930,530 2474 From Medical Care Trust Fund 2,009,952,762 2,004,962,437 CA -4,990,325 FSI3 -4,990,325

ELDER AFFAIRS, DEPARTMENT OF Program: Services To Elders Program Home And Community Services 65100400

382 In Section 03 On Page 080 Special Categories 109970 Capitated Nursing Home Diversion Waiver IOEE

1000 From General Revenue Fund 148,889,751 152,820,281 CA 3,930,530 FSI2 3,930,530 2516 From Operations And Maintenance 189,035,242 194,025,567 Trust Fund CA 4,990,325 FSI9 4,990,325

Insert proviso immediately following Specific Appropriation 382:

From the funds in Specific Appropriation 382, \$3,930,530 from the General Revenue Fund and \$4,990,325 from the Operations and Maintenance Trust Fund are provided to expand the current Nursing Home Diversion program by an additional 500 slots to assist the existing network of lead agencies in unserved and underserved rural areas to prepare for and participate in Medicaid managed care. The Department of Elder Affairs shall establish a pilot program in Planning and Service Areas (PSA) 1, 2, and the unserved counties in PSA 3 for Nursing Home Diversion. The pilot project shall require a contract with a not-for-profit provider partnered with the existing network of providers, to begin as soon as the contract for Nursing Home Diversion services with the provider is in place. Slots shall be allocated for the pilot only as eligible clients are identified and any unused slots shall be available to the rest of the state using the same methodology currently utilized by the department. As additional eligible clients are identified in the pilot program, slots shall be redirected to the pilot up to the total of 500 as they are available through attrition. Referrals shall be provided through the Aging Resource Centers. The department and Agency for Health Care Administration are authorized to waive the 'two providers per service' requirement in the rural counties. Until actuarial rates are established to be effective September 2012, the rate used will be the highest district rate effective September 2010, or September 2011, whichever is higher.

Substitute Amendment 7 (995067) was withdrawn.

MOTION

On motion by Senator Evers, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Evers moved the following substitute amendment which was adopted:

Substitute Amendment 7 (995072)—

DELETED AGENCY FOR HEALTH CARE ADMINISTRATION Program: Health Care Services Medicaid Services To Individuals 68501400

177 In Section 03 On Page 046 Special Categories 101582 Hospital Inpatient Services IOEE

1000	From General Revenue Fund	29,379,645	29,229,645
	CA -150,000 FSI2 -150,000		
2474	From Medical Care Trust Fund	2,009,952,762	2,009,762,317
	CA -190,445 FSI3 -190,445		

Revenue Fund is provided on a recurring basis to the Doctors' Memorial Hospital to serve the North Florida communities of Holmes, Jackson, Walton, and Washington counties.

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

Amendment 9 (995039)—

ELDER AFFAIRS, DEPARTMENT OF
Program: Services To Elders Program
Home And Community Services 65100400

In Section 03 On Page 080

382	Special Categories 109970		
	Capitated Nursing Home Diversion Waiver IOEB		
1000	From General Revenue Fund	148,889,751	149,039,751
	CA 150,000 FSI2 150,000		
2516	From Operations And Maintenance Trust Fund	189,035,242	189,225,687
	CA 190,445 FSI9 190,445		

		DELETE	INSERT
	HEALTH, DEPARTMENT OF		
	Program: Community Public Health		
	Family Health Outpatient And Nutrition Services 64200300		
	In Section 03 On Page 085		
434	Special Categories 100778		
	Grants And Aids - Contracted Services IOEB		

Insert proviso immediately following Specific Appropriation 382:

From the funds in Specific Appropriation 382, \$150,000 from the General Revenue Fund and \$190,445 from the Operations and Maintenance Trust Fund are provided to expand the current Nursing Home Diversion program by an additional slots to assist the existing network of lead agencies in unserved and underserved rural areas to prepare for and participate in Medicaid managed care. The Department of Elder Affairs shall establish a pilot program in Planning and Service Areas (PSA) 1, 2, and the unserved counties in PSA 3 for Nursing Home Diversion. The pilot project shall require a contract with a not-for-profit provider partnered with the existing network of providers, to begin as soon as the contract for Nursing Home Diversion services with the provider is in place. Slots shall be allocated for the pilot only as eligible clients are identified and any unused slots shall be available to the rest of the state using the same methodology currently utilized by the department. As additional eligible clients are identified in the pilot program, slots shall be redirected to the pilot up to the total of 500 as they are available through attrition. Referrals shall be provided through the Aging Resource Centers. The department and Agency for Health Care Administration are authorized to waive the 'two providers per service' requirement in the rural counties. Until actuarial rates are established to be effective September 2012, the rate used will be the highest district rate effective September 2010, or September 2011, whichever is higher.

1000	From General Revenue Fund	3,464,284	4,241,453
	CA 777,169 FSI1 777,169		

Following Specific Appropriation 434, INSERT:

From the funds in Specific Appropriation 434, \$777,169 in recurring General Revenue funds is provided to the University of Miami for the Crohn's Disease and Ulcerative Colitis Project.

	AGENCY FOR HEALTH CARE ADMINISTRATION		
	Program: Health Care Services		
	Medicaid Services To Individuals 68501400		
	In Section 03 On Page 046		
177	Special Categories 101582		
	Hospital Inpatient Services IOEB		
1000	From General Revenue Fund	29,379,645	28,602,476
	CA -777,169 FSI2 -777,169		

Senator Negron moved the following amendments which were adopted:

Amendment 10 (995045)—

Senator Negron moved the following amendment which was adopted:

Amendment 8 (995037)—

		DELETE	INSERT
	AGENCY FOR HEALTH CARE ADMINISTRATION		
	Program: Health Care Services		
	Medicaid Services To Individuals 68501400		
	In Section 03 On Page 046		
177	Special Categories 101582		
	Hospital Inpatient Services IOEB		
1000	From General Revenue Fund	29,379,645	28,779,645
	CA -600,000 FSI2 -600,000		
	HEALTH, DEPARTMENT OF		
	Program: Community Public Health		
	Family Health Outpatient And Nutrition Services 64200300		
	In Section 03 On Page 084		
429	Aid To Local Governments 050582		
	Grants And Aids-Rural Diversity Minority Health Care IOEB		
1000	From General Revenue Fund	1,000,000	1,600,000
	CA 600,000 FSI1 600,000		

		DELETE	INSERT
	CHILDREN AND FAMILY SERVICES, DEPARTMENT OF		
	Administration		
	Program: Executive Leadership		
	Executive Direction And Support Services 60900101		
	In Section 03 On Page 066		
265	Special Categories 100777		
	Contracted Services IOEA		
1000	From General Revenue Fund	564,078	664,078
	CA 100,000 FSI1 100,000		

From the funds in Specific Appropriation 265, \$100,000 in recurring General Revenue funds is provided to the Myron Rolle Wellness and Leadership Academy.

	AGENCY FOR HEALTH CARE ADMINISTRATION		
	Program: Health Care Services		
	Medicaid Services To Individuals 68501400		
	In Section 03 On Page 046		
177	Special Categories 101582		
	Hospital Inpatient Services IOEB		
1000	From General Revenue Fund	29,379,645	29,279,645
	CA -100,000 FSI2 -100,000		

Amendment 11 (995047)—

Following Specific Appropriation 429, INSERT:

From the funds in Specific Appropriation 429, \$600,000 from the General

DELETE	INSERT
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CHILDREN AND FAMILY SERVICES, DEPARTMENT OF Services
Program: Substance Abuse Program
Substance Abuse Services 60910604

Services 64200300
In Section 03 On Page 084
432 Special Categories 100766
Grants And Aids - Crisis Counseling IOEB

335 In Section 03 On Page 075
Special Categories 100618
Grants And Aids - Community Substance Abuse Services IOEB

1000 From General Revenue Fund 2,000,000 1,000,000
CA -1,000,000 FSI1 -1,000,000

1000 From General Revenue Fund 2,946,100 13,049,080
CA 10,102,980 FSI2 10,102,980

DELETE the proviso following Specific Appropriation 432:

Following Specific Appropriation 335, INSERT:

From the funds in Specific Appropriation 335, \$10,102,980 in recurring General Revenue funds is provided for Adult Substance Abuse Detoxification Services.

From the funds in Specific Appropriation 432, a minimum of 85 percent shall be spent on direct client services, website maintenance and Option Line and no more than \$400 shall be spent per month per direct service provider on contract management. The 85 percent shall be divided between contract management providers based on the number of 2010-2011 fiscal year maximum allowed direct service providers (70 percent/30 percent). To ensure program transparency and efficiency each contract management provider shall cross-monitor the five highest 2010-2011 contract year program utilizers of the other contract management provider.

AGENCY FOR HEALTH CARE ADMINISTRATION
Program: Health Care Services
Medicaid Services To Individuals 68501400

AND INSERT:

177 In Section 03 On Page 046
Special Categories 101582
Hospital Inpatient Services IOEB

From the funds in Specific Appropriation 432, a minimum of 90 percent shall be spent on direct client services. Funds shall not be used for advertising, billboards, yellow book ads, or capital expenditures.

1000 From General Revenue Fund 29,379,645 19,276,665
CA -10,102,980 FSI2 -10,102,980

424 Aid To Local Governments 050001
Grants And Aids - Family Planning Services IOEB

Senator Sobel moved the following amendment:

1000 From General Revenue Fund 4,245,455 5,245,455
CA 1,000,000 FSI1 1,000,000

Amendment 12 (995043)—

The question recurred on Amendment 12 (995043) which was withdrawn.

HEALTH, DEPARTMENT OF DELETED INSERT
Program: Community Public Health
Family Health Outpatient And Nutrition Services 64200300

SENATOR BENNETT PRESIDING

432 In Section 03 On Page 084
Special Categories 100766
Grants And Aids - Crisis Counseling IOEB

Amendment 13 (995050) was withdrawn.

Amendment 14 (995051) was withdrawn.

Substitute Amendment 14 (995061) was withdrawn.

1000 From General Revenue Fund 2,000,000 0
CA -2,000,000 FSI1 -2,000,000

Senators Fasano and Dockery offered the following amendment which was moved by Senator Fasano and adopted:

DELETE the proviso immediately following Specific Appropriation 432:

Amendment 15 (995053)—

From the funds in Specific Appropriation 432, a minimum of 85 percent shall be spent on direct client services, website maintenance and Option Line and no more than \$400 shall be spent per month per direct service provider on contract management. The 85 percent shall be divided between contract management providers based on the number of 2010-2011 fiscal year maximum allowed direct service providers (70 percent/30 percent). To ensure program transparency and efficiency each contract management provider shall cross-monitor the five highest 2010-2011 contract year program utilizers of the other contract management provider.

CORRECTIONS, DEPARTMENT OF DELETED INSERT
Program: Community Corrections 70050000
In Section 04 On Page 116

424 Aid To Local Governments 050001
Grants And Aids - Family Planning Services IOEB

Immediately preceding Specific Appropriation 689, DELETE:

1000 From General Revenue Fund 4,245,455 6,245,455
CA 2,000,000 FSI1 2,000,000

From the funds in Specific Appropriations 689 through 723, the Department of Corrections shall issue a request for proposal (RFP), as defined in section 287.057(1)(b), Florida Statutes, for the management and operation of department probation and field services offices as well as community supervision services in Manatee, Hardee, Indian River, Okeechobee, Highlands, St. Lucie, DeSoto, Sarasota, Charlotte, Glades, Martin, Palm Beach, Hendry, Lee, Collier, Broward, Dade and Monroe counties. The RFP shall require a significant cost savings in the operational costs of the facilities and community supervision services. These estimated cost savings shall be reported by the department to the chairs of the Senate Budget Committee and the House Appropriations Committee by March 1, 2012. In order to award the contract, the Department of Corrections shall report its intent to award a contract and submit a budget amendment to the Legislative Budget Commission accompanied by a plan for transitioning staff and maintaining state assets.

Senator Sobel moved the following substitute amendment which failed:

Substitute Amendment 12 (995056)—

HEALTH, DEPARTMENT OF DELETED INSERT
Program: Community Public Health
Family Health Outpatient And Nutrition

The contract between the Department of Corrections and the private

provider must specify performance measures to ensure contractor performance and accountability. The required performance measures shall include, but are not limited to: percentage of offenders who successfully complete supervision and are not subsequently recommitted to the Department of Corrections for committing a new crime within two years; percentage of offenders that successfully complete their sentence or are still under supervision at the end of a two year measurement period; percentage of community supervision offenders who have completed drug treatment without subsequent recommitment to community supervision or prison within 24 months after release; substance abuse tests administered to offenders being supervised in the community; percentage of substance abuse tests administered to offenders being supervised in the community in which negative test results were obtained; percentage of inmates who have completed drug treatment without subsequent recommitment to community supervision or prison within 24 months after release. Contracts shall also include a provision that requires employees displaced from this transition to be given first consideration for employment with the private service provider that is awarded the contract.

Senators Fasano and Gaetz offered the following amendment which was moved by Senator Fasano and adopted:

Amendment 16 (995041)—

Table with columns: DELETED, INSERT, and text describing amendments for JOBS FLORIDA, Division Of Strategic Business Development, and Division Of Workforce Services.

At the end of existing proviso language, following Specific Appropriation 2535BU, INSERT:

From the funds in Specific Appropriation 2535BU, \$100,000 from nonrecurring funds is provided for the Connections Job Development Program.

Senator Latvala moved the following amendment which was adopted:

Amendment 17 (995044)—

Table with columns: DELETED, INSERT, and text describing amendments for JOBS FLORIDA, Division Of Strategic Business Development, and Economic Development Projects.

At the end of existing proviso language, following Specific Appropriation 2535AH, INSERT:

Florida Holocaust Museum.....150,000

Amendment 18 (995046) was withdrawn.

THE PRESIDENT PRESIDING

Senator Bennett moved the following amendment which was adopted:

Amendment 19 (995057)—

Table with columns: DELETED, INSERT, and text describing amendments for AGENCY FOR HEALTH CARE ADMINISTRATION, Medicaid Long Term Care, and various fund allocations.

DELETE the proviso immediately following Specific Appropriation 208:

Funds in Specific Appropriation 208 reflect a reduction of \$3,191,773 from the General Revenue Fund and \$4,052,378 from the Medical Care Trust Fund due to the elimination of nursing home bed hold days.

Table with columns: DELETED, INSERT, and text describing amendments for Medicaid Services To Individuals, Hospital Inpatient Services, and various fund allocations.

RECONSIDERATION OF AMENDMENT

On motion by Senator Bennett, the Senate reconsidered the vote by which Amendment 19 (995055) was adopted.

MOTION

On motion by Senator Storms, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Storms moved the following amendment to Amendment 19 which failed:

Amendment 19A (995077)—

Table with columns: DELETED, INSERT, and text describing amendments for CORRECTIONS, DEPARTMENT OF Health Services.

DELETE the proviso preceding Specific Appropriation 726 :

From the funds in Specific Appropriation 726 through 741, the Department of Corrections, or its designee, shall establish a pilot in the Health Services Program to use a supply chain management company for the purchase of health care products and supplies for facilities that are operated by the department in Pinellas, Hillsborough, Manatee, Pasco, Charlotte, DeSoto, Lee, Manatee, and Sarasota counties. The department shall issue a request for proposal, as defined in section 287.057(1)(b), Florida Statutes, to contract with a company for these services. The company must be Florida-based and owned by a Florida hospital. The department shall report any budget savings to the chairs of the Senate

Budget Committee and the House Appropriations Committee by February 1, 2012.

and insert in lieu thereof:

From the funds in Specific Appropriation 726 through 741, the Department of Corrections, or its designee, shall establish a pilot in the Health Services Program to use a supply chain management company for the purchase of health care products and supplies for facilities that are operated by the department in Pinellas, Hillsborough, Manatee, Pasco,

Charlotte, DeSoto, Lee, Manatee, and Sarasota counties. The department shall issue a request for proposal, as defined in section 287.057(1)(b), Florida Statutes, to contract with a company for these services. The company must be Florida-based. The department shall report any budget savings to the chairs of the Senate Budget Committee and the House Appropriations Committee by February 1, 2012.

The question recurred on Amendment 19 (995055) which was adopted.

MOTION

On motion by Senator Negron, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Negron moved the following amendments which were adopted:

Amendment 20 (995057)—

Table with columns for AGENCY FOR HEALTH CARE ADMINISTRATION, DELETED, and INSERTED amounts. Includes line items for Medicaid Long Term Care and Nursing Home Care.

DELETE the proviso immediately following Specific Appropriation 208:

Funds in Specific Appropriation 208 reflect a reduction of \$3,191,773 from the General Revenue Fund and \$4,052,378 from the Medical Care Trust Fund due to the elimination of nursing home bed hold days.

Table with columns for Medicaid Services To Individuals, DELETED, and INSERTED amounts. Includes line items for General Revenue Fund and Medical Care Trust Fund.

Amendment 21 (995058)—

Table with columns for AGENCY FOR HEALTH CARE ADMINISTRATION, DELETED, and INSERTED amounts. Includes line items for Medicaid Services To Individuals and Prescribed Medicine/Drugs.

CA 3,922,585 FSI3 3,922,585

DELETE the proviso immediately following Specific Appropriation 193:

Funds in Specific Appropriation 193, reflect a reduction of \$6,154,830 from the General Revenue Fund and \$7,845,170 from the Medical Care Trust Fund as a result of reducing the pharmacy dispensing fee from \$3.73 to \$2.73, effective July 1, 2011.

Insert proviso immediately following Specific Appropriation 193:

Funds in Specific Appropriation 193, reflect a reduction of \$3,077,415 from the General Revenue Fund and \$3,922,585 from the Medical Care Trust Fund as a result of reducing the pharmacy dispensing fee from \$3.73 to \$3.23, effective July 1, 2011.

In Section 03 On Page 046
177 Special Categories 101582
Hospital Inpatient Services IOEE

Table with columns for From General Revenue Fund, From Medical Care Trust Fund, and amounts. Includes line items 1000 and 2474.

MOTION

On motion by Senator Dean, by the required two-thirds vote, consideration of the following amendment was allowed:

Senators Dean and Hays offered the following amendment which was moved by Senator Dean and adopted:

Amendment 22 (995060)—

Table with columns for ENVIRONMENTAL PROTECTION, DEPARTMENT OF, DELETED, and INSERTED amounts. Includes line items for Water Science And Laboratory Services and Fixed Capital Outlay.

Following Specific Appropriation 1648A, INSERT:

From the funds in Specific Appropriation 1648A, \$100,000 shall be used by the Department of Environmental Protection in consultation with the South Florida Water Management District, USDA, IFAS and providers of natural biological nutrient removal systems to identify toxins in the Taylor Creek watershed that prevent performance of natural biological nutrient removal systems.

MOTION

On motion by Senator Garcia, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Garcia moved the following amendment which was adopted:

Amendment 23 (995062)—

Table with columns for HEALTH, DEPARTMENT OF, DELETED, and INSERTED amounts. Includes line items for Community Public Health Family Health Outpatient And Nutrition Services and Grants And Aids - Contracted Services.

1000 From General Revenue Fund 3,464,284 3,474,284
CA 10,000 FSI1 10,000

1000 From General Revenue Fund 3,464,284 3,964,284
CA 500,000 FSI1 500,000

AND INSERT:

AND INSERT:

From the funds in Specific Appropriation 434, \$10,000 in recurring
General funds is provided to the South Florida Fragile X Clinic (SFFXC)
at the University of Miami to expand evaluation and treatment services
to children and adolescents who have Fragile X.

From the funds in Specific Appropriation 434, \$500,000 in recurring
general revenue funds is provided to the Health Care Center for the
Homeless, Inc., to serve homeless and uninsured residents in Orange,
Osceola, and Seminole counties.

AGENCY FOR HEALTH CARE ADMINISTRATION
Program: Health Care Services
Medicaid Services To Individuals 68501400

AGENCY FOR HEALTH CARE ADMINISTRATION
Program: Health Care Services
Medicaid Services To Individuals 68501400

In Section 03 On Page 046

In Section 03 On Page 046

177 Special Categories 101582
Hospital Inpatient Services IOEE

177 Special Categories 101582
Hospital Inpatient Services IOEE

1000 From General Revenue Fund 29,379,645 29,369,645
CA -10,000 FSI2 -10,000

1000 From General Revenue Fund 29,379,645 28,879,645
CA -500,000 FSI2 -500,000

Amendment 24 (995063) was withdrawn.

Amendment 27 (995068)—

Substitute Amendment 24 (995065) was withdrawn.

MOTION

On motion by Senator Bennett, by the required two-thirds vote, con-
sideration of the following amendment was allowed:

Senator Bennett moved the following amendment which was adopted:

Amendment 25 (995064)—

DELETE INSERT
JOBS FLORIDA
Division Of Strategic Business
Development 85500000
In Section 06 On Page 324
2535AF Special Categories 100259
Quick Action Closing Fund IOEA

DELETE INSERT
HEALTH, DEPARTMENT OF
Program: Community Public Health
Family Health Outpatient And Nutrition
Services 64200300
In Section 03 On Page 085
434 Special Categories 100778
Grants And Aids - Contracted Services IOEB

1000 From General Revenue Fund 3,464,284 3,964,284
CA 500,000 FSI1 500,000

AND INSERT:

From the funds in Specific Appropriation 434, \$500,000 in recurring
general revenue funds is provided to the Apopka Family Health Center to
address rural minority health issues.

1000 From General Revenue Fund 45,551,964 45,051,964
CA -500,000 FSI1NR -500,000

AGENCY FOR HEALTH CARE ADMINISTRATION
Program: Health Care Services
Medicaid Services To Individuals 68501400

2535AH Special Categories 100562
Economic Development Projects IOEA

In Section 03 On Page 046
177 Special Categories 101582
Hospital Inpatient Services IOEE

1000 From General Revenue Fund 1,060,000 1,560,000
CA 500,000 FSI1NR 500,000

1000 From General Revenue Fund 29,379,645 28,879,645
CA -500,000 FSI2 -500,000

At the end of existing proviso language, following Specific
Appropriation 2535AH, INSERT:

World Class International Regatta Sports Center - Nathan Benderson
Park.....500,000

Amendment 28 was not used.

MOTION

On motion by Senator Siplin, by the required two-thirds vote, con-
sideration of the following amendments was allowed:

Senator Siplin moved the following amendments which were adopted:

Amendment 26 (995066)—

DELETE INSERT
HEALTH, DEPARTMENT OF
Program: Community Public Health
Family Health Outpatient And Nutrition
Services 64200300
In Section 03 On Page 085
434 Special Categories 100778
Grants And Aids - Contracted Services IOEB

DELETE INSERT
AGENCY FOR HEALTH CARE ADMINISTRATION
Program: Health Care Services
Medicaid Services To Individuals 68501400
In Section 03 On Page 057
193 Special Categories 102681
Prescribed Medicine/Drugs IOEE

DELETE the proviso immediately following Specific Appropriation 193:

From the funds in Specific Appropriation 193, the agency shall issue an invitation to negotiate with a pharmacy or pharmacies to provide mail order delivery services at no cost to the patients who elect to receive their drugs in this manner for patients with chronic disease states including but not limited to congestive heart failure, diabetes, HIV/AIDS, patients suffering from end stage renal disease or cancer in order to assist Medicaid patients in securing prescriptions and to reduce program costs. The agency shall select patients appropriate for this mail order project and shall limit the number of participants to 20,000 patients statewide.

Insert proviso immediately following Specific Appropriation 193:

From the funds in Specific Appropriation 193, the agency shall issue an invitation to negotiate with a pharmacy or pharmacies to provide mail order delivery services at no cost to the patients who elect to receive their drugs in this manner for patients with chronic disease states including but not limited to congestive heart failure, diabetes, HIV/AIDS, patients suffering from end stage renal disease or cancer in order to assist Medicaid patients in securing prescriptions and to reduce program costs. The agency shall select patients appropriate for this mail order project and shall limit the number of participants to 20,000 patients statewide. The Agency for Health Care Administration shall authorize any community pharmacy with a Medicaid provider number the opportunity to offer a 90 day supply of prescription drugs to patients with the same chronic medical conditions specified in this proviso under the condition that the community pharmacy agrees to accept a dispensing fee which is 1.5 times the amount of the dispensing fee paid for a 30 day prescription.

Amendment 30 (995070) was withdrawn.

Amendment 31 (995073) was withdrawn.

MOTION

On motion by Senator Dean, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Dean moved the following amendment which was adopted:

Amendment 32 (995074)—

	DELETE	INSERT
CHILDREN AND FAMILY SERVICES, DEPARTMENT		
OF		
Services		
Program: Mental Health Program		
Mental Health Services 60910506		
In Section 03 On Page 071		

DELETE the proviso immediately following MENTAL HEALTH SERVICES:

From the funds in Specific Appropriations 310 through 314, expenditures for Florida State Hospital are reduced by 10 percent for its civil commitment component and 7 percent for its forensic commitment component, and expenditures for North Florida Evaluation and Treatment Center are reduced by 7 percent in Fiscal Year 2011-2012 compared to Fiscal Year 2010-2011 expenditures. In order to implement these budget reductions, the department may realign funds between the civil and forensic component pursuant to chapter 216, Florida Statutes. These mental health treatment facilities shall meet the same performance measures and standards as required by contractual agreement with outsourced civil and forensic mental health treatment facilities. Such performance measures and standards shall be based upon comparable resident populations. The department shall submit a report to the Governor, the President of the Senate and the Speaker of the House of Representatives no later than 45 days after the end of each fiscal quarter in Fiscal Year 2011-2012. These reports shall show the expenditure levels for each mental health institution compared with the comparable fiscal quarter in Fiscal Year 2010-2011, and show performance on each performance measure and standard for each mental health institution, both state operated and contracted.

From the funds in Specific Appropriations 310 through 314, the department shall privatize Northeast Florida State Hospital by means of

one of the following: operation by a local government unit, operation by the employees of the hospital and a nonprofit organization established by the employees for this purpose, or operation by a private or nonprofit corporation with or without reconstruction of a facility on the land on which it currently rests. The department shall use a selection committee appointed by the department secretary of not less than five persons, which shall include at least three persons from outside the department. The committee shall select the proposal that provides the best overall long-term value to the State of Florida.

Insert proviso immediately following MENTAL HEALTH SERVICES:

From the funds in Specific Appropriations 310 through 314, expenditures for Florida State Hospital are reduced by 10 percent for its civil commitment component and 7 percent for its forensic commitment component, and expenditures for North Florida Evaluation and Treatment Center are reduced by 7 percent in Fiscal Year 2011-2012 compared to Fiscal Year 2010-2011 expenditures. In order to implement these budget reductions, the department may realign funds between the civil and forensic component pursuant to chapter 216, Florida Statutes. These mental health treatment facilities shall meet the same performance measures and standards as required by contractual agreement with outsourced civil and forensic mental health treatment facilities. Such performance measures and standards shall be based upon comparable resident populations. The department shall submit a report to the Governor, the President of the Senate and the Speaker of the House of Representatives no later than 45 days after the end of each fiscal quarter in Fiscal Year 2011-2012. These reports shall show the expenditure levels for each mental health institution compared with the comparable fiscal quarter in Fiscal Year 2010-2011, and show performance on each performance measure and standard for each mental health institution, both state operated and contracted. The department shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than February 28, 2013, with recommendations on institutional mental health services, both state operated and contracted for Fiscal Year 2013-2014.

MOTION

On motion by Senator Alexander, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Alexander moved the following amendment which was adopted:

Amendment 33 (995075)—

		DELETE	INSERT
	MANAGEMENT SERVICES, DEPARTMENT OF		
	Workforce Programs		
	Program: Insurance Benefits		
	Administration 72750200		
	In Section 06 On Page 343		
2661A	Lump Sum 097300		
	State Employees Health Insurance IOEA		
2668	From State Employees Health		2,001,100,000
	Insurance Trust Fund		
	CA 2,001,100,000 FSI1 2,001,100,000		

INSERT:

From the funds provided in Specific Appropriation 2661A, the Department of Management Services shall operate the State Group Health Insurance Program with a monthly employee contribution of \$50 for individual coverage and \$200 for family coverage.

SENATOR BENNETT PRESIDING

THE PRESIDENT PRESIDING

Pursuant to Rule 4.19, SB 2000 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTION

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

On motion by Senator Alexander, the Senate resumed consideration of—

SB 2100—A bill to be entitled An act relating to retirement; amending ss. 110.123, 112.0801, 112.363, and 112.65, F.S.; conforming provisions to changes made by the act; amending s. 121.011, F.S.; requiring employee and employer contributions to the retirement system by a certain date; amending s. 121.021, F.S.; redefining the terms “system,” “prior service,” “compensation,” “average final compensation,” “normal retirement date,” “termination,” “benefit,” and “payee”; defining the term “division”; amending s. 121.051, F.S.; conforming provisions to changes made by the act; amending s. 121.0515, F.S.; providing that special risk employee contributions be used, if applicable, when purchasing credit for past service; conforming a cross-reference; amending s. 121.052, F.S., relating to the membership class of elected officers; conforming provisions to changes made by the act; providing for a refund of contributions under certain circumstances for an officer who leaves office; prohibiting such refund if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; conforming a cross-reference; amending s. 121.053, F.S.; conforming provisions to changes made by the act; amending s. 121.055, F.S., relating to the Senior Management Service Class; conforming provisions to changes made by the act; providing for refunds of employee refunds; prohibiting a refund of retirement contributions if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; deleting a prohibition against a retiree’s renewing membership in the Senior Management Service Optional Annuity Program; requiring employee and employer contributions for members in the Senior Management Service Optional Annuity Program after a certain date; limiting the payment of benefits before a member’s termination of employment; amending s. 121.071, F.S.; requiring employee and employer contributions to the retirement system beginning on a certain date; limiting the payment of benefits before a member’s termination of employment; requiring repayment plus interest of an invalid refund; amending s. 121.081, F.S.; providing requirements for contributions for prior service performed on or after a certain date; amending s. 121.091, F.S.; conforming a cross-reference; providing for refunds of employee refunds; limiting the payment of benefits before a member’s termination of employment; prohibiting a refund of retirement contributions if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; terminating participation in the Deferred Retirement Option Program after a certain date; conforming provisions to changes made by the act; amending s. 121.1001, F.S.; conforming provisions to changes made by the act; amending s. 121.101, F.S.; revising the cost-of-living adjustment depending on the date of retirement; amending s. 121.121, F.S., relating to the purchase of creditable service following an authorized leave of absence; requiring that service credit be purchased at the employee and employer contribution rates in effect during the leave of absence; reducing the interest rate on benefits payable under the Deferred Retirement Option Program for employees hired after a certain date; amending s. 121.122, F.S.; providing for renewed membership in the retirement system for retirees who are reemployed after a certain date; specifying requirements and limitations; amending s. 121.125, F.S.; conforming provisions to changes made by the act; assessing a penalty against employers for contributions not paid after a member becomes eligible for workers’ compensation; amending s. 121.35, F.S., relating to the optional retirement program for the State University System; conforming provisions to changes made by the act; requiring employee and employer contributions for members participating in the optional retirement program after a certain date; deleting certain requirements governing employer contributions to conform to changes made by the act; prohibiting certain benefits before termination from employment; conforming cross-references; amending s. 121.355, F.S.; conforming provisions to changes made by the act; amending s. 121.4501, F.S.; changing the name of the Public Employee Optional Retirement Program to the Florida Retirement System Investment Plan; limiting the option of en-

rolling in the State Retirement System’s defined benefit program or defined contribution program to public employees employed before a certain date; requiring public employees employed on or after a certain date to enroll in the investment plan; providing exceptions; requiring that plan members make contributions to the plan based on the employee’s membership class; revising definitions; revising the benefit commencement age for members of the special risk class; providing for contribution adjustments as a result of errors or corrections; deleting obsolete provisions relating to the 2002 optional transfer of public employees from the pension plan to the investment plan; providing for past employees who reenter the system; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; providing for a retiree to retain his or her prior plan choice following a return to employment; limiting certain refunds of contributions which exceed the amount that would have accrued had the member remained in the pension plan; providing certain requirements and limitations with respect to contributions; clarifying that employee and employer contributions are earmarked for specified purposes; providing duties of the third-party administrator; providing that a member is vested immediately with respect to employee contributions paid by the employee; providing for the forfeiture of nonvested employer contributions and service credit based on years of service; amending s. 121.4502, F.S.; conforming provisions to changes made by the act; amending s. 121.4503, F.S.; providing for the deposit of employee contributions into the Florida Retirement System Contributions Clearing Trust Fund; amending s. 121.571, F.S.; conforming provisions to changes made by the act; providing requirements for submitting employee contributions; amending s. 121.591, F.S.; prohibiting the payment of certain benefits before termination of employment; providing for the forfeiture of nonvested accumulations upon payment of certain vested benefits; providing that the distribution payment method selected by the member or beneficiary is irrevocable at the time of distribution; prohibiting a distribution of employee contributions if a qualified domestic relations order is filed against the member’s account; providing for the distribution of an employee’s contributions if the employee dies before being vested; conforming provisions to changes made by the act; amending ss. 121.5911 and 121.70, F.S.; conforming provisions to changes made by the act; amending s. 121.71, F.S.; providing for employee contributions to be deducted from the employee’s monthly salary, beginning on a specified date, and treated as employer contributions under certain provisions of federal law; clarifying that an employee may not receive such contributions directly; specifying the required contribution rate for all members of the Florida Retirement System; specifying the required employer retirement contribution rates for each membership class and subclass of the system in order to address unfunded actuarial liabilities of the system; requiring an assessment to be imposed if the employee contributions remitted are less than the amount required; providing for the employer to receive a credit for excess contributions remitted; conforming cross-references; amending s. 121.72, F.S.; revising certain requirements governing allocations to optional retirement program member accounts; conforming cross-references; amending s. 121.73, F.S., relating to disability coverage for members of the optional retirement program; conforming provisions to changes made by the act; amending ss. 121.74, 121.75, and 121.77, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 121.78, F.S.; revising certain requirements for administering the payment and distribution of contributions; requiring that certain fees be imposed for delinquent payment; providing that an employer is responsible for recovering any refund provided to an employee in error; revising the terms of an authorized waiver of delinquency; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; amending s. 175.121, F.S.; specifying other sources available to pay the expenses of the Department of Revenue for administering firefighters’ pension plans; amending s. 175.341, F.S.; conforming provisions to changes made by the act; amending s. 185.10, F.S.; specifying other sources available to pay the expenses of the department for administering police officers’ pension plans; amending s. 185.23, F.S.; conforming provisions to changes made by the act; amending s. 250.22, F.S.; providing that retirement pay for members of the Florida National Guard is determined on the date of retirement and may not be recomputed to reflect an increase in basic pay; directing the Division of Retirement to annually adjust retirement pay after a certain date; amending s. 1012.875, F.S.; requiring employee and employer contributions for members of the State Community College System Optional Retirement Program on a certain date; conforming cross-references; providing that the act fulfills an important state interest;

providing a directive to the Division of Statutory Revision; requiring the State Board of Administration and the Department of Management Services to request a private letter ruling from the United States Internal Revenue Service regarding the act; providing employers the option of contributing to the retirement account of a reemployed retiree during a specified period; providing an effective date.

—which was previously considered this day.

Senators Ring, Margolis, Rich, Braynon, Sobel, Smith, Siplin, Joyner, Montford, Hill and Sachs offered the following amendments which were moved by Senator Ring and adopted:

Amendment 1 (285682)—Delete lines 459-509 and insert:

4. *Up to 300 hours of overtime payments paid from a salary fund.*

~~(c)(b) Under no circumstances shall~~ Compensation for a member participating in the *pension plan defined benefit retirement program* or the *investment plan Public Employee Optional Retirement Program* of the Florida Retirement System *may not include:*

1. Fees paid professional persons for special or particular services or ~~include~~ salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for eligible clinical faculty at a college in a state university that has a faculty practice plan; or

2. Any bonuses or other payments prohibited from inclusion in the member's average final compensation ~~and defined in subsection (47).~~

(24) "Average final compensation" means the average of the 5 highest fiscal years of compensation for creditable service prior to retirement, termination, or death. For in-line-of-duty disability benefits, if less than 5 years of creditable service have been completed, the term "~~average final compensation~~" means the average annual compensation of the total number of years of creditable service. Each year used *to calculate the* ~~in the calculation of~~ average final compensation ~~commences shall commence~~ on July 1.

(a) *Before July 1, 2011:*

1. The average final compensation ~~includes shall include:~~

~~a.1.~~ Accumulated annual leave payments, not to exceed 500 hours; and

~~b.2.~~ All payments defined as compensation *under this section* ~~in subsection (22).~~

~~2.(b)~~ The average final compensation ~~does shall~~ not include:

~~a.1.~~ Compensation paid to professional persons for special or particular services;

~~b.2.~~ Payments for accumulated sick leave made due to retirement or termination;

~~c.3.~~ Payments for accumulated annual leave in excess of 500 hours;

~~d.4.~~ Bonuses ~~as defined in subsection (47);~~

~~e.5.~~ *Third-party* ~~Third-party~~ payments made on and after July 1, 1990; or

~~f.6.~~ Fringe benefits, *such as (for example, automobile allowances or housing allowances).*

(b) *On or after July 1, 2011:*

1. *The average final compensation includes all payments defined as compensation under this section.*

2. *The average final compensation does not include:*

a. Compensation paid to professional persons for special or particular services;

b. Payments for accumulated sick leave made due to retirement or termination;

c. Payments for accumulated annual leave;

d. Payments for overtime exceeding 300 hours paid from a salary fund;

Amendment 2 (778530)—Delete lines 524-542 and insert:

1. The first day of the month the member completes 6 or more years of creditable service in the Special Risk Class and attains age 55;

2. The first day of the month following the date the member completes 25 years of creditable service in the Special Risk Class, regardless of age; or

3. The first day of the month following the date the member completes 25 years of creditable service and attains age 52, which service may include a maximum of 4 years of military service credit as long as such credit is not claimed under any other system and the remaining years are in the Special Risk Class.

Senator Latvala moved the following amendments which were adopted:

Amendment 3 (307084)—Delete line 538 and insert:

a. The first day of the month the member completes 10 or

Amendment 4 (415282) (with directory amendment)—Delete lines 591-607 and insert:

(45)(a) "Vested" or "vesting" means the guarantee that a member is eligible to receive a future retirement benefit upon completion of the required years of creditable service for the employee's class of membership, even though the member may have terminated covered employment before reaching normal or early retirement date. Being vested does not entitle a member to a disability benefit. Provisions governing entitlement to disability benefits are set forth under s. 121.091(4).

~~(a)(b)~~ Effective July 1, 2001, *and for members initially enrolled before July 1, 2011*, a 6-year vesting requirement shall be implemented for the ~~defined benefit program of the Florida Retirement System's pension plan System. Pursuant thereto:~~

1. Any member employed in a regularly established position on July 1, 2001, who completes or has completed a total of 6 years of creditable service ~~is shall be considered vested as described in paragraph (a).~~

2. Any member not employed in a regularly established position on July 1, 2001, shall be deemed vested upon completion of 6 years of creditable service ~~if, provided that~~ such member is employed in a covered position for at least 1 work year after July 1, 2001. However, ~~a~~ ~~no~~ member ~~may not shall~~ be required to complete more years of creditable service than would have been required for that member to vest under retirement laws in effect before July 1, 2001.

(b) Any member initially enrolled on or after July 1, 2011, is vested upon completion of 10 years of creditable service.

And the directory clause is amended as follows:

Delete lines 388 and 389 and insert: (24), (29), (39), (45), (55), and (59) of section 121.021, Florida Statutes,

Senator Latvala moved the following amendment:

Amendment 5 (346354) (with directory amendment)—Delete lines 889-897.

And the directory clause is amended as follows:

Delete lines 616-620 and insert:

Section 7. Paragraphs (b), (c), and (d) of subsection (2) and subsection (3) of section 121.051, Florida Statutes, are

MOTION

On motion by Senator Latvala, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Latvala moved the following substitute amendment which was adopted:

Amendment 6 (700346)—Delete lines 889-897 and insert:

(e) *All eligible employees initially enrolled on or after July 1, 2011, who are members of the Elected Officers' Class and Senior Management Class are compulsory members of the investment plan and membership in the revision plan is not permitted except as provided in s. 121.591, F.S.*

Senator Latvala moved the following amendment:

Amendment 7 (627362) (with ballot and title amendments)—Delete lines 1858-1863 and insert:

(c) *Benefits payable under DROP.*—

1. Effective on the date of DROP participation, the member's initial normal monthly benefit, including creditable service, optional form of payment, and average final compensation, and the effective date of retirement are fixed. The beneficiary established under the Florida Retirement System is the beneficiary eligible to receive any DROP benefits payable if the DROP participant dies before completing the period of DROP participation. If a joint annuitant predeceases the member, the member may name a beneficiary to receive accumulated DROP benefits payable. The retirement benefit, the annual cost of living adjustments provided in s. 121.101, and interest accrue monthly in the Florida Retirement System Trust Fund.

a. *For members initially enrolled in the system before July 1, 2011, the interest accrues at an effective annual rate of 6.5 percent compounded monthly, on the prior month's accumulated ending balance, up to the month of termination or death, except as provided in s. 121.053(7).*

b. *For members initially enrolled in the system on or after July 1, 2011, the interest accrues at an effective annual rate of 3 percent compounded monthly, on the prior month's accumulated ending balance, up to the month of termination or death, except as provided in s. 121.053(7).*

2. Each employee who elects to participate in DROP may elect to receive a lump-sum payment for accrued annual leave earned in accordance with agency policy upon beginning participation in DROP. The accumulated leave payment certified to the division upon commencement of DROP shall be included in the calculation of the member's average final compensation. The employee electing the lump-sum payment is not eligible to receive a second lump-sum payment upon termination, except to the extent the employee has earned additional annual leave which, combined with the original payment, does not exceed the maximum lump-sum payment allowed by the employing agency's policy or rules. An early lump-sum payment shall be based on the hourly wage of the employee at the time he or she begins participation in DROP. If the member elects to wait and receive a lump-sum payment upon termination of DROP and termination of employment with the employer, any accumulated leave payment made at that time may not be included in the member's retirement benefit, which was determined and fixed by law when the employee elected to participate in DROP.

3. The effective date of DROP participation and the effective date of retirement of a DROP participant shall be the first day of the month selected by the member to begin participation in DROP, provided such date is properly established, with the written confirmation of the employer, and the approval of the division, on forms required by the division.

4. Normal retirement benefits and any interest shall continue to accrue in DROP until the established termination date of DROP or until the member participant terminates employment or dies before prior to such date, except as provided in s. 121.053(7). Although individual DROP accounts may shall not be established, a separate accounting of each member's participant's accrued benefits under DROP shall be calculated and provided to the member participants.

5. At the conclusion of the member's participation in the participant's DROP, the division shall distribute the member's participant's total accumulated DROP benefits, subject to the following:

a. The division shall receive verification by the member's participant's employer or employers that the member participant has terminated all employment relationships as provided in s. 121.021(39).

b. The terminated DROP participant or, if deceased, the member's participant's named beneficiary, shall elect on forms provided by the division to receive payment of the DROP benefits in accordance with one of the options listed below. If a member participant or beneficiary fails to elect a method of payment within 60 days after termination of DROP, the division shall pay a lump sum as provided in sub-sub-paragraph (I).

(I) Lump sum.—All accrued DROP benefits, plus interest, less withholding taxes remitted to the Internal Revenue Service, shall be paid to the DROP participant or surviving beneficiary.

(II) Direct rollover.—All accrued DROP benefits, plus interest, shall be paid from DROP directly to the custodian of an eligible retirement plan as defined in s. 402(c)(8)(B) of the Internal Revenue Code. However, in the case of an eligible rollover distribution to the surviving spouse of a deceased member participant, an eligible retirement plan is an individual retirement account or an individual retirement annuity as described in s. 402(c)(9) of the Internal Revenue Code.

(III) Partial lump sum.—A portion of the accrued DROP benefits shall be paid to DROP participant or surviving spouse, less withholding taxes remitted to the Internal Revenue Service, and the remaining DROP benefits must be transferred directly to the custodian of an eligible retirement plan as defined in s. 402(c)(8)(B) of the Internal Revenue Code. However, in the case of an eligible rollover distribution to the surviving spouse of a deceased member participant, an eligible retirement plan is an individual retirement account or an individual retirement annuity as described in s. 402(c)(9) of the Internal Revenue Code. The proportions must be specified by the DROP participant or surviving beneficiary.

c. The form of payment selected by the DROP participant or surviving beneficiary must comply with the minimum distribution requirements of the Internal Revenue Code.

d. A DROP participant who fails to terminate all employment relationships as provided in s. 121.021(39) shall be deemed as not retired, and the DROP election is null and void. Florida Retirement System membership shall be reestablished retroactively to the date of the commencement of DROP, and each employer with whom the member participant continues employment must pay to the Florida Retirement System Trust Fund the difference between the DROP contributions paid in paragraph (i) and the contributions required for the applicable Florida Retirement System class of membership during the period the member participated in DROP, plus 6.5 percent interest compounded annually.

6. The retirement benefits of any DROP participant who terminates all employment relationships as provided in s. 121.021(39) but is re-employed in violation of the reemployment provisions of subsection (9) are shall be suspended during those months in which the retiree is in violation. Any retiree in violation of this subparagraph and any employer that employs or appoints such person without notifying the division of Retirement to suspend retirement benefits are jointly and severally liable for any benefits paid during the reemployment limitation period. The employer must have a written statement from the retiree that he or she is not retired from a state-administered retirement system. Any retirement benefits received by a retiree while employed in violation of the reemployment limitations must be repaid to the Florida Retirement System Trust Fund, and his or her retirement benefits shall remain suspended until payment is made. Benefits suspended beyond the end of the reemployment limitation period apply toward repayment of benefits received in violation of the reemployment limitation.

7. The accrued benefits of any DROP participant, and any contributions accumulated under the program, are not subject to assignment, execution, attachment, or any legal process whatsoever, except for qualified domestic relations court orders by a court of competent jurisdiction, income deduction orders as provided in s. 61.1301, and federal income tax levies.

8. DROP participants are not eligible for disability retirement benefits as provided in subsection (4).

And the ballot statement is amended as follows:

Delete lines 1622-1625 and insert: paragraph (d) of subsection (9), paragraphs (a) and (c) of subsection (13), and paragraph (d) of subsection (14) of section 121.091, Florida Statutes, are amended to read:

And the title is amended as follows:

Delete lines 59 and 60 and insert: revising the interest rate accruing on DROP benefits after a certain date; conforming

MOTION

On motion by Senator Latvala, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Latvala moved the following substitute amendment which was adopted:

Amendment 8 (172938) (with directory and title amendments)—Delete lines 1858-1863 and insert:

(c) *Benefits payable under DROP.*—

1. Effective on the date of DROP participation, the member's initial normal monthly benefit, including creditable service, optional form of payment, and average final compensation, and the effective date of retirement are fixed. The beneficiary established under the Florida Retirement System is the beneficiary eligible to receive any DROP benefits payable if the DROP participant dies before completing the period of DROP participation. If a joint annuitant predeceases the member, the member may name a beneficiary to receive accumulated DROP benefits payable. The retirement benefit, the annual cost of living adjustments provided in s. 121.101, and interest accrue monthly in the Florida Retirement System Trust Fund.

a. *For members initially enrolled in the system before July 1, 2011, the interest accrues at an effective annual rate of 6.5 percent compounded monthly, on the prior month's accumulated ending balance, up to the month of termination or death, except as provided in s. 121.053(7).*

b. *For members initially enrolled in the system on or after July 1, 2011, the interest accrues at an effective annual rate of 2 percent compounded monthly, on the prior month's accumulated ending balance, up to the month of termination or death, except as provided in s. 121.053(7).*

2. Each employee who elects to participate in DROP may elect to receive a lump-sum payment for accrued annual leave earned in accordance with agency policy upon beginning participation in DROP. The accumulated leave payment certified to the division upon commencement of DROP shall be included in the calculation of the member's average final compensation. The employee electing the lump-sum payment is not eligible to receive a second lump-sum payment upon termination, except to the extent the employee has earned additional annual leave which, combined with the original payment, does not exceed the maximum lump-sum payment allowed by the employing agency's policy or rules. An early lump-sum payment shall be based on the hourly wage of the employee at the time he or she begins participation in DROP. If the member elects to wait and receive a lump-sum payment upon termination of DROP and termination of employment with the employer, any accumulated leave payment made at that time may not be included in the member's retirement benefit, which was determined and fixed by law when the employee elected to participate in DROP.

3. The effective date of DROP participation and the effective date of retirement of a DROP participant shall be the first day of the month selected by the member to begin participation in DROP, provided such date is properly established, with the written confirmation of the employer, and the approval of the division, on forms required by the division.

4. Normal retirement benefits and any interest shall continue to accrue in DROP until the established termination date of DROP or until the member participant terminates employment or dies before prior to such date, except as provided in s. 121.053(7). Although individual DROP accounts may shall not be established, a separate accounting of each member's participant's accrued benefits under DROP shall be calculated and provided to the member participants.

5. At the conclusion of the member's participation in the participant's DROP, the division shall distribute the member's participant's total accumulated DROP benefits, subject to the following:

a. The division shall receive verification by the member's participant's employer or employers that the member participant has terminated all employment relationships as provided in s. 121.021(39).

b. The terminated DROP participant or, if deceased, the member's participant's named beneficiary, shall elect on forms provided by the division to receive payment of the DROP benefits in accordance with one of the options listed below. If a member participant or beneficiary fails to elect a method of payment within 60 days after termination of DROP, the division shall pay a lump sum as provided in sub-sub-subparagraph (I).

(I) Lump sum.—All accrued DROP benefits, plus interest, less withholding taxes remitted to the Internal Revenue Service, shall be paid to the DROP participant or surviving beneficiary.

(II) Direct rollover.—All accrued DROP benefits, plus interest, shall be paid from DROP directly to the custodian of an eligible retirement plan as defined in s. 402(c)(8)(B) of the Internal Revenue Code. However, in the case of an eligible rollover distribution to the surviving spouse of a deceased member participant, an eligible retirement plan is an individual retirement account or an individual retirement annuity as described in s. 402(c)(9) of the Internal Revenue Code.

(III) Partial lump sum.—A portion of the accrued DROP benefits shall be paid to DROP participant or surviving spouse, less withholding taxes remitted to the Internal Revenue Service, and the remaining DROP benefits must be transferred directly to the custodian of an eligible retirement plan as defined in s. 402(c)(8)(B) of the Internal Revenue Code. However, in the case of an eligible rollover distribution to the surviving spouse of a deceased member participant, an eligible retirement plan is an individual retirement account or an individual retirement annuity as described in s. 402(c)(9) of the Internal Revenue Code. The proportions must be specified by the DROP participant or surviving beneficiary.

c. The form of payment selected by the DROP participant or surviving beneficiary must comply with the minimum distribution requirements of the Internal Revenue Code.

d. A DROP participant who fails to terminate all employment relationships as provided in s. 121.021(39) shall be deemed as not retired, and the DROP election is null and void. Florida Retirement System membership shall be reestablished retroactively to the date of the commencement of DROP, and each employer with whom the member participant continues employment must pay to the Florida Retirement System Trust Fund the difference between the DROP contributions paid in paragraph (i) and the contributions required for the applicable Florida Retirement System class of membership during the period the member participated in DROP, plus 6.5 percent interest compounded annually.

6. The retirement benefits of any DROP participant who terminates all employment relationships as provided in s. 121.021(39) but is re-employed in violation of the reemployment provisions of subsection (9) are shall be suspended during those months in which the retiree is in violation. Any retiree in violation of this subparagraph and any employer that employs or appoints such person without notifying the division of Retirement to suspend retirement benefits are jointly and severally liable for any benefits paid during the reemployment limitation period. The employer must have a written statement from the retiree that he or she is not retired from a state-administered retirement system. Any retirement benefits received by a retiree while employed in violation of the reemployment limitations must be repaid to the Florida Retirement System Trust Fund, and his or her retirement benefits shall remain suspended until payment is made. Benefits suspended beyond the end of the reemployment limitation period apply toward repayment of benefits received in violation of the reemployment limitation.

7. The accrued benefits of any DROP participant, and any contributions accumulated under the program, are not subject to assignment, execution, attachment, or any legal process whatsoever, except for qualified domestic relations court orders by a court of competent jurisdiction, income deduction orders as provided in s. 61.1301, and federal income tax levies.

8. DROP participants are not eligible for disability retirement benefits as provided in subsection (4).

And the directory clause statement is amended as follows:

Delete lines 1622-1625 and insert: paragraph (d) of subsection (9), paragraphs (a) and (c) of subsection (13), and paragraph (d) of subsection (14) of section 121.091, Florida Statutes, are amended to read:

And the title is amended as follows:

Delete lines 59 and 60 and insert: revising the interest rate accruing on DROP benefits after a certain date; conforming

Senators Ring, Margolis, Rich, Braynon, Sobel, Smith, Siplin, Joyner, Montford, Hill, Sachs and Detert offered the following amendment which was moved by Senator Ring and adopted:

Amendment 9 (698880)—Delete lines 1859-1861 and insert: 1, 2016.

(l) *Closure of program to new participants.—Effective July 1, 2016, DROP is closed to new participants. Only members whose*

Senators Latvala, Ring, Jones, Rich, Detert, Hill, Garcia, Montford, Norman, Braynon, Altman, Joyner, Dockery, Sachs, Dean, Smith, Evers, Sobel, Fasano and Margolis offered the following amendment which was moved by Senator Latvala:

Amendment 10 (904710) (with title amendment)—Delete line 2464 and insert: *plan. Enrollment is compulsory for members of the Elected Officers' Class and the Senior Management Class, and for a member of any class for which the starting salary of the position in which the member is employed is in excess of \$75,000, who are*

And the title is amended as follows:

Delete line 97 and insert: requiring certain public employees employed on or after a

MOTION

On motion by Senator Latvala, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Latvala moved the following substitute amendment which was adopted:

Amendment 11 (732796) (with title amendment)—Delete line 2464 and insert: *plan. Enrollment is compulsory for members of the Elected Officers' Class and the Senior Management Class, who are*

And the title is amended as follows:

Delete line 97 and insert: requiring certain public employees employed on or after a

Senator Latvala moved the following amendment which was adopted:

Amendment 12 (702780)—Delete lines 3074-3082.

Senators Dean, Hill, Montford, Joyner, Siplin, Smith, Sachs, Sobel, Ring, Braynon, Rich and Margolis offered the following amendment which was moved by Senator Dean:

Amendment 13 (261736)—Delete lines 4557-4560 and insert:

(3) *Effective July 1, 2011, the required employee retirement contribution rates for all members of the Florida Retirement System shall be 1 percent for gross compensation up to and including \$25,000, 2 percent for gross compensation greater than \$25,000 and up to and including \$50,000, and 4 percent for gross compensation greater than \$50,000.*

SENATOR BENNETT PRESIDING

MOTION

On motion by Senator Dean, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Dean moved the following substitute amendment which was adopted:

Amendment 14 (937796)—Delete lines 4557-4560 and insert:

(3) *Effective July 1, 2011, the required employee retirement contribution rates for all members of the Florida Retirement System shall be 2 percent for gross compensation up to and including \$25,000, 4 percent for gross compensation greater than \$25,000 and up to and including \$50,000, and 6 percent for gross compensation greater than \$50,000.*

THE PRESIDENT PRESIDING

Senator Fasano moved the following amendment which was adopted:

Amendment 15 (946802) (with title amendment)—Delete lines 5020-5026.

And the title is amended as follows:

Delete lines 204-206 and insert: regarding the act; providing an

MOTION

On motion by Senator Gaetz, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Gaetz moved the following amendment:

Amendment 16 (883374)—Delete lines 4557-4560 and insert:

(3) *Effective July 1, 2011, the required employee retirement contribution rates for all members, except members of the Elected Officers' Class, of the Florida Retirement System for both the pension and investment plans is 3 percent of gross compensation. The required employee retirement contribution rate for all members of the Elected Officers' Class for both the pension and investment plans is 4 percent of gross compensation.*

MOTION

On motion by Senator Gaetz, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Gaetz moved the following substitute amendment:

Amendment 17 (850572)—Delete lines 4557-4560 and insert:

(3) *Effective July 1, 2011, the required employee retirement contribution rates for all members of the Elected Officers' Class for both the pension and investment plans is 7 percent of gross compensation.*

On motion by Senator Gaetz, further consideration of **Amendment 16** and substitute **Amendment 17** was deferred.

MOTION

On motion by Senator Fasano, by the required two-thirds vote, consideration of the following amendments was allowed:

Senators Fasano and Gaetz offered the following amendments which were moved by Senator Fasano and adopted:

Amendment 18 (561880) (with title amendment)—Delete lines 2015-2066 and insert:

(2) A retiree of a state-administered retirement system who is initially reemployed on or after July 1, 2010, through June 30, 2011, shall become a member of the Regular Class and be enrolled in the Florida Retirement System Investment Plan on July 1, 2011, and must resatisfy the vesting requirements and other provisions provided in this chapter ~~is not eligible for renewed membership~~. This subsection does not apply to retirees from the Elected Officers' Class or the Senior Management Service Class.

(a) *Creditable service, including credit towards the retiree health insurance subsidy provided in s. 112.363, does not accrue for a retiree's*

employment in a regularly established position with a covered employer during the period from July 1, 2010, through June 30, 2011.

(b) Employer contributions, interest, earnings, or any other funds may not be paid into a renewed member's investment plan account for any employment in a regularly established position with a covered employer during the period from July 1, 2010, through June 30, 2011.

(c) To be eligible to receive a retirement benefit under the investment plan, the renewed member must meet the vesting requirements of the plan as provided in s. 121.4501(6).

(d) The member is not entitled to disability benefits as provided in s. 121.091(4) or s. 121.591(2).

(e) The member must meet the limitations on reemployment after retirement as provided in s. 121.091(9), as applicable.

(f) Upon the renewed membership or reemployment of a retiree, the employer of such member and the retiree shall pay the applicable employer and employee contributions as required by ss. 112.363, 121.71, 121.74, and 121.76. Such contributions are payable only for employment in a regularly established position with a covered employer on or after July 1, 2011.

(g) The member may not purchase any prior or past service in the investment plan, including employment in a regularly established position with a covered employer during the period from July 1, 2010, through June 30, 2011.

(h) A renewed member who is not receiving the maximum health insurance subsidy provided in s. 112.363 is entitled to earn additional credit toward the subsidy. Such credit may be earned only for employment in a regularly established position with a covered employer on or after July 1, 2011. Any additional subsidy due because of additional credit may be received only at the time of paying the second career retirement benefit. The total health insurance subsidy received by a retiree receiving benefits from initial and renewed membership may not exceed the maximum allowed under s. 112.363.

(3) Any retiree of a state-administered retirement system who is initially reemployed on or after July 1, 2011, except for retirees from the Elected Officers' Class or the Senior Management Service Class, shall become a member of the Regular Class and be enrolled in the Florida Retirement System Investment Plan, and must resatisfy the vesting requirements and other provisions of this chapter. Retirees from the Elected Officers' Class or the Senior Management Service Class may not be enrolled in a state-administered retirement system.

And the title is amended as follows:

Delete line 75 and insert: date; excluding retirees of the Elected Officers' Class or the Senior Management Service Class; specifying requirements and limitations;

Amendment 19 (896732) (with title amendment)—Delete lines 1301-1304 and insert:

6. A retiree of a state-administered retirement system who is initially reemployed on or after July 1, 2010, may not renew membership in the Senior Management Service Optional Annuity Program.

And the title is amended as follows:

Delete lines 36-38 and insert: requiring employee and employer

MOTION

On motion by Senator Norman, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Norman moved the following amendment which failed:

Amendment 20 (210260) (with title amendment)—Delete lines 4557-4560 and insert:

(3) Effective December 31, 2013, the required employee retirement contribution rates for all members of the Florida Retirement System for both the pension and investment plans is 3 percent of gross compensation.

However, employee retirement contributions are not required if the Florida Retirement System reaches or exceeds 100 percent of actuarial funding.

And the title is amended as follows:

Between lines 152 and 153 insert: providing that employee contributions are not required if the Florida Retirement System reaches a certain level of funding;

The Senate resumed consideration of pending substitute **Amendment 17** and pending **Amendment 16** which were withdrawn.

Senator Ring moved the following amendment which was adopted:

Amendment 21 (382540) (with title amendment)—Delete lines 4536-4560 and insert: change. *Beginning July 1, 2011, each employee, except those participating in the Deferred Retirement Option Program shall contribute the contributions required in subsection (3) to the plan. The employer shall deduct the contribution from the employee's monthly salary and submit it to the division. The contributions shall be reported as employer-paid employee contributions, and shall be credited to the account of the employee. The contributions shall be deducted from the employee's salary before the computation of applicable federal taxes and treated as employer contributions under 26 U.S.C. 414(h)(2). Although designated as employee contributions, the employer specifies that the contributions are being paid by the employer in lieu of contributions by the employee. The employee does not have the option of choosing to receive the contributed amounts directly instead of having them paid to the plan. Such contributions are mandatory and each employee is deemed to have consented to the payroll deductions. Payment of an employee's salary or wages, less the contribution, is a full and complete discharge and satisfaction of all claims and demands for the service rendered by employees during the period covered by the payment, except for claims to benefits to which they may be entitled under this chapter.*

(3) Effective July 1, 2011, the required employee retirement contribution rates for all members of the Florida Retirement System for both the pension and investment plans is 3 percent of gross compensation. This subsection does not apply to members participating in the Deferred Retirement Option Program.

And the title is amended as follows:

Delete line 152 and insert: for all members of the Florida Retirement System; providing an exception for participants in the Deferred Retirement Option Program;

Pursuant to Rule 4.19, **SB 2100** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Alexander—

SB 2002—A bill to be entitled An act implementing the 2011-2012 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2011-2012 fiscal year; amending s. 216.292, F.S.; authorizing the transfer of funds between appropriation categories to fund fixed capital outlay projects for public schools upon certain approval; amending s. 394.908, F.S.; providing allocation requirements for specified funds appropriated for forensic mental health services; providing requirements relating to implementing phase 3 of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; requiring certain budget amendments recommending the release of funds to provide more notice and be subject to certain objection procedures; prohibiting an appropriation to pay for the lease of unneeded space due to reductions at the Department of Children and Family Services; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under the authority of the respective entity; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; amending s. 945.025, F.S.; requiring the Department of Corrections to obtain certain approval before closing any correctional institution; authorizing the Department of Legal Affairs to transfer certain funds to pay salaries and benefits; authorizing the Department of Legal Affairs to spend certain appropriated funds on

programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund; requiring that the Department of Juvenile Justice comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed; defining the term "hospital" for purposes of such limitations; amending s. 44.108, F.S.; authorizing use of moneys in the Mediation and Arbitration Trust Fund as specified in the General Appropriations Act; relieving the state court system of certain loan repayment obligations; authorizing the chief justice to request a loan under certain circumstances; creating the Judicial Caseload Incentive Plan; providing the purpose, performance goals, and financial awards of the program; requiring a report to the Legislature; amending s. 282.709, F.S.; allowing funds from the State Agency Law Enforcement Radio System Trust Fund to be used for mutual aid buildout maintenance and sustainment; requiring the Department of Management Services to issue a competitive solicitation for the Statewide Law Enforcement Radio System by a certain date and award the contract by a certain date; requiring the Florida Catastrophic Storm Risk Management Center at Florida State University to conduct an analysis using certain data; amending s. 253.034, F.S.; authorizing the deposit of funds derived from the sale of property by the Department of Citrus into the Citrus Advertising Trust Fund; amending s. 373.59, F.S.; providing for the allocation of moneys from the Water Management Lands Trust Fund for certain purposes; amending s. 403.7095, F.S.; requiring that the Department of Environmental Protection award a specified amount in grants to certain counties for solid waste programs; authorizing the Department of Agriculture and Consumer Services to extend, revise, and renew current contracts or agreements created or entered into for the purpose of promotion of agriculture; providing that the disposition of state-owned lands is exempt from appraisal requirements and disposition requirements under certain circumstances; requiring state agencies to provide a list of lands that are immediately available for lease or are surplus lands; requiring that the proceeds from the sale of such lands be deposited into the Florida Forever Trust Fund; authorizing the transfer of funds and positions to implement the transfer of certain agencies and offices; amending s. 339.08, F.S.; delaying the expiration of provisions relating to the use of moneys in the State Transportation Trust Fund for certain administrative expenses; authorizing funds in the State Transportation Trust Fund to be used for the County Incentive Grant Program, the Small County Outreach Program, the Transportation Regional Incentive Program, and certain transportation project contracts; providing for all vehicles within the Office of Motor Carrier Compliance to be transferred to the Department of Highway Safety and Motor Vehicles without the payment of certain fees; amending s. 445.009, F.S.; providing that a participant in an adult or youth work experience activity under ch. 445, F.S., is an employee of the state for purposes of workers' compensation coverage; creating the Florida Base Realignment and Closure Task Force; specifying the mission of the task force; providing for membership; requiring a progress report and work plan; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.123, F.S.; providing that the state contribution toward the cost of a plan is the difference between the overall premium and the employee contribution; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency without reimbursement from the receiving agency; providing that the annual salary of the members of the Legislature be reduced by a specified percentage; reenacting and amending s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys in the General Revenue Fund from trust funds in the 2011-2012 General Appropriations Act; reenacting and amending s. 215.5601(4)(b), F.S., relating to the administration of the Lawton Chiles Endowment Fund; providing for the authorization and issuance of new debt; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing agencies scheduled for data center consolidation to accelerate such consolidation; authorizing the establishment of data center positions in exchange for agency positions placed in reserve; authoring an agency to transfer funds in order to support its e-mail system until its system is transferred to the statewide service vendor; authorizing the Executive Office of the Governor to transfer funds between agencies in order to allocate a reduction relating to SUNCOM; authorizing the Executive Office of the Governor

to transfer appropriations into categories for the purpose of tracking American Recovery and Reinvestment Act funds; amending s. 216.292, F.S.; authorizing the Executive Office of the Governor to recommend the initiation of fixed capital outlay projects funded through the American Recovery and Reinvestment Act of 2009; reenacting s. 110.12315(7)(a), F.S., relating to copayments for the state employees' prescription drug program; directing the Department of Management Services to use a tenant broker to renegotiate all leases involving multiple state agency tenants; requiring a report to the Legislative Budget Commission; requiring the department to renegotiate certain leases in order to achieve a reduction in cost and provide a report to the Governor and Legislature on such activities by a certain date; requiring the department to issue a solicitation for the Minnesota Multistate Contracting Alliance for Pharmacy agreement as a state term contract; requiring the department to use generic drugs where feasible in developing its preferred drug list; requiring the Agency for Health Care Administration to reprocur the Florida Discount Drug Card Program; providing requirements for the program; providing that revenues derived from the contract be deposited into the agency's Grants and Donations Trust Fund; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for reversion of statutory text of certain provisions; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

—was read the second time by title.

MOTION

On motion by Senator Altman, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Altman moved the following amendment which was adopted:

Amendment 1 (867852) (with title amendment)—Between lines 977 and 978 insert:

Section 51. Subsection (4) is added to section 216.212, Florida Statutes, to read:

216.212 Budgets for federal funds; restrictions on expenditure of federal funds.—

(4)(a) *If a state agency or the judicial branch has qualified or can qualify to receive federal funds in excess of \$1 million without committing the state to make expenditures or implement policies that are inconsistent with state law, the agency or branch shall pursue receipt of such funds until the agency or branch:*

1. *Provides notice, subject to the notice and review requirements in s. 216.177, that it intends to take an action or refrain from taking an action that will result in such funds not being received by the state; and*

2. *Presents its decision and the rationale for such decision to the Legislative Budget Commission in accordance with s. 216.065.*

(b) *Notwithstanding s. 216.195, if an agency or branch fails to provide notice and present its decision to the commission pursuant to paragraph (a), the Executive Office of the Governor or the Chief Justice of the Supreme Court, subject to the notice and review requirements in s. 216.177, shall place an amount of approved budget equal to the amount of federal funds involved into mandatory reserve for the remainder of the fiscal year.*

And the title is amended as follows:

Delete line 144 and insert: American Recovery and Reinvestment Act of 2009; amending s. 216.212, F.S.; requiring a state agency or the judicial branch to pursue federal funds and notify the Legislative Budget Commission of any decision regarding the receipt of such funds; providing that failure to provide such notice will result in the placement of an equal amount of the agency's or judicial branch's budget into mandatory reserve for the remainder of the fiscal year;

MOTION

On motion by Senator Rich, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Rich moved the following amendment which was adopted:

Amendment 2 (251534) (with title amendment)—Between lines 1060 and 1061 insert:

Section 56. *Effective July 1, 2011, and notwithstanding s. 409.814(4)(a), Florida Statutes, a child who is eligible for coverage under a state health benefit plan on the basis of a family member's employment with a public agency in the state is eligible to participate in and receive Title XXI-funded coverage from the Florida Kidcare program if the child is otherwise eligible.*

Section 57. Subsection (4) of section 409.814, Florida Statutes, is amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose family income is equal to or below 200 percent of the federal poverty level is eligible for the Florida Kidcare program as provided in this section. For enrollment in the Children's Medical Services Network, a complete application includes the medical or behavioral health screening. If, subsequently, an individual is determined to be ineligible for coverage, he or she must immediately be disenrolled from the respective Florida Kidcare program component.

(4) The following children are not eligible to receive Title XXI-funded premium assistance for health benefits coverage under the Florida Kidcare program, except under Medicaid if the child would have been eligible for Medicaid under s. 409.903 or s. 409.904 as of June 1, 1997:

~~(a) A child who is eligible for coverage under a state health benefit plan on the basis of a family member's employment with a public agency in the state.~~

~~(a)(b)~~ A child who is covered under a family member's group health benefit plan or under other private or employer health insurance coverage, if the cost of the child's participation is not greater than 5 percent of the family's income. If a child is otherwise eligible for a subsidy under the Florida Kidcare program and the cost of the child's participation in the family member's health insurance benefit plan is greater than 5 percent of the family's income, the child may enroll in the appropriate subsidized Kidcare program.

~~(b)(e)~~ A child who is seeking premium assistance for the Florida Kidcare program through employer-sponsored group coverage, if the child has been covered by the same employer's group coverage during the 60 days prior to the family's submitting an application for determination of eligibility under the program.

~~(c)(d)~~ A child who is an alien, but who does not meet the definition of qualified alien, in the United States.

~~(d)(e)~~ A child who is an inmate of a public institution or a patient in an institution for mental diseases.

~~(e)(f)~~ A child who is otherwise eligible for premium assistance for the Florida Kidcare program and has had his or her coverage in an employer-sponsored or private health benefit plan voluntarily canceled in the last 60 days, except those children whose coverage was voluntarily canceled for good cause, including, but not limited to, the following circumstances:

1. The cost of participation in an employer-sponsored health benefit plan is greater than 5 percent of the family's income;
2. The parent lost a job that provided an employer-sponsored health benefit plan for children;
3. The parent who had health benefits coverage for the child is deceased;
4. The child has a medical condition that, without medical care, would cause serious disability, loss of function, or death;
5. The employer of the parent canceled health benefits coverage for children;
6. The child's health benefits coverage ended because the child reached the maximum lifetime coverage amount;

7. The child has exhausted coverage under a COBRA continuation provision;

8. The health benefits coverage does not cover the child's health care needs; or

9. Domestic violence led to loss of coverage.

And the title is amended as follows:

Delete line 164 and insert: Donations Trust Fund; providing that a child who is eligible for coverage under a state health benefit plan on the basis of a family member's employment with a public agency in the state is eligible to participate in and receive Title XXI-funded coverage from the Florida Kidcare program if the child is otherwise eligible; amending s. 409.814, F.S.; deleting a provision that prohibits a child who is eligible for coverage under a state health benefit plan on the basis of a family member's employment with a public agency in the state from receiving Title XXI-funded premium assistance for health benefits coverage under the Florida Kidcare program; providing for the effect of a

Pursuant to Rule 4.19, **SB 2002** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Thrasher, the Special Order Calendar Group scheduled to meet this day from 5:30 p.m. until 6:00 p.m. was cancelled.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **SB 352** was withdrawn from the Committees on Criminal Justice; Judiciary; and Budget and referred to the Committee on Budget; **CS for SJR 1538** was withdrawn from the Committee on Budget and referred to the Committee on Rules; and **SJR 2084** was withdrawn from the Committees on Budget; and Rules and referred to the Committee on Budget.

On motion by Senator Detert, by two-thirds vote **SB 1296** was withdrawn from the committees of reference and further consideration.

MOTIONS

On motion by Senator Thrasher, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Thursday, April 7, except for **SB 2100**.

On motion by Senator Thrasher, the rules were waived and a deadline of 9:00 a.m. Thursday, April 7 was set for filing amendments to **SB 2100** to be considered on Bills on Third Reading that day.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Wednesday, April 6, 2011: SB 2000, SB 2002, SB 2120, SB 2150, SB 2114, SB 2116, SB 2118, SB 2112, SB 2144, SB 2146, SB 2148, SB 2122, SB 2124, SB 2126, SB 2128, SB 2130, SB 2132, SB 2134, SB 2136, SB 2142, SB 2152, SB 2154, SB 2156, SB 2160, SB 2162, SB 2094, CS for SB 1738, SB 2096, SB 2098, SB 2100, SB 2102, CS for CS for SB 1292, SB 2104, SB 2106, SB 2108, SB 2110, CS for CS for SB 1314.

Respectfully submitted,
John Thrasher, Chair

Pursuant to Rule 4.17(4) the Chair of the Committee on Rules submits the following bills to be placed on the Consent Calendar for Wednesday, April 6, 2011: SM 954, SB 464, CS for SB 138, CS for SB 400, SB 240, CS for SB 782, CS for CS for SB 244, SB 330, SB 634, SB 636, SB 638, CS for CS for SB 170, SB 1100, CS for SB 382, SB 462, CS for SB 312, CS for SB 968, CS for SB 960, CS for SB 650, SB 1142, SB 702, CS for SB 246.

Respectfully submitted,
John Thrasher, Chair

The Committee on Education Pre-K - 12 recommends the following pass: SB 1584; SB 1620

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 996

The Committee on Rules recommends the following pass: CS for SB 378

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

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 898

The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 2092

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

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 704

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

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for CS for SB 930

The bill was placed on the Calendar.

The Committee on Commerce and Tourism recommends committee substitutes for the following: SB 976; SB 1548

The Committee on Health Regulation recommends committee substitutes for the following: CS for SB 1366; SB 1454; SB 1744

The Committee on Higher Education recommends committee substitutes for the following: SB 260; SB 430; SB 720; CS for SB 1546; SB 1732

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 1206

The Committee on Transportation recommends a committee substitute for the following: CS for SB 1824

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

The Committee on Health Regulation recommends a committee substitute for the following: SB 1458

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 2040

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

The Committee on Transportation recommends a committee substitute for the following: SB 1912

The bill with committee substitute attached was referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Commerce and Tourism recommends committee substitutes for the following: SB 994; SB 2050

The Committee on Community Affairs recommends a committee substitute for the following: SB 1962

The Committee on Higher Education recommends a committee substitute for the following: CS for SB 952

The Committee on Military Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 1574

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1878

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1626

The Committee on Higher Education recommends a committee substitute for the following: SM 1654

The bills with committee substitute attached were placed on the Calendar.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

SR 2164—Not referenced.

SR 2166—Previously referenced.

By the Committee on Health Regulation—

SB 2168—A bill to be entitled An act relating to the ratification of rules; ratifying specified rules for the sole and exclusive purpose of satisfying any condition on effectiveness established by s. 120.541(3), F.S., which requires ratification of any rule that meets any of the specified thresholds that may likely have an adverse impact or excessive regulatory cost; providing an effective date.

—was referred to the Committee on Health Regulation.

By the Committee on Judiciary—

SB 2170—A bill to be entitled An act relating to judicial nominating commissions; amending s. 43.291, F.S.; providing for the Attorney General, rather than the Board of Governors of The Florida Bar, to submit nominees for certain positions on judicial nominating commissions; providing for the termination of terms of all current members of judicial nominating commissions; providing for staggered terms of newly appointed members; providing an effective date.

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

By the Committee on Education Pre-K - 12—

SB 2172—A bill to be entitled An act relating to district school board members; amending ss. 145.19 and 1001.39, F.S.; conforming cross-references; amending s. 1001.395, F.S.; removing provisions relating to base salary and additional compensation for a district school board member; prohibiting district school board members from receiving more than a \$100 stipend per school board meeting; capping the annual stipend; providing that the stipend does not constitute compensation for retirement purposes; providing reimbursement for travel expenses; prohibiting district school board members from receiving any compensation while serving; providing for application; providing an effective date.

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Higher Education; and Senator Ring—

CS for SB 260—A bill to be entitled An act relating to nonpublic postsecondary educational institutions; amending s. 1005.02, F.S.; defining the term “academic degree”; amending s. 1005.04, F.S.; requiring disclosure of institution accreditation status to prospective students; providing restrictions relating to advertising by licensed institutions; requiring that institutions that do not have certain accreditation provide written disclosure; providing a form for such disclosure; amending s. 1005.31, F.S.; requiring that a licensed independent postsecondary educational institution notify the Commission for Independent Education of changes in its accreditation status; revising criteria concerning the standards by which the commission evaluates institutions for licensure; requiring the licensure of certain institutions offering postsecondary education through correspondence or distance learning courses; requiring that the commission maintain lists on its website concerning the accreditation of institutions licensed by the commission; amending s. 744.1083, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Higher Education; and Senator Altman—

CS for SB 430—A bill to be entitled An act relating to veterans’ affairs; amending s. 1.01, F.S.; expanding the definition of the term “veteran” for purposes of construction of the Florida Statutes; amending s. 295.0185, F.S.; providing educational opportunity at state expense for dependent children of military personnel who die or suffer certain disability in specified military operations; providing an effective date.

By the Committee on Higher Education; and Senator Gaetz—

CS for SB 720—A bill to be entitled An act relating to cancer research and control; amending s. 20.435, F.S.; changing the carryforward period of certain funds of the Biomedical Research Trust Fund; amending s. 215.5602, F.S.; modifying the terms and membership and establishing a staggered membership for appointed members of the Biomedical Research Advisory Council; authorizing the council to recommend a portion of the allocation for the James and Esther King Biomedical Research Program for specified purposes and to develop a grant application and review mechanism; prohibiting any member of the council from participating in council or peer-review panel discussions or decisions regarding certain proposals; authorizing the Department of Health to accept and use gifts for awards under the program; amending s. 381.922, F.S.; revising the purpose of the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; revising the types of applications considered for funding; authorizing the Biomedical Research Advisory Council to recommend a portion of the allocation for the program for specified purposes and to develop a grant application and review mechanism; prohibiting any member of the council from participating in council or panel discussions or decisions regarding certain proposals; requiring the department to submit to the Governor and Legislature a report by a specified date; authorizing the Department of Health to accept and use gifts for awards under the program; creating s. 381.923, F.S.; creating the Florida Comprehensive Cancer Control Act; providing

legislative intent; providing definitions; creating the Florida Cancer Control and Resource Advisory Council; providing membership of the council; providing the composition of the executive committee of the council; providing for terms of the council and meetings; providing for reimbursement for per diem and travel expenses; prohibiting a member of the council from participating in any discussion or decision to recommend any type of award or contract to any qualified nonprofit association or to any agency of this state or a political subdivision of the state with which the member is associated as an employee or as a member of the governing body or with which the member has entered into a contractual arrangement; providing the duties and responsibilities of the council; requiring the council to report findings and recommendations to the Governor, the Legislature, and the State Surgeon General; requiring the council to develop or purchase written summaries regarding medically viable treatment alternatives for the management of breast cancer and prostate cancer; providing requirements for the written summaries; requiring the council to develop and implement education programs regarding early detection and treatment of breast cancer and prostate cancer; requiring that the H. Lee Moffitt Cancer Center and Research Institute, Inc., provide an executive director for the council; authorizing the Department of Health to adopt rules to administer s. 381.923, F.S.; requiring the department to produce the Florida Cancer Plan in consultation with the council; creating the Cancer Control Collaborative Program within the Department of Health; providing the responsibility and mission of the program; requiring the department to appoint a director; providing duties for each regional cancer control collaborative; requiring the collaborative program to submit to the council an annual report by a specified date; requiring the program to serve as the infrastructure for expansion or adaption as federal programs or other opportunities arise for future cancer control initiatives; amending ss. 458.324 and 459.0125, F.S.; conforming cross-references; repealing s. 1004.435, F.S., relating to cancer control and research; providing an effective date.

By the Committees on Higher Education; and Commerce and Tourism; and Senators Richter and Gaetz—

CS for CS for SB 952—A bill to be entitled An act relating to uniform prudent management of institutional funds; creating s. 617.2104, F.S.; creating a short title; providing definitions; providing requirements for the management of funds held by an institution exclusively for charitable purposes; providing standards of conduct in managing and investing institutional funds; providing requirements for appropriation for expenditure or accumulation of an endowment fund by an institution; authorizing an institution to delegate to an external agent the management and investment of an institutional fund; authorizing the release or modification of a restriction on management, investment, or purpose of an institutional fund; providing for determination of compliance; providing for application to existing or newly established institutional funds; providing relationship to federal law; providing requirements for uniformity of application and construction of the act; repealing s. 1010.10, F.S., relating to the Florida Uniform Management of Institutional Funds Act; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Bogdanoff—

CS for SB 976—A bill to be entitled An act relating to capital formation for infrastructure projects; amending ss. 288.9621, 288.9622, and 288.9623, F.S.; conforming a short title, revising legislative findings and intent, and providing definitions for the Florida Capital Formation Act; conforming cross-references; creating s. 288.9627, F.S.; providing for creation of the Florida Infrastructure Fund Partnership; providing the partnership’s purpose and duties; providing for management of the partnership by the Florida Opportunity Fund; authorizing the fund to lend moneys to the partnership; requiring the partnership to raise funds from investment partners; providing for commitment agreements with and issuance of certificates to investment partners; authorizing the partnership to invest in certain infrastructure projects; requiring the partnership to submit an annual report to the Governor and Legislature; prohibiting the partnership from pledging the credit or taxing power of the state or its political subdivisions; prohibiting the partnership from investing in projects with or accepting investments from certain companies; creating s. 288.9628, F.S.; creating the Florida Infrastructure Investment Trust; providing for powers and duties, a board of trustees,

and an administrative officer of the trust; providing for the trust's issuance of certificates to investment partners; specifying that the certificates guarantee the availability of tax credits under certain conditions; authorizing the trust and the fund to charge fees; limiting the amount of tax credits that may be claimed or applied against state taxes in any year; providing for the redemption of certificates or sale of tax credits; providing for the issuance of the tax credits by the Department of Revenue; specifying the taxes against which the credits may be applied; limiting the period within which tax credits may be used; providing for the state's obligation for use of the tax credits; limiting the liability of the fund; providing for the transferability of certificates and tax credits; requiring the department to provide a certain written assurance to the trust under certain circumstances; specifying that certain provisions regulating securities transactions do not apply to certificates and tax credits transferred or sold under the act; amending s. 213.053, F.S.; authorizing the department to disclose certain information to the partnership and the trust relative to certain tax credits; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Latvala—

CS for SB 994—A bill to be entitled An act relating to public records; creating s. 332.16, F.S.; providing definitions; providing an exemption from public-records requirements for proprietary confidential business information and trade secrets held by a public airport and for any proposal or counterproposal exchanged between a public airport and a nongovernmental entity relating to the sale, use, development, or lease of airport facilities; providing for expiration of the exemptions; providing for future legislative review and repeal of the exemptions under the Open Government Sunset Review Act; providing a finding of public necessity; providing an effective date.

By the Committees on Judiciary; and Criminal Justice; and Senators Negron and Joyner—

CS for CS for SB 1206—A bill to be entitled An act relating to eyewitness identification; providing a short title; defining terms; requiring state, county, municipal, and other law enforcement agencies that conduct lineups to follow certain specified procedures; requiring the eyewitness to sign an acknowledgement that he or she received the instructions about the lineup procedures from the law enforcement agency; specifying remedies for failing to adhere to the eyewitness identification procedures; requiring the Criminal Justice Standards and Training Commission to create educational materials and conduct training programs on how to conduct lineups in compliance with the act; providing an effective date.

By the Committees on Health Regulation; and Children, Families, and Elder Affairs; and Senator Storms—

CS for CS for SB 1366—A bill to be entitled An act relating to administrative monitoring of providers of child welfare services, mental health services, and substance abuse services; amending s. 402.7306, F.S.; defining the term “mental health and substance abuse service provider” as it relates to the monitoring of providers of child welfare services, mental health services, and substance abuse services; requiring the Department of Children and Family Services, the Department of Health, the Agency for Persons with Disabilities, the Agency for Health Care Administration, community-based care lead agencies, managing entities, and agencies that have contracted with monitoring agents to adopt certain revised policies for the administrative monitoring of child welfare service providers, mental health service providers, and substance abuse service providers; conforming provisions to changes made by the act; limiting the frequency of required administrative, licensure, and programmatic monitoring for mental health service providers and substance abuse service providers that are accredited by specified entities; providing certain exception to the limitations on monitoring; requiring that the corporate, fiscal, and administrative records of mental health service providers and substance abuse service providers be included in a consolidated data warehouse and archive; providing an effective date.

By the Committee on Health Regulation; and Senator Garcia—

CS for SB 1454—A bill to be entitled An act relating to surrendered newborn infants; amending s. 383.50, F.S.; providing that if the mother of a newborn infant considers applying for eligibility for the Medicaid program through the hospital as a qualified Medicaid provider, the hospital must notify the mother that the act of applying for Medicaid will cause her personal information included on the Medicaid application to be submitted to the Department of Children and Family Services; authorizing a hospital to seek reimbursement from Medicaid for care provided to a surrendered newborn infant and the mother of a surrendered newborn infant related to labor and delivery of the infant, if the infant is determined by the Department of Children and Family Services to be Medicaid eligible; prohibiting the hospital from seeking payment for such care from the mother of a surrendered newborn infant or from any individual financially responsible for the mother of a surrendered newborn infant; amending s. 409.911, F.S.; redefining the definition of “charity care” for the disproportionate share program; providing that if a patient has income that exceeds a specified multiple of the federal poverty level, the care provided to the patient does not qualify as charity care unless the care is provided without compensation to a surrendered newborn infant or the person financially responsible for the mother of the surrendered newborn infant; providing an effective date.

By the Committee on Health Regulation; and Senator Garcia—

CS for SB 1458—A bill to be entitled An act relating to assisted care communities; amending s. 400.141, F.S.; deleting adult care communities from the standards and rules of the Agency for Health Care Administration which apply to registered pharmacists under contract with a nursing home and related health care facilities; amending s. 408.820, F.S.; providing that assisted living facilities are exempt from certain provisions authorizing the agency to impose administrative fines for violations of laws and applicable rules; amending s. 409.912, F.S.; requiring the agency to provide for the establishment of a demonstration project for a psychiatric facility in Miami-Dade County; amending s. 429.01, F.S.; revising legislative intent and the purposes of the Assisted Living Facilities Act; amending s. 429.02, F.S.; providing, revising, and deleting definitions; amending s. 429.04, F.S.; deleting provisions exempting a home health agency from licensure as an assisted living facility under certain circumstances; amending s. 429.07, F.S.; deleting limited nursing services as a category of care in which the agency may issue a license; revising the criteria and requirements for categories of care in which the agency may issue a license; revising the licensing fees; requiring the agency to conduct a survey to determine whether a facility must be monitored; providing that certain cited assisted living facilities are subject to unannounced monitoring activities; providing for a registered nurse to participate in monitoring visits within a certain time following a class I or class II violation involving nursing care; amending s. 429.08, F.S.; requiring emergency medical technicians or paramedics to report the operations of an unlicensed assisted living facility; amending s. 429.11, F.S.; requiring the Agency for Health Care Administration to develop an abbreviated form for submission of proof of financial ability to operate an assisted living facility; amending s. 429.12, F.S.; deleting the provision that requires a transferor of an assisted living facility to advise the transferee that a plan of correction must be submitted by the transferee and approved by the agency within a specified period; amending s. 429.14, F.S.; deleting a provision that authorizes the agency to impose an administrative penalty due to the actions of a facility's employee; revising the actions for which the agency may impose an administrative penalty; conforming a provision to changes made by the act; deleting the provision that authorizes the agency to revoke or deny the license of an assisted living facility that has certain class I violations; deleting a provisions that requires the agency to provide to the Division of Hotels and Restaurants of the Department of Business and Professional Regulation a monthly list of assisted living facilities that have had their licenses denied, suspended, or revoked; amending s. 429.17, F.S.; conforming provisions to changes made by the act; revising requirements for a conditional license; amending s. 429.178, F.S.; providing safety requirements for facilities serving persons with Alzheimer's disease or other related disorders; deleting a provision relating to a facility's responsibility for the payment of certain training and education programs; amending s. 429.19, F.S.; revising procedures for the Agency for Health Care Administration regarding the imposition of fines for violations of ch. 429, F.S., related to adult care communities; specifying the conditions or occurrences that constitute a class I, class II,

class III, or class IV violation; amending s. 429.195, F.S.; prohibiting the licensee of an assisted living facility from contracting or promising to pay or receive any commission, bonus, kickback, or rebate or from engaging in any split-fee arrangement with any health care provider or health care facility; providing certain exceptions; amending s. 429.20, F.S.; prohibiting the solicitation of contributions of any kind in a threatening, coercive, or unduly forceful manner by or on behalf of an assisted living facility; deleting provisions specifying that the solicitation or receipt of contributions is grounds for denial, suspension, or revocation of a license for an assisted living facility; amending s. 429.23, F.S.; revising reporting requirements with respect to adverse incidents; amending s. 429.255, F.S.; permitting certain licensed persons to provide limited nursing services; deleting the provision that allows volunteers to perform duties within the scope of their license or certification in facilities that are licensed to provide extended congregate care; amending s. 429.256, F.S.; authorizing a facility to require certain dispensing systems for residents' prescriptions; revising criteria for assistance with self-administration of medication; amending s. 429.26, F.S.; removing a requirement that a facility notify a licensed physician when a resident exhibits certain signs of dementia, cognitive impairment, or change of condition; amending s. 429.27, F.S.; revising provisions relating to the property and personal effects of residents of a facility; requiring a facility's licensee, owner, administrator, staff, or representative to execute a surety bond for each resident for whom power of attorney has been granted to the licensee, owner, administrator, or staff; deleting the provision that requires a governmental agency or private charitable agency to receive a statement of all funds and other property of a resident; deleting a provision that prohibits an administrator of a facility from levying an additional charge to the individual or the account for any supplies or services that the facility has agreed by contract to provide; repealing s. 429.275(4), F.S., relating to rulemaking authority of the Department of Elderly Affairs over financial records, personnel procedures, accounting procedures, reporting procedures, and insurance coverage for residents of assisted living facilities; amending s. 429.28, F.S., relating to the resident bill of rights; revising the number of days' notice for relocation or termination of residency at a facility; removing responsibilities of the agency for conducting compliance surveys and complaint investigations; revising the actions of a person for which a staff member or employee of a facility is prohibited from taking retaliatory action upon; prohibiting the administrator of a facility from terminating the residency of an individual under certain circumstances; amending s. 429.41, F.S.; revising rulemaking authority regarding resident care and maintenance of facilities; requiring the State Fire Marshal, in cooperation with the agency, to establish and enforce fire-safety standards; deleting the requirement for a facility to conduct a minimum number of resident elopement drills; requiring the agency to use an abbreviated biennial standard licensure inspection; requiring the agency, in consultation with the Department of Health, to develop, maintain, and update the key quality-of-care standards with input from the State Long-Term Care Ombudsman Council and representatives of associations and organizations representing assisted living facilities; amending s. 429.42, F.S.; removing a provision that required a corrective plan for deficiencies related to assistance with the self-administration of medication or the administration of medication; deleting a requirement that the agency employ a certain number of pharmacists among its personnel who inspect assisted living facilities; amending s. 429.445, F.S.; removing a requirement that an assisted living facility submit certain information to the agency before commencing construction to expand the facility; amending s. 429.47, F.S.; authorizing an owner of an assisted living facility to advertise to the public while the facility is under construction or is seeking licensure; deleting a provision that prohibits a freestanding facility from advertising or implying that any part of it is a nursing home; amending s. 429.49, F.S.; conforming terminology to changes made by the act; amending s. 429.52, F.S.; revising training and education requirements for certain administrators, facility staff, and other licensed professionals; requiring training providers certified by the department to meet continuing education requirements and standards; providing conditions for the sanctioning of training providers and trainees; amending s. 429.53, F.S.; removing provisions relating to preconstruction approvals and reviews and agency consultations; repealing s. 429.54, F.S., relating to the collection of information regarding the actual cost of providing services in assisted living facilities and local subsidies; amending s. 429.71, F.S.; clarifying terminology; removing a provision authorizing the agency to request a plan to remedy violations by adult family-care homes; conforming terminology to changes made by the act; amending s. 429.81, F.S.; specifying that residency agreements require a resident to provide 30 days' written notice of intent

to terminate his or her residency; creating s. 430.081, F.S.; authorizing the Department of Elderly Affairs to sanction training providers and trainees for infractions involving any required training; providing training infractions; providing sanctions; amending s. 817.505, F.S.; providing that payments by an assisted living facility are not considered patient brokering under certain circumstances; providing that licensure fees adjusted by consumer price index increases prior to the effective date of the act are not intended to be reset by the act and may continue to accrue as authorized by law; providing an effective date.

By the Committees on Higher Education; and Education Pre-K - 12; and Senator Thrasher—

CS for CS for SB 1546—A bill to be entitled An act relating to charter schools; amending ss. 163.3180 and 1002.32, F.S.; conforming cross-references; amending s. 1002.33, F.S.; requiring that the Department of Education provide or arrange for training and technical assistance for charter schools; providing for the designation of charter schools as high-performing if certain requirements are met; providing definitions relating to the high-performing charter school system; revising provisions to conform to changes made by the act; amending ss. 1002.34, 1011.68, 1012.32, and 1013.62, F.S.; conforming cross-references; requiring that the Office of Program Policy Analysis and Government Accountability conduct a study comparing the funding of charter schools to the funding of public schools; providing requirements for the study; requiring that the office submit its recommendations and findings to the Governor and Legislature by a specified date; providing for severability; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Lynn—

CS for SB 1548—A bill to be entitled An act relating to the Streamlined Sales and Use Tax Agreement; amending s. 212.02, F.S.; revising definitions; amending s. 212.03, F.S.; specifying certain facilities that are exempt from the transient rentals tax; amending s. 212.0306, F.S.; eliminating the use of brackets in the calculation of sales and use taxes; amending s. 212.031, F.S.; providing that an exception relating to food and drink concessionaire services from the tax on the license or rental fee for the use of real property is limited to the space used exclusively for selling and distributing food and drinks; providing that the amendment to the exception from the tax on the license or rental fee for the use of real property is retroactive and remedial in nature; amending s. 212.04, F.S.; eliminating the use of brackets in the calculation of sales and use taxes; limiting the application of an exemption from the admissions tax to certain events sponsored by certain educational institutions; amending s. 212.05, F.S.; deleting a reference to mail-order sales to conform to changes made by the act; deleting criteria establishing circumstances under which taxes on the lease or rental of a motor vehicle are due; revising criteria establishing circumstances under which taxes on the sale of a prepaid calling arrangement are due; increasing the tax rate applicable to coin-operated amusement machines; eliminating the use of brackets in the calculation of sales and use taxes; amending s. 212.0506, F.S.; eliminating the use of brackets in the calculation of the tax on service warranties; amending s. 212.054, F.S.; limiting the \$5,000 cap on discretionary sales surtax to the sale of motor vehicles, aircraft, boats, motor homes, manufactured homes, modular homes, and mobile homes; specifying the time at which changes in surtaxes may take effect; providing criteria to determine the situs of certain sales; requiring the Department of Revenue to notify dealers of changes in surtax rates; providing for databases to identify taxing jurisdictions; providing criteria for holding purchasers harmless for failure to pay the correct amount of tax; holding sellers harmless for failing to collect a tax at a new rate under certain circumstances; amending s. 212.055, F.S.; deleting a provision providing for the emergency fire rescue services and facilities surtax to be initiated on a certain date after the approval of the tax in a referendum; amending s. 212.06, F.S.; deleting a reference to mail-order sales to conform to changes made by the act; specifying procedures for the sourcing of advertising and promotional direct mail; specifying procedures for sourcing other direct mail; providing definitions; providing that sales and use taxes do not apply to transactions involving tangible personal property that is exported from this state under certain circumstances; amending s. 212.07, F.S.; authorizing the Department of Revenue to use electronic means to notify dealers of changes in the sales and use tax rates; authorizing the Department of Revenue to create and maintain a taxability matrix; pro-

viding immunity from liability for acts in reliance on the taxability matrix; amending s. 212.08, F.S.; revising exemptions from the sales and use tax for food and medical products; limiting the exemption for building materials used in the rehabilitation of real property located in an enterprise zone to one exemption per building; defining terms relating to the exemption for building materials used in the rehabilitation of real property located in an enterprise zone; exempting certain charges relating to railroad cars which are subject to the jurisdiction of the United States Interstate Commerce Commission from sales and use taxes; exempting certain payments relating to a high-voltage bulk transmission facility from sales and use taxes; deleting references to "qualifying property" to conform to changes made by the act; creating s. 212.094, F.S.; providing a procedure for a purchaser to obtain a refund of tax collected by a dealer; amending s. 212.12, F.S.; authorizing collection allowances; setting requirements for a collection allowance to be allowed; authorizing collection allowances for certain remote sellers; providing for a reduction; authorizing the Department of Revenue to establish collection allowances for certified service providers; deleting a reference to mail-order sales to conform to changes made by the act; providing for the computation of taxes based on rounding instead of brackets; amending s. 212.15, F.S.; deleting a cross-reference relating to a provision providing for the state to hold certain tax revenues for the benefit of another state, to conform to changes made by the act; amending s. 212.17, F.S.; providing additional criteria for a dealer to claim a credit or refund for taxes paid relating to bad debts; amending s. 212.18, F.S.; authorizing the Department of Revenue to waive the dealer registration fee for applications submitted through a multistate electronic registration system; deleting a reference to mail-order sales to conform to changes made by the act; amending s. 212.20, F.S.; deleting procedures for refunds of tax paid on mail order sales; providing for reduction of the Local Government Half-cent Sales Tax Clearing Trust Fund beginning in 2012; creating s. 213.052, F.S.; requiring the Department of Revenue to notify dealers of changes in a sales and use tax rate; specifying dates on which changes in sales and use tax rates may take effect; creating s. 213.0521, F.S.; providing the effective date for changes in the rate of state sales and use taxes applying to services; creating s. 213.215, F.S.; providing amnesty for uncollected or unpaid sales and use taxes for sellers who register under the Streamlined Sales and Use Tax Agreement; providing exceptions to the amnesty; amending s. 213.256, F.S.; defining terms; authorizing the Department of Revenue to enter into agreements with other states to simplify and facilitate compliance with sales tax laws; creating s. 213.2562, F.S.; requiring the Department of Revenue to review software submitted to the governing board for certification as a certified automated system; creating s. 213.2567, F.S.; providing for the registration of sellers, the certification of a person as a certified service provider, and the certification of a software program as a certified automated system by the governing board under the Streamlined Sales and Use Tax Agreement; authorizing the Department of Revenue to adopt emergency rules; requiring the President of the Senate and Speaker of the House of Representatives to create a joint select committee to study certain matters related to state taxation; amending ss. 11.45, 196.012, 202.18, 203.01, 212.052, 212.081, 212.13, 218.245, 218.65, 288.1045, 288.11621, 288.1169, 551.102, and 790.0655, F.S.; conforming cross-references to changes made by the act; repealing s. 212.0596, F.S., relating to provisions pertaining to the taxation of mail-order sales; providing an effective date.

By the Committee on Military Affairs, Space, and Domestic Security; and Senator Latvala—

CS for SB 1574—A bill to be entitled An act relating to business enterprise opportunities for wartime veterans; amending s. 295.187, F.S.; revising legislative intent; renaming and revising the Florida Service-Disabled Veteran Business Enterprise Opportunity Act to expand the vendor preference in state contracting to include certain businesses owned and operated by wartime veterans or veterans of a period of war; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Lynn—

CS for SB 1626—A bill to be entitled An act relating to television picture tubes; repealing ss. 817.559 and 817.56, F.S., relating to television picture tubes; providing an effective date.

By the Committee on Higher Education; and Senator Wise—

CS for SM 1654—A memorial to notify the Federal Government of colleges and universities in this state which are authorized to operate educational programs beyond the secondary level.

By the Committee on Higher Education; and Senator Lynn—

CS for SB 1732—A bill to be entitled An act relating to postsecondary education; amending s. 1004.015, F.S.; requiring the Higher Education Coordinating Council to recommend plans and submit a report to the Governor and the Legislature relating to core missions of postsecondary education institutions, performance outputs and outcomes, articulation policies, workforce development education, and baccalaureate degree authorization; amending s. 1007.27, F.S.; requiring the Department of Education to use student performance data to determine appropriate credit-by-examination scores and courses; revising the minimum Advanced Placement Examination scores for postsecondary credit; deleting an exemption from summer-term enrollment in a public postsecondary education institution for students earning accelerated credit; amending s. 1007.33, F.S.; deleting an exemption from provisions governing the approval process for baccalaureate degrees; amending s. 1001.64, F.S.; requiring a community college board of trustees to ask the Commissioner of Education to authorize an investigation of a college president by the Department of Education's inspector general in specified circumstances; requiring the inspector general to report on the investigation and make recommendations; requiring the inspector general to refer any potential legal violation to the Commission on Ethics, the Department of Law Enforcement, the Attorney General, or other appropriate authority; repealing s. 1000.07, F.S., relating to the Florida Business and Education Collaborative; providing an effective date.

By the Committee on Health Regulation; and Senator Storms—

CS for SB 1744—A bill to be entitled An act relating to abortions; amending s. 390.0111, F.S.; requiring that an ultrasound be performed on a woman obtaining an abortion; specifying who must perform an ultrasound; requiring that the ultrasound be reviewed with the patient before the woman gives informed consent for the abortion procedure; specifying who must review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; amending s. 390.012, F.S.; requiring an ultrasound for all patients regardless of when the abortion is performed; requiring that live ultrasound images be reviewed and explained to the patient; requiring that all other provisions in s. 390.0111, F.S., be complied with if the patient declines to view her live ultrasound images; providing for severability; providing an effective date.

By the Committees on Transportation; and Regulated Industries; and Senator Hays—

CS for CS for SB 1824—A bill to be entitled An act relating to regulated professions and occupations; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to release certain digital images to the Department of Business and Professional Regulation to identify certain persons; amending s. 455.213, F.S.; authorizing the Department of Business and Professional Regulation to grant waivers of renewal fees under certain circumstances; amending s. 455.271, F.S.; revising continuing education requirements for certain license reactivations; amending s. 475.42, F.S.; revising violations and penalties for real estate professionals; amending s. 477.0212, F.S.; revising continuing education requirements for cosmetology license reactivations; amending s. 477.0265, F.S.; revising prohibited acts for cosmetologists; amending s. 481.217, F.S.; revising continuing education requirements for license reactivation of architect or interior design licenses; amending s. 481.315, F.S.; revising continuing education requirements for landscape architect license reactivations; amending s. 489.116, F.S.; revising continuing education requirements for contractor license reactivations; amending s. 489.519, F.S.; revising continuing education requirements for electrical and alarm system contractor li-

cense reactivations; repealing s. 475.611(1)(v), F.S., relating to Uniform Standards of Professional Appraisal Practice; repealing s. 475.626(1)(b) and (c), F.S., relating to violations and penalties against registered appraisers; amending s. 475.624, F.S.; establishing professional standards for appraisers by board rule; amending s. 475.628, F.S.; authorizing the board to adopt rules establishing standards of professional appraisal practice; amending s. 509.032, F.S.; clarifying provisions relating to the preemption to the state of the regulation of public lodging and public food service establishments; amending s. 509.261, F.S.; providing for remedial training in response to certain violations by public lodging and food service establishments; amending s. 10, chapter 2010-84, Laws of Florida; delaying the effective date of provisions relating to the discipline of appraisal management companies; creating s. 473.3066, F.S.; authorizing the Board of Accountancy to establish a peer review oversight committee; providing for membership and duties of the oversight committee; requiring the board to adopt rules under certain circumstances; amending s. 473.311, F.S.; revising licensure renewal requirements for firms engaged in certain aspects of the practice of public accounting; requiring such firms to comply with certain peer review requirements; providing an exception; creating s. 473.3125, F.S.; defining terms for purposes of peer review requirements; requiring firms engaged in certain aspects of the practice of public accounting to enroll in peer review programs and undergo peer reviews; providing for the frequency of peer reviews; providing exceptions; requiring firms that fail a specified number of peer reviews to submit certain documentation to the board; requiring the board to adopt rules establishing minimum standards for peer review programs and requiring a peer review administering organization to submit certain information; providing for the approval of peer review administering organizations; authorizing the board to withdraw approval of peer review administering organizations under certain circumstances; providing that certain persons who perform specified administrative services for a peer review administering organization are immune from civil liability; providing that the proceedings, records, and workpapers of peer review administering organizations are confidential and privileged; providing exceptions; prohibiting persons involved in peer reviews from testifying; amending s. 473.323, F.S.; providing additional grounds for the discipline of firms engaged in certain aspects of the practice of public accounting, to which penalties apply; authorizing disciplinary actions to be taken against firms that fail to enroll in a peer review program, to undergo a peer review, or to cooperate with a peer review administering organization approved by the board; revising requirements for reissuance of licenses after compliance with disciplinary final orders; conforming provisions; amending s. 481.205, F.S.; authorizing the Board of Architecture and Interior Design to contract with certain private entities for specific functions; repealing s. 686.201, F.S., relating to sales representative contracts involving commissions; amending s. 373.461, F.S.; requiring certain appraisers to follow specific standards of professional practice in appraisals involving the restoration of the Lake Apopka Basin; amending s. 475.25, F.S.; conforming and clarifying certain real estate appraisal standards and practices; amending s. 475.615, F.S.; conforming provisions relating to standards of professional practice for real estate appraisers; amending s. 475.617, F.S.; conforming provisions relating to appraisal practice; amending s. 475.6175, F.S.; conforming provisions relating to appraisal practice; amending s. 475.6235, F.S.; conforming provisions relating to appraisal practice; amending s. 475.6245, F.S.; conforming provisions relating to appraisal practice; providing effective dates.

By the Committee on Commerce and Tourism; and Senator Margolis—

CS for SB 1878—A bill to be entitled An act relating to the jurisdiction of the courts; amending s. 48.193, F.S.; including as an additional basis for subjecting a person to the jurisdiction of the courts of this state the basis for jurisdiction provisions which state that a person submits to the jurisdiction of the courts of this state by entering into a contract that designates the law of this state as the law governing the contract and that contains a provision by which such person agrees to submit to the jurisdiction of the courts of this state; amending s. 55.502, F.S.; revising the definition of the term “foreign judgment” for purposes of the Florida Enforcement of Foreign Judgments Act; amending s. 684.0019, F.S.; clarifying that an arbitral tribunal receiving a request for an interim measure to preserve evidence in a dispute governed by the Florida International Commercial Arbitration Act need only consider to the extent appropriate the potential harm that may occur if the measure is not awarded or the possibility that the requesting party will succeed on the merits of the claim; amending s. 684.0026, F.S.; correcting a cross-

reference in the Florida International Commercial Arbitration Act; amending s. 685.101, F.S.; deleting a restriction on the jurisdiction of the courts of this state to transactions bearing a substantial relation to this state; revising application dates of provisions relating to the jurisdiction of the courts; amending s. 685.102, F.S.; revising application dates of provisions relating to the jurisdiction of the courts; providing an effective date.

By the Committee on Transportation; and Senator Evers—

CS for SB 1912—A bill to be entitled An act relating to trucking; providing a short title; defining the term “small trucking firm”; creating the Trucking Regulation Workgroup; providing for membership of the workgroup; directing the workgroup to make a report to the Governor, the Speaker of the House of Representatives, and the President of the Senate by a certain date; providing requirements of the report; providing for termination of the workgroup; providing an effective date.

By the Committee on Community Affairs; and Senator Garcia—

CS for SB 1962—A bill to be entitled An act relating to revitalizing municipalities; amending s. 212.096, F.S.; conforming a cross-reference; amending s. 212.20, F.S.; providing for the transfer of certain sales tax revenues from the General Revenue Fund to the Revenue Sharing Trust Fund for Municipalities; amending s. 218.23, F.S.; providing for a distribution from the Revenue Sharing Trust Fund for Municipalities relating to an increase in sales tax collections over the preceding year to the governing body of an area that receives tax increment revenues pursuant to a designation as a sales tax TIF area; amending ss. 220.181 and 288.1175, F.S.; conforming cross-references; amending s. 290.004, F.S.; providing definitions; amending s. 290.0056, F.S.; revising provisions relating to the enterprise zone development agency; providing powers of the governing board upon the designation of a sales tax TIF area; amending s. 290.0057, F.S.; revising provisions relating to an enterprise zone development plan to conform to changes made by the act; amending s. 290.007, F.S.; providing an economic incentive within enterprise zones designated as sales tax TIF areas; creating ss. 290.01351, 290.0136, 290.0137, 290.0138, 290.0139, and 290.01391, F.S.; creating the “Municipal Revitalization Act”; providing legislative intent and purposes; authorizing specified governing bodies to create a sales tax TIF areas within a county or municipality having a specified population; providing that the governing body for an enterprise zone where a sales tax TIF area is located is eligible for specified percentage distributions of increased state sales tax collections under certain circumstances; requiring the Department of Revenue to determine the amount of increased sales tax collections to be distributed to each eligible designated redevelopment agency and to transfer the aggregate amount due to all such agencies to the Revenue Sharing Trust Fund for Municipalities for distribution; granting specified powers to a governing body for a sales tax TIF area for the purpose of providing financing and fostering certain public and private improvements, including issuing revenue bonds; requiring that an agreement between a designated redevelopment agency and private sponsor of a project include a requirement that a specified number of jobs be created under certain circumstances; providing for the issuance of tax increment revenue bonds and the use of such bonds; providing an effective date.

By the Committees on Judiciary; and Judiciary—

CS for SB 2040—A bill to be entitled An act relating to unauthorized immigrants; directing the Division of Statutory Revision to designate specified new statutory sections as part III of ch. 448, F.S., and name the part “Unauthorized Immigrants”; creating s. 448.30, F.S.; defining terms; creating s. 448.31, F.S.; requiring every employer to use the federal program for electronic verification of employment eligibility in order to verify the employment eligibility of each employee hired on or after a specified date; providing an exception for employers who request and receive from the employee certain driver’s licenses or identification cards; requiring the employers to check the documents using authentication technology; directing the Department of Highway Safety and Motor Vehicles to post information on the website of the department relating to compliance by states with the federal REAL ID Act of 2005; directing the department to adopt rules relating to authentication technology; providing that an employer who does not comply with the employment requirements is subject to the suspension of any license

held by the employer; providing that an employer is not liable for terminating an employee under certain conditions; providing legislative intent for law enforcement and criminal justice agencies to coordinate with the Federal Government on the identification of unauthorized immigrants and enforcement of immigration laws; authorizing the Department of Corrections and the Department of Law Enforcement to pursue agreements with the United States Department of Homeland Security for the training of certain personnel related to the enforcement of immigration laws; requiring reports on activity under the agreements; providing that sheriffs may evaluate the feasibility of entering into such agreements; directing certain agencies having custody of individuals convicted of dangerous crimes to make reasonable efforts to determine whether the individuals are present in the United States lawfully; requiring arresting agencies to adopt rules relating to this requirement and authorizing the agencies to enter into agreements with Immigration and Customs Enforcement; providing for a presumption as to risk of flight in order to avoid prosecution; creating s. 945.80, F.S.; requiring the Department of Corrections to release nonviolent inmates to the custody of the United States Immigration and Customs Enforcement under certain circumstances; requiring the department to identify inmates who are eligible for removal and deportation; establishing certain procedures for the transfer of an inmate to federal custody; providing for a released inmate to serve the remainder of his or her sentence upon unlawfully returning to the United States; authorizing the secretary of the department to enter into an agreement with the United States Department of Homeland Security regarding the rapid repatriation of removable custodial aliens; requiring the department to compile statistics; providing for applicability; providing legislative findings related to costs incurred by the state from unauthorized immigration; requiring the Agency for Workforce Innovation to prepare a report quantifying the costs; requiring the director of the agency to submit to the Federal Government a request for reimbursement of the costs or a reduction in moneys owed to the Federal Government as a result of borrowing to fund unemployment compensation claims; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Braynon—

CS for SB 2050—A bill to be entitled An act relating to destination resorts; amending s. 20.21, F.S.; creating the Destination Resort Commission within the Department of Revenue; amending s. 120.80, F.S.; exempting the Destination Resort Commission from specified provisions of the Administrative Procedure Act; creating the Destination Resort Act; providing definitions; providing that the Destination Resort Commission is a separate budget entity from the Department of Revenue; providing for the appointment and qualifications of members of the commission; providing for the selection of the chair and vice chair of the commission; providing that the chair is the administrative head of the commission; specifying the responsibilities of the chair; providing that the commission serves as the agency head for purposes of the Administrative Procedure Act; providing that the executive director of the commission may serve as the agency head for purposes of final agency action within the authority delegated by the commission; specifying the powers of the commission, including the power to authorize limited gaming at up to five destination resorts, conduct investigations, issue subpoenas, take enforcement actions, and create an invitation to negotiate process to evaluate applications for a resort license; specifying the jurisdiction of the commission, the Department of Law Enforcement, and local law enforcement agencies to investigate criminal violations relating to limited gaming; requiring the commission to revoke or suspend the licensee of a person who was unqualified at the time of licensure or who is no longer qualified to be licensed; authorizing the commission to adopt rules relating to the types of gaming authorized, requirements for the issuance, renewal, revocation, and suspension of licenses, the disclosure of financial interests, procedures to test gaming equipment, procedures to verify gaming revenues and the collection of taxes, requirements for gaming equipment, procedures relating to a facilities-based computer system, bond requirements of resort licensees, the maintenance of records, procedures to calculate the payout percentages of slot machines, security standards, the scope and conditions for investigations and inspections into the conduct of limited gaming, the seizure of gaming equipment and records without notice or a warrant, employee drug-testing programs, and the payment of costs, fines, and application fees; authorizing the commission to adopt emergency rules; exempting the rules from specified provisions of the Administrative Procedure Act; authorizing the commission to employ law enforcement officers; specifying the qualifications and powers of law enforcement of-

ficers employed by the commission; providing for the appointment, qualifications, and powers of the executive director of the commission; specifying persons who may not be employed by the commission; requiring the commission to adopt a code of ethics for its employees, members, and agents; specifying prohibited financial interests and relationships; imposing postemployment restrictions on members, employees, and agents of the commission; restricting the political activities of members, employees, and agents of the commission; prohibiting commissioners, employees, and agents of the commission from wagering under certain circumstances; requiring members, employees, and agents of the commission to annually disclose certain financial interests; specifying conditions under which members, employees, and agents of the commission must immediately disclose certain financial matters, criminal matters, employment negotiations, the offering or acceptance of gifts, and the offering of a bribe; prohibiting ex parte communications between applicants or licensees and members of the commission; requiring parties to an ex parte communication to disclose the substance of the communication; authorizing the imposition of a fine on a member of the commission who fails to disclose an ex parte communication; authorizing the Commission on Ethics to investigate complaints alleging an ex parte communication; requiring the Commission on Ethics to provide a report of its findings to the Governor if it finds that a commissioner violated the prohibitions on ex parte communications; authorizing the Commission on Ethics to bring an action against a commissioner to collect any penalties assessed; prohibiting a person who participated in an ex parte communication from appearing or representing a person before the commission for a certain time; specifying grounds for removal or termination of employment of commissioners and employees who violate the laws regulating limited gaming; requiring a referendum in the county where a destination resort is to be located as a prerequisite to the conduct of limited gaming activities; 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imposing a tiered gross receipts tax based on the amount of a resort licensee's infrastructure costs; providing for the deposit of the tax into the Destination Resort Trust Fund; providing for certain unappropriated funds in the Destination Resort Trust Fund to be deposited into the General Revenue Fund, the Tourism Promotional Trust Fund, the Employment Security Administration Trust Fund, the Transportation Disadvantaged Trust Fund, and Thoroughbred permitholders, the Florida Thoroughbred Breeders and Owners Association, and the permitholders licensed to conduct live greyhound races, harness races, or jai alai licensees; providing for the proceeds of the gross receipts tax to fund the operations of the commission; providing procedures for the submission and processing of fingerprints of certain persons regulated by the commission; providing that the cost of processing the fingerprints shall be borne by a licensee or applicant; requiring a person to report to the commission certain pleas and convictions for disqualifying offenses; requiring a resort licensee to train its employees about compulsive gambling; requiring a resort licensee to work with a compulsive gambling

prevention program; requiring the commission to contract for services relating to the prevention of compulsive gambling; providing for the commission's compulsive gambling prevention program to be funded from a regulatory fee imposed on resort licensees; requiring a person to have a supplier's license to furnish certain goods and services to a resort licensee; specifying the amount of the application fee for a supplier's license; specifying persons who are disqualified from receiving a supplier's license; specifying circumstances under which the commission may revoke a supplier's license; authorizing the commission to adopt rules relating to the licensing of suppliers; requiring a supplier licensee to furnish a list of gaming devices and equipment to the commission, maintain records, file quarterly returns, and affix its name to the gaming equipment and supplies that it offers; requiring that the supplier licensee annually report its inventory to the commission; authorizing the commission to revoke a supplier's license under certain circumstances; providing that the equipment of a supplier's licensee which is used in unauthorized gaming will be forfeited to the county where the equipment is found; imposing a criminal penalty on a person who knowingly makes a false statement on an application for a supplier's license; requiring a person to have an occupational license to serve as a limited gaming employee of a resort licensee; requiring a person to apply to the commission for an occupational license and pay an application fee; specifying information that an applicant must include in an application for an occupational license; specifying grounds for the commission to deny an application for an occupational license; imposing a criminal penalty on a person who knowingly makes a false statement on an application for an occupational license; authorizing the executive director of the commission to issue a temporary occupational or temporary supplier's license under certain circumstances; requiring the commission to file quarterly reports with the Governor, the President of the Senate, and the Speaker of the House of Representatives; specifying procedures for the conduct of proceedings by the commission; authorizing the chair of the commission to assign a proceeding to less than the full commission; providing procedures for the resolution of certain disputes between a resort licensee and a patron; requiring a resort licensee to notify the commission of certain disputes with a patron involving amounts of \$500 or more; requiring a resort licensee to notify a patron of the right to file a complaint with the commission regarding certain disputes of an amount less than \$500; authorizing the commission to investigate disputes and to order a resort licensee to make a payment to a patron; providing for the enforcement of credit instruments; authorizing a resort licensee to accept an incomplete credit instrument and to complete incomplete credit instruments under certain circumstances; providing that existence of a mental disorder is not a defense or a valid counterclaim in an action to enforce a credit instrument; authorizing the commission to adopt rules prescribing the conditions under which a credit instrument may be presented to a bank; providing that a resort licensee has the right to exclude a person from its limited gaming facility; authorizing a person to request that the commission exclude her or him from limited gaming facilities; specifying the required contents of the request; providing that a self-excluded person who is found on a gaming floor may be arrested and prosecuted for criminal trespass; providing that a self-excluded person holds harmless the commission and licensees from claims for losses and damages under certain circumstances; allowing pari-mutuel facilities to conduct all games under certain conditions when a resort license to conduct limited gaming activities is authorized in Miami-Dade County or Broward County; amending s. 849.15, F.S.; authorizing slot machine gaming in a resort licensee and the transportation of slot machines pursuant to federal law; amending s. 849.231, F.S.; providing that a prohibition on gambling devices does not apply to slot machine licenses authorized under state law or limited gaming as authorized in the act; amending s. 849.25, F.S.; providing that a prohibition on gaming does not apply to limited gaming as authorized in the act; transferring all powers, duties, functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds for the administration of ch. 551, F.S., intact by a type two transfer from the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to the Destination Resort Commission; providing for severability; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Health Regulation; and Senator Storms—

CS for SB 1744—A bill to be entitled An act relating to abortions; amending s. 390.0111, F.S.; requiring that an ultrasound be performed on a woman obtaining an abortion; specifying who must perform an ultrasound; requiring that the ultrasound be reviewed with the patient before the woman gives informed consent for the abortion procedure; specifying who must review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; amending s. 390.012, F.S.; requiring an ultrasound for all patients regardless of when the abortion is performed; requiring that live ultrasound images be reviewed and explained to the patient; requiring that all other provisions in s. 390.0111, F.S., be complied with if the patient declines to view her live ultrasound images; providing for severability; providing an effective date.

—was referred to the Committee on Rules.

By the Committees on Judiciary; and Judiciary—

CS for SB 2040—A bill to be entitled An act relating to unauthorized immigrants; directing the Division of Statutory Revision to designate specified new statutory sections as part III of ch. 448, F.S., and name the part "Unauthorized Immigrants"; creating s. 448.30, F.S.; defining terms; creating s. 448.31, F.S.; requiring every employer to use the federal program for electronic verification of employment eligibility in order to verify the employment eligibility of each employee hired on or after a specified date; providing an exception for employers who request and receive from the employee certain driver's licenses or identification cards; requiring the employers to check the documents using authentication technology; directing the Department of Highway Safety and Motor Vehicles to post information on the website of the department relating to compliance by states with the federal REAL ID Act of 2005; directing the department to adopt rules relating to authentication technology; providing that an employer who does not comply with the employment requirements is subject to the suspension of any license held by the employer; providing that an employer is not liable for terminating an employee under certain conditions; providing legislative intent for law enforcement and criminal justice agencies to coordinate with the Federal Government on the identification of unauthorized immigrants and enforcement of immigration laws; authorizing the Department of Corrections and the Department of Law Enforcement to pursue agreements with the United States Department of Homeland Security for the training of certain personnel related to the enforcement of immigration laws; requiring reports on activity under the agreements; providing that sheriffs may evaluate the feasibility of entering into such agreements; directing certain agencies having custody of individuals convicted of dangerous crimes to make reasonable efforts to determine whether the individuals are present in the United States lawfully; requiring arresting agencies to adopt rules relating to this requirement and authorizing the agencies to enter into agreements with Immigration and Customs Enforcement; providing for a presumption as to risk of flight in order to avoid prosecution; creating s. 945.80, F.S.; requiring the Department of Corrections to release nonviolent inmates to the custody of the United States Immigration and Customs Enforcement under certain circumstances; requiring the department to identify inmates who are eligible for removal and deportation; establishing certain procedures for the transfer of an inmate to federal custody; providing for a released inmate to serve the remainder of his or her sentence upon unlawfully returning to the United States; authorizing the secretary of the department to enter into an agreement with the United States Department of Homeland Security regarding the rapid repatriation of removable custodial aliens; requiring the department to compile statistics; providing for applicability; providing legislative findings related to costs incurred by the state from unauthorized immigration; requiring the Agency for Workforce Innovation to prepare a report quantifying the costs; requiring the director of the agency to submit to the Federal Government a request for reimbursement of the costs or a reduction in

moneys owed to the Federal Government as a result of borrowing to fund unemployment compensation claims; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Commerce and Tourism; and Senator Braynon—

CS for SB 2050—A bill to be entitled An act relating to destination resorts; amending s. 20.21, F.S.; creating the Destination Resort Commission within the Department of Revenue; amending s. 120.80, F.S.; exempting the Destination Resort Commission from specified provisions of the Administrative Procedure Act; creating the Destination Resort Act; providing definitions; providing that the Destination Resort Commission is a separate budget entity from the Department of Revenue; providing for the appointment and qualifications of members of the commission; providing for the selection of the chair and vice chair of the commission; providing that the chair is the administrative head of the commission; specifying the responsibilities of the chair; providing that the commission serves as the agency head for purposes of the Administrative Procedure Act; providing that the executive director of the commission may serve as the agency head for purposes of final agency action within the authority delegated by the commission; specifying the powers of the commission, including the power to authorize limited gaming at up to five destination resorts, conduct investigations, issue subpoenas, take enforcement actions, and create an invitation to negotiate process to evaluate applications for a resort license; specifying the jurisdiction of the commission, the Department of Law Enforcement, and local law enforcement agencies to investigate criminal violations relating to limited gaming; requiring the commission to revoke or suspend the licensee of a person who was unqualified at the time of licensure or who is no longer qualified to be licensed; authorizing the commission to adopt rules relating to the types of gaming authorized, requirements for the issuance, renewal, revocation, and suspension of licenses, the disclosure of financial interests, procedures to test gaming equipment, procedures to verify gaming revenues and the collection of taxes, requirements for gaming equipment, procedures relating to a facilities-based computer system, bond requirements of resort licensees, the maintenance of records, procedures to calculate the payout percentages of slot machines, security standards, the scope and conditions for investigations and inspections into the conduct of limited gaming, the seizure of gaming equipment and records without notice or a warrant, employee drug-testing programs, and the payment of costs, fines, and application fees; authorizing the commission to adopt emergency rules; exempting the rules from specified provisions of the Administrative Procedure Act; authorizing the commission to employ law enforcement officers; specifying the qualifications and powers of law enforcement officers employed by the commission; providing for the appointment, qualifications, and powers of the executive director of the commission; specifying persons who may not be employed by the commission; requiring the commission to adopt a code of ethics for its employees, members, and agents; specifying prohibited financial interests and relationships; imposing postemployment restrictions on members, employees, and agents of the commission; restricting the political activities of members, employees, and agents of the commission; prohibiting commissioners, employees, and agents of the commission from wagering under certain circumstances; requiring members, employees, and agents of the commission to annually disclose certain financial interests; specifying conditions under which members, employees, and agents of the commission must immediately disclose certain financial matters, criminal matters, employment negotiations, the offering or acceptance of gifts, and the offering of a bribe; prohibiting ex parte communications between applicants or licensees and members of the commission; requiring parties to an ex parte communication to disclose the substance of the communication; authorizing the imposition of a fine on a member of the commission who fails to disclose an ex parte communication; authorizing the Commission on Ethics to investigate complaints alleging an ex parte communication; requiring the Commission on Ethics to provide a report of its findings to the Governor if it finds that a commissioner violated the prohibitions on ex parte communications; authorizing the Commission on Ethics to bring an action against a commissioner to collect any penalties assessed; prohibiting a person who participated in an ex parte communication from appearing or representing a person before the commission for a certain time; specifying grounds for removal or termination of employment of commissioners and employees who violate the laws regulating limited gaming; requiring a referendum in the county where a destination resort is to be located as a

prerequisite to the conduct of limited gaming activities; preempting the regulation of limited gaming at a destination resort to the state; requiring the commission to develop an invitation to negotiate process to award a resort license; specifying the minimum criteria that an applicant must meet to be awarded a destination resort license; specifying events that disqualify an applicant from eligibility for a resort license; specifying the information that must be on or included with an application for a resort license; specifying the amount of a nonrefundable application fee for a resort license to be used to defray the costs of an investigation of the applicant; authorizing the imposition of additional fees if the amount of the application fee is insufficient to cover the costs of the investigation; requiring the payment of a one-time licensing fee to be submitted along with an application for a resort license; requiring the executive director to notify an applicant for a resort license if the application is incomplete; 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requiring the commission to file quarterly reports with the Governor, the President of the Senate, and

the Speaker of the House of Representatives; specifying procedures for the conduct of proceedings by the commission; authorizing the chair of the commission to assign a proceeding to less than the full commission; providing procedures for the resolution of certain disputes between a resort licensee and a patron; requiring a resort licensee to notify the commission of certain disputes with a patron involving amounts of \$500 or more; requiring a resort licensee to notify a patron of the right to file a complaint with the commission regarding certain disputes of an amount less than \$500; authorizing the commission to investigate disputes and to order a resort licensee to make a payment to a patron; providing for the enforcement of credit instruments; authorizing a resort licensee to accept an incomplete credit instrument and to complete incomplete credit instruments under certain circumstances; providing that existence of a mental disorder is not a defense or a valid counterclaim in an action to enforce a credit instrument; authorizing the commission to adopt rules prescribing the conditions under which a credit instrument may be presented to a bank; providing that a resort licensee has the right to exclude a person from its limited gaming facility; authorizing a person to request that the commission exclude her or him from limited gaming facilities; specifying the required contents of the request; providing that a self-excluded person who is found on a gaming floor may be arrested and prosecuted for criminal trespass; providing that a self-excluded person holds harmless the commission and licensees from claims for losses and damages under certain circumstances; allowing pari-mutuel facilities to conduct all games under certain conditions when a resort license to conduct limited gaming activities is authorized in Miami-Dade County or Broward County; amending s. 849.15, F.S.; authorizing slot machine gaming in a resort licensee and the transportation of slot machines pursuant to federal law; amending s. 849.231, F.S.; providing that a prohibition on gambling devices does not apply to slot machine licenses authorized under state law or limited gaming as authorized in the act; amending s. 849.25, F.S.; providing that a prohibition on gaming does not apply to limited gaming as authorized in the act; transferring all powers, duties, functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds for the administration of ch. 551, F.S., intact by a type two transfer from the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to the Destination Resort Commission; providing for severability; providing an effective date.

—was referred to the Committee on Budget.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed SB 1030 and SB 1044; passed SB 1012, SB 1014, SB 1016, SB 1018, SB 1020, SB 1022, SB 1024, SB 1026, SB 1028, SB 1032, SB 1034, SB 1036, SB 1038, SB 1040 and SB 1042 by the required constitutional three-fifths vote of the membership of the House.

Robert L. "Bob" Ward, Clerk

The bills contained in the foregoing messages were ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of March 30 and April 5 were corrected and approved.

CO-INTRODUCERS

Senators Altman—CS for SB 524, SB 1062; Bullard—CS for CS for SB 1524; Sachs—SB 1062

RECESS

On motion by Senator Thrasher, the Senate recessed at 7:15 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, April 7 or upon call of the President.



Journal of the Senate

Number 14—Regular Session

Thursday, April 7, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 10:00 a.m.
A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Excused: Senator Bullard; Senator Rich after 5:00 p.m.

PRAYER

The following prayer was offered by Rev. Robert W. Jakoby, Director, Pastoral Care, Baptist Health of South Florida, Miami:

Almighty God, creator of heaven and earth, we come before you with humbled hearts and a spirit of gratitude for your love, kindness, and mercy that you give to us each day. Heavenly Father, we confess in the daily struggles of living, both personal and professional, that we sometimes fail in acknowledging you and your desire to guide us.

Sovereign God, I pray this day for every member of this Senate. As these elected officials face enormous financial, moral, and ethical decisions, we ask for your direction. You already know the task they face. May they allow you to work in and through them as they work collectively to do what is best for the people of Florida.

God, give them understanding that your wisdom is far greater than human wisdom; your strength is stronger than that of any man; your insight surpasses man's finite thinking. We acknowledge your sovereignty and ask you to guide them as they face the multitude of daily issues – issues that are overwhelming to them, but are not a problem for you.

Help each Senator to know you have a plan and purpose for his or her life individually, as well as for this great State of Florida. Help each one to do what is honorable and pleasing in your sight.

Loving God, bless and protect Governor Scott, and each of the elected officials and their families from all harm.

In your precious and holy name, I pray. Amen.

PLEDGE

Senate Pages Lauriel Stewart, great-niece of Senator Joyner, of Tyrone, Georgia; Tayler Uselton of Palmetto; Sarah Stanley of Inverness; and Jacob Morello of Tampa, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Dean—

By Senator Dean—

SR 2082—A resolution recognizing Citrus High School on the occasion of its 100th anniversary celebration and congratulating the students, faculty, administration, and staff of Citrus High School on achieving and maintaining an “A” grade from the Florida Department of Education.

WHEREAS, the history of Citrus High School can be traced back to the late 1800s to a wood-frame school building in Inverness, where a teacher taught chart class to sixth grade, and

WHEREAS, construction of the first Citrus High School was authorized in 1911 and a two-story brick schoolhouse was built at a cost of \$12,560 on Citrus Avenue, and

WHEREAS, while the new school building was originally intended to serve only high school students, it served the entire student population in grades 1 through 12, and

WHEREAS, in 1920, the Board of Public Instruction approved construction of a new school on the corner of Main Street and Line Avenue, which was completed in 1921 but was abandoned a short while later due to structural problems, with classes resuming in the original building, and

WHEREAS, in 1930, a new school building was completed on the site of the failed structure and the school received accreditation from the State Board of Education as a 4-year high school, and

WHEREAS, in 1985, an electrical fire destroyed most of the structure, prompting a rebuilding project that continued until 1992, and

WHEREAS, in 2008, Citrus High School received its first “A” school designation from the Department of Education and is once again designated an “A” school for the 2010-2011 school year, with a current enrollment of 1,556 students, NOW, THEREFORE,

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

That we recognize Citrus High School on the occasion of its 100th anniversary celebration and congratulate the students, faculty, administration, and staff of Citrus High School on achieving and maintaining an “A” grade from the Florida Department of Education.

—was introduced out of order and read by title. On motion by Senator Dean, **SR 2082** was read the second time in full and adopted.

APPEAL OF RULING ON POINT OF ORDER IN COMMITTEE

Senator Thrasher: In the Committee on Health Regulation meeting on Monday, April 4, **SB 1590** by Senator Hays was left pending due to a point of order on **Amendment (330054)** by Senator Bennett. Senator Gaetz raised a point of order that the amendment was not germane “because it is an undue expansion of the core purpose of the bill and raises new issues and is therefore out of order.”

Senator Garcia, Chair of the Committee on Health Regulation, ruled the point well taken and the amendment out of order. Senator Bennett then appealed the ruling of the Chair to the President.

The original bill, by Senator Hays, established a process that required the Board of Medicine to issue a certificate to persons wishing to be expert witnesses in medical malpractice cases. That was the bill’s entire purpose. Its relating-to clause was “An act relating to medical malpractice actions.”

The principal substance of Senator Bennett’s amendment expanded the scope of practice for optometrists, registered nurse practitioners and certified registered nurse anesthetists. The amendment also included a title amendment that changed the bill from an “An act relating to medical malpractice actions” to “An act relating to health care.”

It has been Senate practice to apply three tests to determine whether an amendment is germane.

- Is it the same subject as the original measure?
- Is it a natural and logical expansion of the subject matter of the original proposal? and
- Does it avoid raising a new, independent issue?

Within the context of these principles, it is my conclusion that the amendment by Senator Bennett was not a natural and logical extension of the provisions in the original bill and that it introduced new subject matter, namely, the enlargement of the scope of practice of the specified medical professions.

Also, an amendment that requires a change in the “relating-to” clause of a bill’s title suggests that the substance of the bill has been materially expanded or altered in some important way beyond its original purpose.

Therefore, Mr. President, it is my recommendation that the ruling of Chair Garcia that the amendment was not germane be upheld.

The President concurred with the recommendation of Senator Thrasher, Chair of the Committee on Rules, and the **Amendment (330054)** was ruled out of order.

BILLS ON THIRD READING

SB 2000—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2011, and ending June 30, 2012, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—as amended April 6 was read the third time by title.

MOTION

On motion by Senator Negrón, by the required two-thirds vote, consideration of the following amendment was allowed:

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

Amendment 1 (995078)—

DELETE INSERT

AGENCY FOR HEALTH CARE ADMINISTRATION
Program: Health Care Services
Medicaid Services To Individuals 68501400

In Section 03 On Page 046
177 Special Categories 101582
Hospital Inpatient Services IOEE

1000	From General Revenue Fund	10,370,308	8,970,308
	CA -1,400,000 FSI2 -1,400,000		

ELDER AFFAIRS, DEPARTMENT OF
Program: Services To Elders Program
Home And Community Services 65100400

In Section 03 On Page 080
383A Grants And Aids To Local Governments And 140080
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Senior Citizen Centers IOEM

1000	From General Revenue Fund	1,400,000
	CA 1,400,000 FSI1 1,400,000	

Insert proviso immediately following Specific Appropriation 383A:

From the funds in Specific Appropriation 383A, \$1,400,000 from recurring general revenue funds is provided for the construction of the Glades

Community Senior Center in Belle Glade.

MOTION

On motion by Senator Alexander, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Dean offered the following amendment which was moved by Senator Alexander and adopted by two-thirds vote:

Amendment 2 (995079)—

	DELETE	INSERT
CHILDREN AND FAMILY SERVICES, DEPARTMENT OF Services Program: Mental Health Program Mental Health Services 60910506		

In Section 03 On Page 071

DELETE the proviso immediately following MENTAL HEALTH SERVICES:

From the funds in Specific Appropriations 310 through 314, expenditures for Florida State Hospital are reduced by 10 percent for its civil commitment component and 7 percent for its forensic commitment component, and expenditures for North Florida Evaluation and Treatment Center are reduced by 7 percent in Fiscal Year 2011-2012 compared to Fiscal Year 2010-2011 expenditures. In order to implement these budget reductions, the department may realign funds between the civil and forensic component pursuant to chapter 216, Florida Statutes. These mental health treatment facilities shall meet the same performance measures and standards as required by contractual agreement with outsourced civil and forensic mental health treatment facilities. Such performance measures and standards shall be based upon comparable resident populations. The department shall submit a report to the Governor, the President of the Senate and the Speaker of the House of Representatives no later than 45 days after the end of each fiscal quarter in Fiscal Year 2011-2012. These reports shall show the expenditure levels for each mental health institution compared with the comparable fiscal quarter in Fiscal Year 2010-2011, and show performance on each performance measure and standard for each mental health institution, both state operated and contracted. The department shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than February 28, 2013, with recommendations on institutional mental health services, both state operated and contracted for Fiscal Year 2013-2014.

Insert proviso immediately following MENTAL HEALTH SERVICES:

From the funds in Specific Appropriations 310 through 314, expenditures for Florida State Hospital are reduced by 10 percent for its civil commitment component and 7 percent for its forensic commitment component, expenditures for Northeast Florida State Hospital are reduced by 10 percent, and expenditures for North Florida Evaluation and Treatment Center are reduced by 7 percent in Fiscal Year 2011-2012 compared to Fiscal Year 2010-2011 expenditures. In order to implement these budget reductions, the department may realign funds between the civil and forensic component pursuant to chapter 216, Florida Statutes. These mental health treatment facilities shall meet the same performance measures and standards as required by contractual agreement with outsourced civil and forensic mental health treatment facilities. Such performance measures and standards shall be based upon comparable resident populations. The department shall submit a report to the Governor, the President of the Senate and the Speaker of the House of Representatives no later than 45 days after the end of each fiscal quarter in Fiscal Year 2011-2012. These reports shall show the expenditure levels for each mental health institution compared with the comparable fiscal quarter in Fiscal Year 2010-2011, and show performance on each performance measure and standard for each mental health institution, both state operated and contracted. The department shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than February 28, 2013, with recommendations on institutional mental health services, both state operated and contracted for Fiscal Year 2013-2014.

On motion by Senator Alexander, **SB 2000** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Hays	Simmons
Dean	Hill	Siplin
Detert	Jones	Smith
Diaz de la Portilla	Latvala	Storms
Dockery	Lynn	Thrasher
Evers	Margolis	Wise

Nays—6

Braynon	Montford	Sachs
Joyner	Rich	Sobel

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2000** which came before the full Senate for a vote on April 7, 2011.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 4th District

SB 2002—A bill to be entitled An act implementing the 2011-2012 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2011-2012 fiscal year; amending s. 216.292, F.S.; authorizing the transfer of funds between appropriation categories to fund fixed capital outlay projects for public schools upon certain approval; amending s. 394.908, F.S.; providing allocation requirements for specified funds appropriated for forensic mental health services; providing requirements relating to implementing phase 3 of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; requiring certain budget amendments recommending the release of

funds to provide more notice and be subject to certain objection procedures; prohibiting an appropriation to pay for the lease of unneeded space due to reductions at the Department of Children and Family Services; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under the authority of the respective entity; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; amending s. 945.025, F.S.; requiring the Department of Corrections to obtain certain approval before closing any correctional institution; authorizing the Department of Legal Affairs to transfer certain funds to pay salaries and benefits; authorizing the Department of Legal Affairs to spend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund; requiring that the Department of Juvenile Justice comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed; defining the term "hospital" for purposes of such limitations; amending s. 44.108, F.S.; authorizing use of moneys in the Mediation and Arbitration Trust Fund as specified in the General Appropriations Act; relieving the state court system of certain loan repayment obligations; authorizing the chief justice to request a loan under certain circumstances; creating the Judicial Caseload Incentive Plan; providing the purpose, performance goals, and financial awards of the program; requiring a report to the Legislature; amending s. 282.709, F.S.; allowing funds from the State Agency Law Enforcement Radio System Trust Fund to be used for mutual aid buildout maintenance and sustainment; requiring the Department of Management Services to issue a competitive solicitation for the Statewide Law Enforcement Radio System by a certain date and award the contract by a certain date; requiring the Florida Catastrophic Storm Risk Management Center at Florida State University to conduct an analysis using certain data; amending s. 253.034, F.S.; authorizing the deposit of funds derived from the sale of property by the Department of Citrus into the Citrus Advertising Trust Fund; amending s. 373.59, F.S.; providing for the allocation of moneys from the Water Management Lands Trust Fund for certain purposes; amending s. 403.7095, F.S.; requiring that the Department of Environmental Protection award a specified amount in grants to certain counties for solid waste programs; authorizing the Department of Agriculture and Consumer Services to extend, revise, and renew current contracts or agreements created or entered into for the purpose of promotion of agriculture; providing that the disposition of state-owned lands is exempt from appraisal requirements and disposition requirements under certain circumstances; requiring state agencies to provide a list of lands that are immediately available for lease or are surplus lands; requiring that the proceeds from the sale of such lands be deposited into the Florida Forever Trust Fund; authorizing the transfer of funds and positions to implement the transfer of certain agencies and offices; amending s. 339.08, F.S.; delaying the expiration of provisions relating to the use of moneys in the State Transportation Trust Fund for certain administrative expenses; authorizing funds in the State Transportation Trust Fund to be used for the County Incentive Grant Program, the Small County Outreach Program, the Transportation Regional Incentive Program, and certain transportation project contracts; providing for all vehicles within the Office of Motor Carrier Compliance to be transferred to the Department of Highway Safety and Motor Vehicles without the payment of certain fees; amending s. 445.009, F.S.; providing that a participant in an adult or youth work experience activity under ch. 445, F.S., is an employee of the state for purposes of workers' compensation coverage; creating the Florida Base Realignment and Closure Task Force; specifying the mission of the task force; providing for membership; requiring a progress report and work plan; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.123, F.S.; providing that the state contribution toward the cost of a plan is the difference between the overall premium and the employee contribution; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency without reimbursement from the receiving agency; providing that the annual salary of the members of the Legislature be reduced by a specified percentage; reenacting and amending s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement

the transfer of moneys in the General Revenue Fund from trust funds in the 2011-2012 General Appropriations Act; reenacting and amending s. 215.5601(4)(b), F.S., relating to the administration of the Lawton Chiles Endowment Fund; providing for the authorization and issuance of new debt; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing agencies scheduled for data center consolidation to accelerate such consolidation; authorizing the establishment of data center positions in exchange for agency positions placed in reserve; authoring an agency to transfer funds in order to support its e-mail system until its system is transferred to the statewide service vendor; authorizing the Executive Office of the Governor to transfer funds between agencies in order to allocate a reduction relating to SUNCOM; authorizing the Executive Office of the Governor to transfer appropriations into categories for the purpose of tracking American Recovery and Reinvestment Act funds; amending s. 216.292, F.S.; authorizing the Executive Office of the Governor to recommend the initiation of fixed capital outlay projects funded through the American Recovery and Reinvestment Act of 2009; amending s. 216.212, F.S.; requiring a state agency or the judicial branch to pursue federal funds and notify the Legislative Budget Commission of any decision regarding the receipt of such funds; providing that failure to provide such notice will result in the placement of an equal amount of the agency's or judicial branch's budget into mandatory reserve for the remainder of the fiscal year; reenacting s. 110.12315(7)(a), F.S., relating to copayments for the state employees' prescription drug program; directing the Department of Management Services to use a tenant broker to renegotiate all leases involving multiple state agency tenants; requiring a report to the Legislative Budget Commission; requiring the department to renegotiate certain leases in order to achieve a reduction in cost and provide a report to the Governor and Legislature on such activities by a certain date; requiring the department to issue a solicitation for the Minnesota Multistate Contracting Alliance for Pharmacy agreement as a state term contract; requiring the department to use generic drugs were feasible in developing its preferred drug list; requiring the Agency for Health Care Administration to reprocur the Florida Discount Drug Card Program; providing requirements for the program; providing that revenues derived from the contract be deposited into the agency's Grants and Donations Trust Fund; providing that a child who is eligible for coverage under a state health benefit plan on the basis of a family member's employment with a public agency in the state is eligible to participate in and receive Title XXI-funded coverage from the Florida Kidcare program if the child is otherwise eligible; amending s. 409.814, F.S.; deleting a provision that prohibits a child who is eligible for coverage under a state health benefit plan on the basis of a family member's employment with a public agency in the state from receiving Title XXI-funded premium assistance for health benefits coverage under the Florida Kidcare program; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for reversion of statutory text of certain provisions; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

—as amended April 6 was read the third time by title.

On motion by Senator Alexander, **SB 2002** as amended was passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Fasano	Montford
Alexander	Flores	Negron
Altman	Gaetz	Norman
Benacquisto	Garcia	Oelrich
Bennett	Gardiner	Richter
Bogdanoff	Hays	Ring
Dean	Hill	Simmons
Detert	Jones	Siplin
Diaz de la Portilla	Latvala	Storms
Dockery	Lynn	Thrasher
Evers	Margolis	Wise

Nays—6

Braynon	Rich	Smith
Joyner	Sachs	Sobel

Vote after roll call:

Yea to Nay—Montford

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2002** which came before the full Senate for a vote on April 7, 2011.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 4th District

SENATOR WISE PRESIDING

SB 2120—A bill to be entitled An act relating to K-12 education funding; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information regarding the gross receipts tax to the State Board of Education, the Division of Bond Finance, and the Office of Economic and Demographic Research; amending s. 215.61, F.S.; requiring that, for purposes of servicing public education capital outlay bonds, the State Board of Education disregard the effects on the gross receipts tax revenues collected during a tax period of a refund resulting from a specified settlement agreement; amending s. 1001.25, F.S.; requiring that the Department of Education provide a means of extending educational services through educational television or other electronic media; amending s. 1001.271, F.S.; requiring that the Commissioner of Education facilitate and coordinate the use of the Florida Information Resource Network by school districts, educational institutions in the Florida College System, state universities, and other eligible users; amending s. 1001.28, F.S.; deleting a reference to the Florida Knowledge Network as it relates to the department's distance learning duties; amending s. 1001.451, F.S.; revising provisions relating to incentive grants for regional consortium service organizations; authorizing regional consortium service organizations to use various means to generate revenue for future activities; amending s. 1002.33, F.S.; revising provisions relating to charter schools; providing for an additional student population to be included for enrollment in a charter school; providing that a charter school system may be designated as a local educational agency for funding purposes if certain requirements are met; amending s. 1002.34, F.S.; conforming a cross-reference; amending s. 1003.01, F.S.; redefining the terms "core-curricula courses" and "extra-curricular courses"; amending s. 1003.03, F.S.; deleting a reference to the State Constitution regarding class size maximums; requiring that class size maximums be satisfied on or before the October student membership survey each year; requiring that the class size maximums be maintained after the October student membership survey unless certain conditions occur; providing that a student who enrolls in a school after the October student membership survey may be assigned to classes that temporarily exceed class size maximums if the school board determines that not assigning the student would be impractical, educationally unsound, or disruptive to student learning; providing for a specified number of students to be assigned above the maximum if the district school board makes this determination; requiring that the district school board develop a plan providing that the school will be in full compliance with the maximum class size requirements by the next October student membership survey; requiring that the Department of Education identify from the Course Code Directory the core-curricula courses for the purpose of satisfying the maximum class size requirement; authorizing the department to adopt rules; amending s. 1004.02, F.S.; revising the definition of the term "adult student"; creating s. 1006.282, F.S.; authorizing each district school board to designate schools to implement a pilot program for the transition to instructional materials in an electronic or digital format; providing definitions; providing requirements for the designation of pilot schools; providing exemptions for such schools; requiring that the district school board report to the department by a specified date each year; requiring that the report include certain information; requiring that each district school board submit a review of the pilot program to the department, the Executive Office of the Gov-

error, and the chairs of the legislative appropriations committees by a specified date each year; amending s. 1011.62, F.S.; revising provisions relating to district funding for the operation of schools; deleting provisions relating to the coenrollment of high school students; providing the maximum full-time equivalent membership value for students completing an industry-certified career and professional academy program; requiring that the Department of Education assign the appropriate full-time equivalent value for each certification based on rigor and employment value; requiring that the State Board of Education include the assigned values in the Industry Certification Funding List under rules adopted by the state board; creating s. 1011.621, F.S.; requiring that the Department of Education, upon request by a school district and verification by the Department of Juvenile Justice, direct a school district receiving funds through the Florida Education Finance Program to transfer a pro rata share of the funds to another district that served the same students during the same survey period but were unable to report the students for funding purposes; requiring that the amount of the transfer be based on the percentage of the survey period in which the students were served by each district; amending s. 1011.685, F.S.; revising provisions relating to class size reduction operational categorical funds; authorizing a school district that meets the maximum class size requirement to use the funds for any lawful operating expenditure; amending s. 1011.71, F.S.; revising provisions relating to the district school tax; providing for future expiration of provisions relating to additional millage levied by district school boards; authorizing district school boards to levy additional millage if approved by the voters; providing that the local funds generated by the additional millage not be included in the calculation of funding through the Florida Education Finance Program; amending s. 1012.225, F.S.; discontinuing state funding for the Merit Award Program for Instructional Personnel and School-Based Administrators; amending s. 1013.737, F.S.; changing the name of the Class Size Reduction Lottery Revenue Bond Program to the Class Size Reduction and Educational Facilities Lottery Revenue Bond Program; authorizing the issuance of educational facilities bonds; adopting by reference the alternate compliance calculation amounts to the class size operating categorical, as submitted by the Governor on behalf of the Department of Education for approval by the Legislative Budget Commission; requiring that the Commissioner of Education modify payments to school districts for the 2010-2011 fiscal year consistent with the amendment; providing effective dates.

—as amended April 6 was read the third time by title.

On motion by Senator Simmons, **SB 2120** as amended was passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Simmons
Bogdanoff	Hill	Siplin
Dean	Jones	Storms
Diaz de la Portilla	Latvala	Thrasher
Dockery	Lynn	Wise
Evers	Margolis	
Fasano	Negron	

Nays—7

Braynon	Rich	Sobel
Joyner	Sachs	
Montford	Smith	

Vote after roll call:

Yea—Detert

Yea to Nay—Hill

Nay to Yea—Montford

SB 2150—A bill to be entitled An act relating to postsecondary education funding; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information regarding the gross receipts tax to the State Board of Education, the Division of Bond Finance, and the Office of Economic and Demographic Research; amending s. 215.61, F.S.; requiring that, for purposes of servicing public education capital outlay bonds, the State Board of Education disregard the effects on the gross receipts tax revenues collected during a tax period of a refund resulting from a specified settlement agreement; amending s. 1001.706, F.S.; prohibiting the Board of Governors from establishing and maintaining a foundation, a direct-support organization, or any similar entity; requiring that any funds currently held by the board in a foundation be returned to the donor; prohibiting the board from paying an employee compensation from a foundation, direct-support organization, or similar entity; amending s. 1004.091, F.S.; revising provisions relating to the duties of the Florida Distance Learning Consortium; requiring that the consortium implement a streamlined, automated, online registration process for transient students who are undergraduate students currently enrolled and pursuing a degree at a public postsecondary educational institution; requiring that the consortium work with the Florida College System and the State University System to implement the admissions application process; providing certain requirements for state universities and state colleges; amending s. 1006.72, F.S.; revising provisions relating to the licensing of electronic library resources; requiring that the Chancellor and Vice Chancellor of the Florida College System and the State University System report cost savings resulting from the collaborative licensing process to the Executive Office of the Governor and the chairs of the legislative appropriations committees; amending s. 1007.28, F.S.; revising provisions relating to the computer-assisted student advising system; requiring that the system provide a transient student admissions application process for certain students; creating s. 1009.215, F.S.; authorizing each university, with the approval of the Board of Governors of the State University System, to plan and implement a program for students to enroll for the spring and summer terms rather than the fall terms in order to align student enrollment with available instructional staff and facilities; providing for eligibility for the Bright Futures Scholarship to conform to periods of a student's enrollment; requiring each university that implements the plan to report to the Legislature by a specified date; amending s. 1009.22, F.S.; revising provisions relating to workforce education postsecondary student fees; revising the standard tuition for programs leading to a career certificate or an applied technology diploma; requiring that a block tuition be assessed for residents and nonresidents enrolled in adult general education programs; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; amending s. 1009.23, F.S.; revising provisions relating to community college student fees, including the standard tuition for residents and nonresidents and the out-of-state fee; authorizing each college to assess a transient student fee that does not exceed a specified amount per distance learning course; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; amending s. 1009.24, F.S.; revising provisions relating to state university student fees; authorizing each university board of trustees to establish a transient student fee that does not exceed a specified amount per distance learning course for processing the transient student admissions application; revising provisions relating to the tuition differential; amending s. 1009.25, F.S.; deleting provisions that exempt students from paying tuition and fees for adult basic, adult secondary, or career preparatory instruction; creating s. 1009.251, F.S.; creating the STEM Scholarship Program; providing a purpose; providing definitions; providing eligibility requirements; providing that funds appropriated by the Legislature in the General Appropriations Act be allocated by the Office of Student Financial Assistance within the Department of Education; providing for the issuance of scholarship awards annually; au-

thorizing the State Board of Education to establish rules; amending s. 1009.286, F.S.; revising provisions relating to a surcharge for hours exceeding baccalaureate degree program completion requirements at state universities; increasing the percentage of the tuition rate that must be paid; amending ss. 1009.55, 1009.56, 1009.57, 1009.60, 1009.68, and 1009.69, F.S.; requiring that the funding for the Rosewood Family Scholarship Program, the Seminole and Miccosukee Indian Scholarships, the Florida Teacher Scholarship and Forgivable Loan Program, the Minority Teacher Education Scholars Program, the Florida Minority Medical Education Program, and the Virgil Hawkins Fellows Assistance Program be as provided in the General Appropriations Act; amending s. 1009.701, F.S.; revising provisions relating to the First Generation Matching Grant Program; requiring that the first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; amending ss. 1009.73 and 1009.74, F.S.; providing that funding for the Mary McLeod Bethune Scholarship Program and the Theodore R. and Vivian M. Johnson Scholarship Program be as provided in the General Appropriations Act; amending s. 1009.77, F.S.; revising provisions relating to the Florida Work Experience Program; requiring that first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; requiring that the funding of the program be provided as in the General Appropriations Act; amending ss. 1009.89 and 1009.891, F.S.; requiring that funding of the William L. Boyd, IV, Florida Resident Access Grant Program and the Access to Better Learning and Education Grant Program be provided as in the General Appropriations Act; amending s. 1011.32, F.S.; providing that state matching funds for the Community College Facility Enhancement Challenge Grant Program be temporarily suspended for donations made after a specified date; providing that existing donations remain eligible for future matching funds; amending s. 1011.52, F.S.; deleting a provision that requires the Legislature to provide an annual appropriation to the first accredited medical school; amending s. 1011.61, F.S.; revising the definition of the term “full-time equivalent student”; amending s. 1011.80, F.S.; revising provisions relating to funds for the operation of workforce education programs; prohibiting the expenditure of funds for the education of state or federal inmates; prohibiting the reporting of a student who is coenrolled in a K-12 education program and an adult education program for funding purposes; amending s. 1011.81, F.S.; revising provisions relating to the Community College Program Fund to prohibit the expenditure of funds for the education of state or federal inmates; amending s. 1011.85, F.S.; revising provisions relating to the Dr. Philip Benjamin Matching Grant Program for Community Colleges; providing that funds received from community events, festivals, or other such activities are not eligible for state matching funds; providing that state matching funds under the program be temporarily suspended for donations after a specified date; providing that existing donations remain eligible for future matching funds; amending ss. 1011.94 and 1013.79, F.S.; providing that state matching funds for donations to the University Major Gifts Program and the University Facility Enhancement Challenge Grant Program are temporarily suspended; providing that existing donations remain eligible for future matching funds; amending s. 1013.737, F.S.; revising the name of the Class Size Reduction Lottery Revenue Bond Program to the Class Size Reduction and Educational Facilities Lottery Revenue Bond Program; authorizing the issuance of educational facilities bonds; requiring that the Department of Education work with the College Center for Library Automation to transfer the Sunlink bibliographic database for inclusion in CCLA’s online discovery tool product for the public to search; requiring that the department also develop an ongoing process to provide for the updating of such data; requiring that the Florida Center for Library Automation and the CCLA develop and submit a plan to the Governor and the Legislature for establishing a single postsecondary education union catalog; requiring that the Task Force for the Future of Academic Libraries in Florida submit a plan to the Governor and Legislature regarding the establishment of a joint library technology organizational structure; providing effective dates.

—was read the third time by title.

On motion by Senator Lynn, **SB 2150** was passed and certified to the House. The vote on passage was:

Yeas—31

Alexander	Bennett	Dean
Altman	Bogdanoff	Detert
Benacquisto	Braynon	Diaz de la Portilla

Evers	Latvala	Ring
Flores	Lynn	Simmons
Gaetz	Margolis	Siplin
Garcia	Montford	Storms
Gardiner	Negron	Thrasher
Hays	Norman	Wise
Hill	Oelrich	
Jones	Richter	

Nays—7

Dockery	Rich	Sobel
Fasano	Sachs	
Joyner	Smith	

Vote after roll call:

Nay to Yea—Joyner

SB 2114—A bill to be entitled An act relating to juvenile justice; creating s. 985.665, F.S.; providing legislative intent; defining the term “regional coordinating agency”; providing requirements for a regional coordinating agency; requiring the Department of Juvenile Justice to contract with regional coordinating agencies for specified services relating to juvenile justice; giving hiring preference to current department employees who meet provider qualifications if they apply for employment with the regional coordinating agencies; providing that the department may maintain certain statewide contracts in place on the effective date of the act; providing for annual measurement and reporting concerning the outcomes and effectiveness of community-based juvenile justice services; requiring regional coordinating agencies to comply with specified requirements; providing for liability of regional coordinating agencies and contracted providers with respect to the treatment of juvenile offenders; providing for governance of regional coordinating agencies; providing for 2-year pilot programs in specified judicial circuits; requiring that the regional coordinating agencies participating in the pilot programs be established organizations within the circuit; requiring the pilot programs to commence by a specified date; requiring annual evaluation reports to the Governor and Legislature; requiring reports; amending s. 985.441, F.S.; prohibiting a court from committing certain youth at a restrictiveness level other than minimum-risk non-residential; authorizing a court to commit certain youth to a low- or moderate-risk residential placement; amending ss. 985.0301, 985.033, and 985.46, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **SB 2114** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Negron

SB 2116—A bill to be entitled An act relating to the state judicial system; creating the Judicial Caseload Incentive Plan; prescribing the purpose of the plan; providing for performance goals for each judicial circuit; authorizing financial awards to certain judges based on the performance of the circuit in meeting the goals; amending s. 27.511, F.S.; authorizing each office of criminal conflict and civil regional counsel to create a direct-support organization; prescribing requirements related to the creation and operation of the direct-support organization; amending s. 27.5304, F.S.; authorizing the Office of the State Courts Administrator to pay private court-appointed counsel if a court orders payment above specified flat-fee amounts; providing for a portion of such payments to be paid from funds appropriated to the office for that purpose; amending s. 318.18, F.S.; requiring the clerk of court and the Florida Clerks of Court Operations Corporation to submit reports on local traffic assessments in an electronic format; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **SB 2116** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Rich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Hays	Simmons
Braynon	Hill	Siplin
Dean	Jones	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise

Nays—3

Joyner	Oelrich	Sachs
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SB 2118—A bill to be entitled An act relating to criminal justice; repealing s. 16.61, F.S., relating to the Cybercrime Office within the Department of Legal Affairs; amending s. 943.13, F.S.; limiting the number of hours in the basic recruit training program required for correctional officers, unless the officer is otherwise exempt; creating s. 943.0415, F.S.; creating the Cybercrime Office within the Department of Law Enforcement to investigate certain violations of state law pertaining to the sexual exploitation of children; repealing ss. 951.231(1)(c) and 958.045, F.S., relating to the basic training program for youthful offenders within the Department of Corrections; transferring and reassigning functions and responsibilities of the Cybercrime Office from the Department of Legal Affairs to the Department of Law Enforcement; transferring, renumbering, and amending s. 938.25, F.S.; requiring a court to assess an additional amount against a defendant who pleads guilty or nolo contendere to, or who is convicted of, violating certain specified offenses, and the services of a criminal analysis laboratory are used in the investigation of the offense; providing for the proceeds of the assessment to be deposited into the Operating Trust Fund of the Department of Law Enforcement and used by the statewide criminal analysis laboratory system; prohibiting the court from waiving the assessment; amending ss. 921.187 and 943.361, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **SB 2118** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bogdanoff	Dockery
Alexander	Braynon	Evers
Altman	Dean	Fasano
Benacquisto	Detert	Flores
Bennett	Diaz de la Portilla	Gaetz

Garcia	Margolis	Sachs
Gardiner	Montford	Simmons
Hays	Negron	Siplin
Hill	Norman	Smith
Jones	Oelrich	Sobel
Joyner	Rich	Storms
Latvala	Richter	Thrasher
Lynn	Ring	Wise

Nays—None

SB 2112—A bill to be entitled An act relating to juvenile detention facilities; amending s. 985.686, F.S.; exempting a county that covers the costs of detention care for pre-adjudicated juveniles within its jurisdiction or other jurisdictions from certain requirements for sharing the costs for juvenile detention; amending s. 985.688, F.S.; providing that a county or county sheriff that meets certain prerequisites with respect to the operation of its juvenile detention facility is exempt from certain requirements of law governing the administration of such facilities; authorizing a county or county sheriff to operate regional detention facilities; requiring that the facility comply with federal requirements to separate juvenile inmates from adult inmates; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **SB 2112** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 2144—A bill to be entitled An act relating to Medicaid; amending s. 409.904, F.S.; providing for funding the Medicaid reimbursement for certain persons age 65 or older while the optional program is being phased out; renaming the “medically needy” program as the “Medicaid nonpoverty medical subsidy”; limiting certain categories of persons eligible for the subsidy to only physician services after a certain date; amending s. 409.905, F.S.; deleting the hospitalist program; amending s. 409.908, F.S.; revising the factors for calculating the maximum allowable fee for pharmaceutical ingredient costs; directing the Agency for Health Care Administration to establish reimbursement rates for the next fiscal year; amending s. 409.9082, F.S.; revising the aggregated amount of the quality assessment for nursing home facilities; exempting certain nursing home facilities from the quality assessment; amending s. 409.911, F.S.; updating references to data to be used for the disproportionate share program; amending s. 409.9112, F.S.; extending the prohibition against distributing moneys under the regional perinatal intensive care centers disproportionate share program for another year; amending s. 409.9113, F.S.; extending the disproportionate share program for teaching hospitals for another year; amending s. 409.9117, F.S.; extending the prohibition against distributing moneys under the primary care disproportionate share program for another year; amending s. 409.912, F.S.; allowing the agency to continue to contract for electronic access to certain pharmacology drug information; eliminating the requirement to implement a wireless handheld clinical pharmacology drug information database for practitioners; revising the factors for calculating the maximum allowable fee for pharmaceutical ingredient costs;

amending ss. 409.9122, 409.915, and 409.9301, F.S.; conforming provisions to changes made by the act; providing an effective date.

—as amended April 6 was read the third time by title.

On motion by Senator Negron, **SB 2144** as amended was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Gaetz	Norman
Alexander	Garcia	Oelrich
Benacquisto	Gardiner	Richter
Bennett	Hays	Simmons
Bogdanoff	Hill	Siplin
Dean	Jones	Storms
Detert	Latvala	Thrasher
Diaz de la Portilla	Lynn	Wise
Evers	Margolis	
Flores	Negron	

Nays—11

Altman	Joyner	Sachs
Braynon	Montford	Smith
Dockery	Rich	Sobel
Fasano	Ring	

Vote after roll call:

Yea to Nay—Margolis

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2144** which came before the full Senate for a vote on April 7, 2011.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 4th District

SB 2146—A bill to be entitled An act relating to the Department of Children and Family Services; reordering and amending s. 39.903, F.S.; revising provisions relating to the department’s duties with respect to domestic violence; providing that annual certification of domestic violence centers depends on a favorable review by the Florida Coalition Against Domestic Violence; authorizing the coalition to enter and inspect centers for monitoring purposes; requiring the department to contract with the coalition for the management of domestic violence service delivery and the monitoring of centers; requiring the department to contract with the Florida Council Against Sexual Violence with respect to the STOP Violence Against Women Grant Program; requiring the department to be the lead agency for grant application and for coordinating the state STOP Program implementation plan with input from the coalition; deleting the requirement that the department serve as an information clearinghouse on information relating to domestic violence and provide educational programs on domestic violence; amending s. 39.904, F.S.; revising the annual report to the Legislature on domestic violence to place responsibility for the report on the coalition and to revise the content of the report; amending s. 39.905, F.S.; revising provisions relating to the certification of domestic violence centers; providing that the grant, denial, suspension, or revocation of certification is not an administrative action subject to ch. 120, F.S.; amending ss. 381.006, 381.0072, 741.281, 741.2902, and 741.316, F.S.; conforming provisions to changes made by the act; amending s. 741.32, F.S.; deleting the requirement that batterers’ intervention programs be certified; amending s. 741.325, F.S.; providing requirements for batterers’ programs; repealing s. 741.327, F.S., relating to the certification and monitoring of

batterers’ intervention programs; amending s. 938.01, F.S.; conforming a cross-reference; amending s. 948.038, F.S.; conforming provisions to changes made by the act; amending s. 394.908, F.S.; directing funding appropriated for forensic mental health treatment services to state areas with the greatest demand; amending ss. 394.76 and 397.321, F.S.; authorizing the department to terminate contracts if funding becomes unavailable; creating s. 409.16713, F.S.; defining terms; providing for the allocation of funding for community-based care lead agencies; providing an effective date.

—was read the third time by title.

On motion by Senator Negron, **SB 2146** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Negron

Yea to Nay—Rich

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2146** which came before the full Senate for a vote on April 7, 2011.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 4th District

SB 2148—A bill to be entitled An act relating to the Agency for Persons with Disabilities; prohibiting the agency from expending funds above the amount appropriated in the General Appropriations Act; requiring that the agency monitor monthly program expenditures and provide quarterly reports to the Governor and Legislature; providing an effective date.

—was read the third time by title.

On motion by Senator Negron, **SB 2148** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Braynon	Fasano
Alexander	Dean	Flores
Altman	Detert	Gaetz
Benacquisto	Diaz de la Portilla	Garcia
Bennett	Dockery	Gardiner
Bogdanoff	Evers	Hays

Hill	Negron	Simmons	Montford	Richter	Smith
Jones	Norman	Siplin	Negron	Ring	Sobel
Joyner	Oelrich	Smith	Norman	Sachs	Storms
Latvala	Rich	Sobel	Oelrich	Simmons	Thrasher
Lynn	Richter	Storms	Rich	Siplin	Wise
Margolis	Ring	Thrasher			
Montford	Sachs	Wise	Nays—None		

Nays—None

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2148** which came before the full Senate for a vote on April 7, 2011.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 4th District

SB 2122—A bill to be entitled An act relating to consumer protection; amending s. 20.14, F.S.; removing the Division of Dairy Industry within the department; amending s. 320.90, F.S.; requiring the Department of Legal Affairs, rather than the Department of Agriculture and Consumer Services, to distribute free of charge a motor vehicle consumer's rights pamphlet; amending s. 501.160, F.S.; providing for the state attorneys and the Department of Legal Affairs, rather than the Department of Agriculture and Consumer Services, to enforce the law prohibiting price gouging; reenacting s. 570.18, F.S., relating to the organization of the Department of Agriculture and Consumer Services, to incorporate the amendment made to s. 570.29, F.S., in a reference thereto; amending s. 570.20, F.S.; removing the time limitations on provisions authorizing moneys in the General Inspection Trust Fund to be used for programs operated by the Department of Agriculture and Consumer Services; amending s. 570.29, F.S.; removing the Division of Dairy Industry, to conform, and adding the Division of Licensing as a division within the department; repealing ss. 570.40 and 570.41, F.S., relating to the powers and duties of the Division of Dairy Industry; amending s. 570.50, F.S.; adding the inspection of dairy farms, milk plants, and milk product plants and other specified functions to the duties of the Division of Food Safety within the department; amending s. 601.15, F.S.; requiring review and approval by the Legislative Budget Commission of any proposal by the Citrus Commission to increase the box tax rate; repealing s. 681.102(7), F.S., relating to the definition of the term "division"; amending ss. 681.103, 681.108, 681.109, 681.1095, 681.1096, 681.110, 681.112, 681.114, 681.117, and 681.118, F.S.; providing for the Department of Legal Affairs, rather than the Division of Consumer Services of the Department of Agriculture and Consumer Services, to enforce the state Lemon Law; consolidating enforcement duties under the Motor Vehicle Warrant Enforcement Act within the Department of Legal Affairs; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2122** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Detert	Gardiner
Alexander	Diaz de la Portilla	Hays
Altman	Dockery	Hill
Benacquisto	Evers	Jones
Bennett	Fasano	Joyner
Bogdanoff	Flores	Latvala
Braynon	Gaetz	Lynn
Dean	Garcia	Margolis

SB 2124—A bill to be entitled An act relating to the Department of Revenue; amending s. 195.096, F.S.; extending from once every 2 years to once every 3 years the requirement that the department conduct an in-depth review of the assessment roll of each county; providing for a study of certain classifications constituting 5 percent or more of the total assessed value of real property on the previous assessment roll; replacing assessed value with just value of all real property that the department may combine for purposes of assessment ration studies; amending s. 212.05, F.S.; imposing a tax on the charges for the use of coin-operated amusement machines operated on the licensed premises of a pari-mutuel facility located in certain cities or counties; amending s. 213.69, F.S.; exempting the department from paying charges imposed by the clerks of the court for recording tax liens; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2124** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

SB 2126—A bill to be entitled An act relating to the Department of Management Services; amending s. 110.181, F.S.; providing for the reimbursement to the department of actual costs for coordinating the Florida State Employee's Charitable Campaign; amending ss. 216.0158 and 216.043, F.S.; requiring the cost factors for a fixed capital outlay project to include an estimate for the finishing of interiors; amending s. 216.182, F.S.; requiring the standards for use of a project to include an analysis of the cost of the constructed space; amending s. 216.301, F.S.; requiring that cost savings realized when actual costs are less than the projected costs for a fixed capital outlay project be used to reduce the overall construction costs; specifying that additional purchases may not be made if they are not included in the approved plan; amending s. 255.043, F.S.; defining the term "art"; prohibiting the purchase of art using public funds except as authorized by law; amending s. 255.29, F.S.; requiring the department to adopt standards for materials and components used in the construction of a fixed capital outlay project; providing criteria; requiring written justification and analysis if a material or component does not meet the standards; amending s. 255.30, F.S.; clarifying the meaning of supervisory authority in the context of the delegation of authority to a state agency by the department; amending s. 273.055, F.S.; deleting provisions requiring department approval for the disposal of state-owned aircraft; amending s. 282.0041, F.S.; revising a cross-reference; amending s. 282.702, F.S.; revising the powers and duties of the department relating to state telecommunications; requiring additional items relating to SUNCOM to be included in the department's annual report; requiring the department to submit an annual benchmark comparison of SUNCOM rates to other rates to the Governor and Legislature; requiring the department to work with the Agency for Enterprise Information Technology to produce a feasibility analysis for

reprocuring the telecommunications network and to submit the analysis to the Governor and the Legislature by a certain date; requiring state agencies to cooperate with the department; requiring the Department of Transportation to provide certain information to assist the department in conducting the feasibility analysis and to develop procedures for disposing of property at less than fair market value; requiring the Department of Transportation to establish certain procedures in the state's right-of-way manual, providing criteria; amending s. 282.703, F.S.; prohibiting state agencies from creating a telecommunications network outside the SUNCOM network; requiring violations to be reported; requiring the department to develop a competitive solicitation to procure end-to-end network services by a certain date; requiring vendors to respond by a certain date; providing the specifications for the procurement; requiring all state agencies to complete the transition to the network services by a certain date; requiring state agencies to cooperate in the procurement; amending s. 287.16, F.S.; removing references to state-owned or leased aircraft; removing a requirement that the department report to the Legislature on the use of aircraft in the executive pool; repealing s. 287.161, F.S., relating to the executive aircraft pool; amending s. 287.17, F.S.; removing the provision that authorizes certain persons to use state-owned aircraft; removing the provision requiring payment by certain persons for the use of state-owned aircraft; amending ss. 318.18 and 318.21, F.S.; delaying the expiration of provisions imposing a surcharge on certain offenses and traffic violations, the proceeds of which are deposited into the State Agency Law Enforcement Radio System Trust Fund of the department; creating s. 760.12, F.S.; requiring that an aggrieved person pay a filing fee when requesting an administrative hearing under ch. 760, F.S., relating to discrimination in the treatment of persons; providing an exception for a person who is indigent; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2126** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 2128—A bill to be entitled An act relating to the Public Employees Relations Commission; amending s. 447.205, F.S.; requiring that the commission be composed of a chair and two part-time members rather than two full-time members; providing for the chair of the commission to remain as a full-time appointment; prohibiting the part-time members from engaging in any business, vocation, or employment that conflicts with their duties while in such office; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2128** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Braynon	Fasano
Alexander	Dean	Flores
Altman	Detert	Gaetz
Benacquisto	Diaz de la Portilla	Garcia
Bennett	Dockery	Gardiner
Bogdanoff	Evers	Hays

Hill	Negron	Simmons
Jones	Norman	Siplin
Joyner	Oelrich	Smith
Latvala	Rich	Sobel
Lynn	Richter	Storms
Margolis	Ring	Thrasher
Montford	Sachs	Wise

Nays—None

SENATOR SIPLIN PRESIDING

SB 2130—A bill to be entitled An act relating to pollution control; amending s. 403.1835, F.S.; revising requirements for the deposit of funds used in providing financial assistance for water pollution control; requiring that such funds be deposited into the department's Federal Grants Trust Fund rather than the department's Grants and Donations Trust Fund; specifying additional uses of moneys deposited into the Federal Grants Trust Fund; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2130** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

SB 2132—A bill to be entitled An act relating to the Department of Financial Services; repealing ss. 17.53 and 17.556, F.S., relating to the Chief Financial Officer's authorization to operate a personal check-cashing service or a remote financial service unit at the capitol and to employ additional persons to assist in performing such services; abolishing appropriations from the General Revenue Fund to pay the salaries of the additional employees; amending s. 20.121, F.S.; revising the duties of the Division of Consumer Services; amending ss. 284.01 and 284.36, F.S.; revising the criteria for premiums charged to agencies and departments for purposes of the State Risk Management Trust Fund; amending s. 284.42, F.S.; revising requirements for reports concerning the state insurance program; requiring the Division of Risk Management to analyze and report on certain agency return-to-work programs and activities; amending s. 284.50, F.S.; requiring certain agencies to establish and maintain return-to-work programs for certain employees; providing program goals; requiring the Division of Risk Management to evaluate agency risk management programs; requiring reports; requiring agencies to respond to the division's evaluation and recommendations; requiring the division to submit certain evaluation reports to the legislative appropriations committees; amending s. 440.13, F.S.; revising requirements for determining the amount of reimbursement for repackaged or relabeled prescription medication; providing limitations; amending s. 440.50, F.S.; providing for reversion of certain unencumbered and undisbursed funds to the Workers' Compensation Administration Trust Fund; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2132** was passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Fasano	Norman
Alexander	Flores	Oelrich
Altman	Gaetz	Rich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Hays	Sachs
Dean	Jones	Simmons
Detert	Latvala	Siplin
Diaz de la Portilla	Lynn	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise

Nays—6

Braynon	Joyner	Smith
Hill	Margolis	Sobel

SB 2134—A bill to be entitled An act relating to the Citizens Property Insurance Corporation; repealing s. 627.351(6)(e) and (f), F.S., relating to the procurement of goods and services by the corporation; creating s. 627.3514, F.S.; providing standards for procurements by Citizens Property Insurance Corporation; providing legislative intent; providing definitions; providing general purchasing rules for the procurement of goods or services by the Citizens Property Insurance Corporation; requiring the corporation's legal department and purchasing department to jointly prepare a contract for the procurement of goods or services; requiring the legal department to review and approve a contract before it is executed; providing that certain procurements of goods or services are subject to competitive solicitation; providing that a public bid opening is not required except under certain circumstances; requiring a competitive solicitation to include a contract term; requiring the corporation's purchasing department to coordinate and manage the competitive solicitation process; providing for the use of four methods for the competitive solicitation process; requiring the business unit to provide certain information in order for the purchasing department to initiate the competitive solicitation process; requiring the corporation to create a process for the evaluation of vendor proposals appropriate for the goods or services being procured and to coordinate the receipt and evaluation of responses to the competitive solicitation; requiring the corporation to give public notice of a competitive solicitation by electronically posting the competitive solicitation on its website and the state's procurement website; prohibiting certain persons from communicating with any member of the board or employee of Citizens Property Insurance Corporation, or with any public official, officer, or employee of the executive or legislative branch of government, concerning any aspect of the solicitation; providing a procedure for breaking a tie between two vendors in the competitive solicitation process; requiring the redaction of certain confidential and exempt information in a vendor's bid; requiring the corporation to post a copy of each contract executed on its website for certain contracts executed on or after a specified date; authorizing a respondent to a competitive solicitation to appeal the award of certain contracts of more than a specified amount by the corporation's board; requiring the corporation's board to hear an appeal at a publicly noticed meeting conducted according to appeal procedures established by the board; authorizing a respondent to a competitive solicitation to appeal the award of a contract having a value at or above a specified amount and less than a specified amount according to appeal procedures established by the board; providing that such appeals are not required to be heard by the board; authorizing certain exemptions from the competitive solicitation process; requiring the corporation's purchasing policy to address procurement issues regarding conflicts of interest and to include procedures for protecting against any conflict of interest by Citizens' board members and employees and other expert consultants who are acting as an evaluator in the purchasing process; requiring the corporation to strive to increase business with minority business enterprises; requiring the director of purchasing to certify a business as a minority business enterprise upon review and evaluation of evidence provided by the business; requiring the corporation to strive to increase business with Florida small business enterprises by providing education and outreach to Florida small business enterprises regarding business opportunities with the corporation; authorizing the corporation to use the status of a business as a Florida small business enterprise as a vendor-evaluation criterion in the procurement of goods or services; re-

quiring the director of the corporation's purchasing department to certify a business as a Florida small business enterprise upon review and evaluation of evidence provided by the entity; authorizing the corporation to use the status of a business as a Florida business enterprise as a vendor-evaluation criterion in the procurement of goods or services; requiring the corporation to verify the status of a Florida business enterprise; requiring the corporation's board to annually review and adopt the purchasing policy for the corporation; requiring the corporation's board to submit a copy of the purchasing policy to the Office of Insurance Regulation; requiring the Auditor General to have access to the corporation's procurement documents and related materials; requiring the documents and materials held by the Auditor General to remain confidential; amending s. 838.014, F.S.; including a board member or an employee of the corporation within the definition of the term "public servant" as it relates to the crime of bribery and the misuse of public office; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2134** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

SB 2136—A bill to be entitled An act relating to trust funds; creating s. 455.1165, F.S.; creating the Federal Grants Trust Fund within the Department of Business and Professional Regulation; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2136** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

SB 2142—A bill to be entitled An act relating to the water management districts; creating s. 373.502, F.S.; providing requirements with

respect to revenues received by each water management district and the unexpended balances of a district's local account; requiring that each district's expenditure of funds be as provided in the General Appropriations Act; providing for a contingency if a court finds such restriction to be invalid; amending s. 373.503, F.S.; providing that the Legislature may annually set the amount of revenue a district may raise through its ad valorem tax authority; prohibiting a district from imposing ad valorem taxes if the Legislature does not set the amount of revenue; amending s. 373.536, F.S.; changing the districts' fiscal year; revising provisions relating to the development of district budgets and review by the Executive Office of the Governor and Legislature; requiring that each district make budget information available to the public through the district's website; amending s. 403.891, F.S., relating to the Water Protection and Sustainability Program Trust Fund; conforming provisions to changes made by the act; amending ss. 373.026, 373.036, 373.707, and 373.709, F.S.; conforming cross-references; specifying the district millage rate during those months that the districts are in transition to a new fiscal year and capping the amount of revenues that may be collected; providing that each district may expend funds until its final budget is approved; appropriating all prior year incurred obligations; providing for future expiration; providing an effective date.

—as amended April 6 was read the third time by title.

On motion by Senator Hays, **SB 2142** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gaetz	Norman
Alexander	Garcia	Oelrich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Evers	Margolis	Storms
Fasano	Montford	Thrasher
Flores	Negron	Wise

Nays—3

Altman	Dockery	Rich
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SB 2152—A bill to be entitled An act relating to transportation; amending s. 310.002, F.S.; redefining the term “port” to include Port Citrus; amending s. 311.07, F.S.; providing additional funds for 5 years to fund certain projects through the Florida Deepwater Seaport Program; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; amending s. 338.165, F.S.; specifying that certain statutory provisions related to special matters to be considered in rule adoption do not apply to the adjustment of toll rates; transferring control of the Tampa-Hillsborough County Expressway Authority, the Orlando-Orange County Expressway Authority, and the Mid-Bay Bridge Authority systems to the Florida Turnpike Enterprise; transferring all assets, rights, powers, duties, and bond liabilities of the authorities to the turnpike enterprise; transferring all provisions that protect the rights of certain bondholders from the authorities to the turnpike enterprise; providing for the turnpike enterprise to annually transfer funds from the activities of each of the transferred authorities to the State Transportation Trust Fund to repay certain long-term debt; amending s. 338.2215, F.S.; adding certain expressway and bridge systems to the Florida Turnpike Enterprise; amending s. 338.231, F.S.; requiring that the toll rates collected electronically equal the rates for cash collection; amending s. 338.2275, F.S.; increasing the maximum amount of bonds that may be outstanding for approved turnpike projects; repealing s. 338.251, F.S., relating to the Toll Facilities Revolving Trust Fund; transferring all funds in the trust fund and future payments of obligated funds to the Turnpike General Reserve Trust Fund; creating s. 339.2821, F.S.; providing requirements for contracts for transportation projects; providing duties of the Department of Transportation; providing for the transfer of funds; requiring that funds be allocated to each district

equitably; authorizing Space Florida to serve as a local government or a contracting agency within spaceport territory; repealing s. 343.805(6), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to the Northwest Florida Transportation Corridor Authority and the Department of Transportation; amending s. 343.835, F.S.; deleting references to lease-purchase agreements; amending s. 343.836, F.S.; deleting references to lease-purchase agreements in remedies to bondholders as they relate to the U.S. 98 Corridor System; repealing s. 343.837, F.S., relating to lease-purchase agreements that provide for the leasing of the U.S. 98 Corridor System to the Department of Transportation; repealing s. 343.885, F.S., relating to the enforceability of pledges by bondholders; repealing s. 343.91(1)(h), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to the Tampa Bay Area Regional Transportation Authority and the Department of Transportation; amending s. 343.94, F.S.; deleting references to lease-purchase agreements; amending s. 343.944, F.S.; deleting references to lease-purchase agreements in remedies to bondholders as they relate to the Tampa Bay Area Regional Transportation Authority; repealing s. 343.945, F.S., relating to the enforceability of pledges to the Tampa Bay Area Regional Transportation Authority; repealing s. 343.946, F.S., relating to lease-purchase agreements that provide for the leasing of projects of the Tampa Bay Area Regional Transportation Authority to the Department of Transportation; repealing s. 348.0002(11), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to expressway authorities and the Department of Transportation; amending s. 348.0004, F.S.; authorizing authorities created pursuant to the Florida Expressway Authority Act to own expressway systems; deleting the power of such authorities to lease such systems; deleting obsolete provisions; amending s. 348.0005, F.S.; deleting a reference to the Department of Transportation to conform to changes made by the act; repealing s. 348.0006, F.S., which provides for lease-purchase agreements in the Florida Expressway Act; repealing part II of ch. 348, F.S., which provides for the creation and operation of the Brevard County Expressway Authority; repealing part III of ch. 348, F.S., which provides for the creation and operation of the Broward County Expressway Authority; repealing part IV of ch. 348, F.S., which provides for the creation and operation of the Tampa-Hillsborough County Expressway Authority; repealing part V of ch. 348, F.S., which provides for the creation and operation of the Orlando-Orange County Expressway Authority; repealing part VI of ch. 348, F.S., which provides for the creation and operation of the Pasco County Expressway Authority; repealing part VII of ch. 348, F.S., which provides for the creation and operation of the St. Lucie County Expressway and Bridge Authority; repealing part VIII of ch. 348, F.S., which provides for the creation and operation of the Seminole County Expressway Authority; repealing part X of ch. 348, F.S., which provides for the creation and operation of the Southwest Florida Expressway Authority; repealing s. 348.9955, F.S., relating to the power of the Osceola Expressway Authority to enter into lease-purchase agreements with the Department of Transportation; repealing s. 349.02(1)(d), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to the Jacksonville Transportation Authority and the Department of Transportation; amending s. 349.04, F.S.; deleting the authority of the Jacksonville Transportation Authority to enter lease-purchase agreements; amending s. 349.05, F.S.; deleting authorization for lease-purchase agreements in bond agreements of the Jacksonville Transportation Authority; repealing s. 349.07, F.S., relating to lease-purchase agreements that provide for the leasing of the Jacksonville Expressway System to the Department of Transportation; amending s. 349.15, F.S.; deleting certain bond authority of the department; amending s. 374.976, F.S.; including Port Citrus in provisions relating to the authority of inland navigation districts; amending s. 403.021, F.S.; conforming provisions to include Port Citrus in legislative declarations relating to environmental control; amending s. 403.061, F.S.; conforming provisions to include Port Citrus in provisions relating to powers of the Department of Environmental Protection; amending s. 403.813, F.S.; including Port Citrus in provisions relating to permits issued at Department of Environmental Protection district centers; amending s. 403.816, F.S.; including Port Citrus in provisions relating to certain maintenance projects at deepwater ports and beach restoration projects; repealing chapter 2000-411, Laws of Florida, relating to the Mid-Bay Bridge Authority; amending s. 212.08, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

Senator Norman moved the following amendment which failed to receive the required two-thirds vote:

Amendment 1 (959312) (with title amendment)—Delete lines 506-509.

And the title is amended as follows:

Delete lines 28-30 and insert: Enterprise; amending s. 338.231, F.S.; providing for revenues of the Florida Turnpike Enterprise to be used to maintain, improve, repair, or operate the turnpike system; amending s. 338.2275, F.S.;

THE PRESIDENT PRESIDING

On motion by Senator Gaetz, **SB 2152** was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Gaetz	Rich
Alexander	Garcia	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Dean	Lynn	Siplin
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	Wise
Evers	Negron	
Flores	Oelrich	

Nays—11

Altman	Gardiner	Smith
Braynon	Joyner	Sobel
Dockery	Latvala	Storms
Fasano	Norman	

Vote after roll call:

Yea to Nay—Flores

DISCLOSURE

In accordance with Senate Rule 1.39-Disclosure Disqualification, “A Senator is not disqualified from voting when, in the Senator’s judgment, a conflict of interest is present. However, a Senator shall disclose any personal, private, or professional interest in a matter that would inure to that Senator’s special private gain or the special gain of any principal to whom the Senator is obligated.”

The law firm with which I am employed is co-bond counsel for the Hillsborough County Expressway and, in an abundance of caution, I am disclosing this matter. I will be voting on **SB 2152** because I believe that the interests of my constituents will not be served if I do not vote.

Senator Arthenia L. Joyner, 18th District

SB 2154—A bill to be entitled An act relating to the Florida Housing Finance Corporation; amending s. 201.15, F.S.; deleting provisions on the distributions of documentary stamp tax revenues to the State Housing Trust Fund and the Local Government Housing Trust Fund; conforming cross-references; amending ss. 420.0003 and 420.0004, F.S.; replacing references to the Department of Community Affairs with Jobs Florida; amending s. 420.0005, F.S.; providing for the deposit of certain moneys into the State Housing Trust Fund within the State Treasury; replacing references to the Secretary of the Department of Community Affairs with the Commissioner of Jobs Florida; subjecting expenditures from the State Housing Fund for administrative and personnel costs to appropriation by the Legislature; providing for the interest received on investments of moneys of the State Housing Fund in excess of the amounts appropriated for the current fiscal year to be credited to the General Revenue Fund; amending ss. 420.101, 420.111, 420.36, 420.424, 420.503, 420.504, and 420.506, F.S.; replacing references to the Department of Community Affairs with Jobs Florida and replacing references to the Secretary of the Department of Community Affairs with the Commissioner of Jobs Florida; amending s. 420.507, F.S.; providing for certain moneys to be deposited into the State Housing Trust Fund;

subjecting expenditures of funds to appropriation by the Legislature; deleting provisions exempting the corporation from certain state budgetary requirements; deleting the provision that authorizes the corporation to retain unused operational expenditures; amending s. 420.508, F.S.; providing for the deposit of certain moneys into the State Housing Trust Fund; providing that expenditures from the Florida Housing Finance Corporation Fund are subject to appropriation by the Legislature; amending s. 420.5087, F.S.; conforming a cross-reference; requiring that loan repayments and certain proceeds be accounted for by the corporation and be deposited into the State Housing Trust Fund; deleting a provision that prohibits loan repayments and certain proceeds from reverting to the General Revenue Fund; requiring that expenditures from the State Apartment Incentive Loan Fund be subject to appropriation by the Legislature; authorizing the corporation to seek a budget amendment to use certain funds for construction in fiscal years subsequent to the fiscal years for which the funds were appropriated; requiring the corporation to account for certain funds and to deposit them into the State Housing Trust Fund; requiring the corporation to seek a budget amendment to transfer funds for its loan loss insurance reserve; amending s. 420.5088, F.S.; revising provisions relating to the Florida Homeownership Assistance Program; requiring the corporation to account for certain monies deposited into the State Housing Trust Fund; subjecting expenditures from the Florida Homeownership Assistance Fund to appropriation by the Legislature; amending s. 420.5089, F.S.; revising provisions relating to the HOME Investment Partnership Program; requiring the corporation to account for certain monies deposited into the State Housing Trust Fund; authorizing the corporation to seek a budget amendment to use certain funds for construction in fiscal years subsequent to the fiscal years for which the funds were appropriated; providing for certain funds to be deposited into the State Housing Trust Fund; amending s. 420.5091, F.S.; revising provisions relating to the HOPE Program; providing for the deposit of certain funds into the State Housing Trust Fund; amending s. 420.5092, F.S.; revising provisions relating to the Florida Affordable Housing Guarantee Program; authorizing certain funds to be used to support the Florida Affordable Housing Guarantee Program; conforming cross-references; amending s. 420.5095, F.S.; replacing a reference to the Department of Community Affairs with Jobs Florida; amending s. 420.525, F.S.; requiring that expenditures from the Housing Predevelopment Fund be subject to appropriation by the Legislature; authorizing the corporation to seek a budget amendment to use certain funds for predevelopment activities in fiscal years subsequent to the fiscal years for which the funds were appropriated; providing for certain monies to be accounted by the corporation and deposited into the State Housing Trust Fund; deleting a provision that prohibits certain funds, loan repayments, proceeds from reverting to the General Revenue Fund; amending ss. 420.526 and 420.529, F.S.; providing for certain monies to be accounted by the corporation and repaid to, or deposited into, the State Housing Trust Fund; amending s. 420.602, F.S.; redefining definitions; amending ss. 420.606, 420.609, 420.622, and 420.631, F.S.; replacing references to the Department of Community Affairs with Jobs Florida and replacing references to the Secretary of the Department of Community Affairs with the Commissioner of Jobs Florida; amending s. 420.9073, F.S.; revising local housing distribution provisions under the State Housing Initiatives Partnership Program; amending s. 420.9079, F.S.; providing for the deposit of certain monies into the Local Government Housing Trust Fund; providing for the interest on certain investments of the Local Government Housing Trust Fund to be credited to the General Revenue Fund; amending s. 201.0205, F.S.; changing the source of funding for certain local housing programs; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **SB 2154** was passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Dockery	Jones
Alexander	Evers	Latvala
Altman	Fasano	Lynn
Benacquisto	Flores	Montford
Bennett	Gaetz	Negron
Bogdanoff	Garcia	Norman
Dean	Gardiner	Oelrich
Detert	Hays	Richter
Diaz de la Portilla	Hill	Ring

Sachs	Siplin	Thrasher
Simmons	Storms	Wise
Nays—6		
Braynon	Margolis	Smith
Joyner	Rich	Sobel

SB 2156—A bill to be entitled An act relating to governmental reorganization; transferring the functions and trust funds of the Agency for Workforce Innovation to other agencies; transferring the Office of Early Learning Services to the Department of Education; transferring the Office of Unemployment Compensation to Jobs Florida; transferring the Office of Workforce Services to Jobs Florida; transferring the functions and trust funds of the Department of Community Affairs to other agencies; transferring the Florida Housing Finance Corporation to Jobs Florida; transferring the Division of Housing and Community Development to Jobs Florida; transferring the Division of Community Planning to Jobs Florida; transferring the Division of Emergency Management to the Executive Office of the Governor and renaming it as the “Office of Emergency Management”; transferring the Florida Building Commission to the Department of Business and Professional Regulation; transferring the responsibilities under the Florida Communities Trust to the Department of Environmental Protection; transferring the responsibilities under the Stan Mayfield Working Waterfronts program to the Department of Environmental Protection; transferring functions and trust funds of the Office of Tourism, Trade, and Economic Development in the Executive Office of the Governor to Jobs Florida; providing legislative intent with respect to the transfer of programs and administrative responsibilities; providing for a transition period; providing for coordination between the Agency for Workforce Innovation, the Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development and other state agencies to implement the transition; requiring that the Governor appoint a representative to coordinate the transition plan; requiring that the Governor submit information and obtain waivers as required by federal law; authorizing the Governor to transfer funds and positions between agencies upon approval from the Legislative Budget Commission to implement the act; directing the nonprofit entities to enter into a plan for merger; transferring the functions of Space Florida to the Jobs Florida Partnership, Inc.; providing legislative intent with respect to the merger of Enterprise Florida, Inc., the Florida Sports Foundation Incorporated, the Florida Tourism Industry Marketing Corporation d/b/a VISIT Florida, and the Florida Black Business Investment Board, Inc., into and the transfer of Space Florida to the Jobs Florida Partnership, Inc.; providing for a transition period; requiring that the Governor appoint a representative to coordinate the transition plan; providing for the transfer of any funds held in trust by the entities to be transferred to the Jobs Florida Partnership, Inc., to be used for their original purposes; requiring that the Governor submit information and obtain waivers as required by federal law; providing a directive to the Division of Statutory Revision to prepare conforming legislation; creating s. 14.2016, F.S.; establishing the Office of Emergency Management as a separate budget entity within the Executive Office of the Governor; providing for the director of the office to serve at the pleasure of the Governor; amending s. 20.15, F.S.; establishing the Division of Early Learning within the Department of Education; providing for the office to administer the school readiness system and the Voluntary Prekindergarten Education Program; creating s. 20.60, F.S.; creating Jobs Florida as a new department of state government; providing for the commissioner of Jobs Florida to be appointed by the Governor and confirmed by the Senate; establishing divisions of Jobs Florida and specifying their responsibilities; providing for Jobs Florida to serve as the designated agency for the purposes of federal workforce development grants; authorizing Jobs Florida to contract for training for employees of administrative entities and case managers of contracted providers; specifying that the Unemployment Appeals Commission is not subject to control, supervision, or direction from Jobs Florida; specifying the responsibilities of the commissioner of Jobs Florida; limiting the amount of the commissioner’s public remuneration; specifying powers and responsibilities of the Chief Inspector General in the Executive Office of the Governor with respect to Jobs Florida; providing for Jobs Florida to have an official seal; providing for Jobs Florida to administer the role of state government with respect to laws relating to housing; authorizing Jobs Florida to adopt rules; amending s. 112.044, F.S.; requiring an employer, employment agency, and labor organization to post notices required by the United States Department of Labor and

the United States Equal Employment Opportunity Commission; amending s. 163.3164, F.S.; redefining the terms “state land planning agency” and “optional sector plans”; amending ss. 163.3177 and 163.3180, F.S.; deleting the word “optional” from the phrase “optional sector plans” to conform to changes made by the act; amending s. 163.3184, F.S.; creating exceptions to requirements for comprehensive plan amendments to be reviewed by the state land planning agency; requiring the state land planning agency to submit a copy of a comprehensive plan or plan amendment that relates to or includes a public schools facilities element to the Department of Education; amending s. 163.3191, F.S.; creating exceptions to requirements for a local government to prepare an evaluation and appraisal report to assess progress in implementing the local government’s comprehensive plan; deleting requirements for a local government to include in an evaluation and appraisal report certain statements to update a comprehensive plan; deleting a requirement for a local government to provide a proposed evaluation and appraisal report to certain entities and interested citizens; deleting provisions relating to a requirement for a local government to adopt an evaluation and appraisal report; providing for the report to be submitted as data and analysis in support of the amendments based on evaluation and appraisal report; deleting provisions relating to the delegation of the review of evaluation and appraisal reports; authorizing the state land planning agency to establish a phased schedule for adoption of amendments based on an evaluation and appraisal report; deleting a requirement for the state land planning agency to review the evaluation and appraisal report process and submit a report to the Governor and the Legislature regarding its findings; amending s. 163.3245, F.S.; renaming optional sector plans as sector plans; increasing the minimum size of geographic areas that qualify for the use of sector plans; revising terminology relating to such plans; deleting obsolete provisions; renaming long-term conceptual buildout overlays as long-term master plans; revising the content required to be included in long-term master plans and detailed specified area plans; requiring identification of water development projects and transportation facilities to serve future development needs; exempting certain developments from the requirement to develop a detailed specific area plan; providing that detailed specific area plans shall be adopted by local development orders; requiring that detailed specific area plans include a buildout date and precluding certain changes in the development until after that date; authorizing certain development agreements between the developer and the local government; providing for continuation of certain existing land uses; amending s. 163.3246, F.S.; deleting the word “optional” from the phrase “optional sector plans” to conform to changes made by the act; amending s. 163.32465, F.S.; making the alternative state review of comprehensive plan amendments applicable statewide; amending s. 215.559, F.S.; providing for the Hurricane Loss Mitigation Program to be housed within the Office of Emergency Management; extending the repeal date of the program; deleting an obsolete provision relating to the use of funds for programs to retrofit certain existing hurricane shelters; creating s. 288.005, F.S.; defining the terms “economic benefits” and “commissioner”; creating s. 288.048, F.S.; creating the incumbent worker training program within Jobs Florida; providing for the program to provide preapproved, direct, training-related costs; providing for the administration of the program by Jobs Florida in conjunction with Workforce Florida, Inc.; amending s. 288.061, F.S.; providing for Jobs Florida and the Jobs Florida Partnership, Inc., to review applications for state economic development incentives; authorizing Jobs Florida to enter into an agreement with an applicant relating to all incentives offered by the state; amending s. 288.095, F.S.; providing for the Economic Development Incentives account to be used for certain economic development incentives programs; providing for Jobs Florida to approve applications for certification or requests for participation in certain economic development programs; amending s. 288.1081, F.S.; providing for the Economic Gardening Business Loan Pilot Program to be administered by Jobs Florida; deleting provisions providing for certain funds to be deposited into the General Revenue Fund; deleting provisions that provide for the future repeal of the program; amending s. 288.1082, F.S.; providing for the Economic Gardening Technical Assistance Pilot Program to be administered by Jobs Florida; requesting the Division of Statutory Revision to rename part VII of ch. 288, F.S., as “Jobs Florida Partnership, Inc.”; amending s. 288.901, F.S.; creating the Jobs Florida Partnership, Inc., as a nonprofit corporation; specifying that the partnership is subject to the provisions of chs. 119 and 286, F.S.; specifying that the partnership’s board of directors is subject to certain requirements in ch. 112, F.S.; specifying the purposes of the partnership; creating the board of directors for the partnership; naming the Governor as chair of the board of directors; specifying appointment procedures,

terms of office, selecting a vice chairperson, filling vacancies, and removing board members; providing for the appointment of at-large members to the board of directors; specifying terms; allowing the at-large members to make contributions to the partnership; specifying that the commissioner of Jobs Florida and the chairs of the advisory councils for each division shall serve as ex officio, nonvoting members of the board of directors; specifying that members of the board of directors shall serve without compensation, but are entitled to reimbursement for all reasonable, necessary, and actual expenses as determined by the board of directors; amending s. 288.9015, F.S.; specifying the powers of the partnership and the board of directors; authorizing liberal construction of the partnership's statutory powers; prohibiting the partnership from pledging the full faith and credit of the state; allowing the partnership to indemnify, purchase, and maintain insurance on its board members, officers, and employees; amending s. 288.903, F.S.; specifying the duties of the partnership; amending s. 288.904, F.S.; providing for legislative appropriations; requiring a private match equal to at least 35 percent of the appropriation of public funds; specifying potential sources of private funding; directing the board of directors to develop annual budgets; providing for the partnership to enter into an agreement with Jobs Florida; requiring performance measures; requiring review of the partnership's activities as a return on the public's financial investment; directing the partnership to consult with the Office of Economic and Demographic Research when hiring an economic analysis firm to prepare the return on investment analysis and when hiring a survey research firm to develop, analyze and report on the results of its customer satisfaction survey; amending s. 288.905, F.S.; directing the partnership's board of directors to hire a president, who shall serve at the pleasure of the Governor; defining the president's role and responsibilities; specifying that no employee of the partnership shall earn more than the Governor, but provides for the granting of performance-based incentive payments to employees that may increase their total compensation in excess of the Governor's; amending s. 288.906, F.S.; requiring the partnership to prepare an annual report by December 1 of each year; specifying the content of the annual report; creating s. 288.907, F.S.; requiring the partnership to create an annual incentives report; specifying the required components of the report; amending s. 288.911, F.S.; requiring the partnership to promote and market this state to businesses in target industries and high-impact industries; creating s. 288.912, F.S.; requiring that certain counties and municipalities annually provide to the partnership an overview of certain local economic development activities; creating s. 288.92, F.S.; specifying divisions within the partnership; providing for hiring of staff; requiring each division to have a 15-member advisory council; specifying selection and appointments to the advisory council; creating s. 288.921, F.S.; creating the Division of International Trade and Business Development; specifying its responsibilities; providing for administration of a grant program; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.922, F.S.; creating the Division of Business Retention and Recruitment; specifying its responsibilities; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.923, F.S.; creating the Division of Tourism Marketing; providing definitions; specifying the division's responsibilities and duties, including a 4-year marketing plan; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.925, F.S.; creating the Division of Minority Business Development; specifying the division's responsibilities and duties; requiring an annual report; specifying minimum responsibilities of the advisory council; transferring, renumbering, and amending s. 288.1229, F.S.; creating the Division of Sports Industry Development; specifying the division's responsibilities; requiring an annual report; specifying minimum responsibilities of the advisory board; amending s. 290.0055, F.S.; authorizing certain governing bodies to apply to Jobs Florida to amend the boundary of an enterprise zone that includes a rural area of critical economic concern; providing a limitation; authorizing Jobs Florida to approve the amendment application subject to certain requirements; requiring that Jobs Florida establish the effective date of certain enterprise zones; creating s. 290.00726, F.S.; authorizing Martin County to apply to Jobs Florida for designation of an enterprise zone; providing application requirements; authorizing Jobs Florida to designate an enterprise zone in Martin County; providing responsibilities of Jobs Florida; amending s. 409.942, F.S.; deleting requirements that Workforce Florida, Inc., establish an electronic transfer benefit program; amending s. 411.0102, F.S.; requiring each participating early learning coalition board to develop a plan for the use of child care purchasing pool funds; amending s. 1002.73, F.S.; requiring the Department of Education to administer the operational requirements of the Volun-

tary Prekindergarten Education Program; requiring the Department of Education to adopt procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts; requiring the Department of Education to adopt procedures for the distribution of funds to early learning coalitions; amending ss. 11.45, 14.20195, 15.18, 15.182, 16.615, 39.001, 45.031, 69.041, 112.3135, 119.071, 120.80, 125.01045, 159.803, 159.8081, 159.8083, 161.54, 163.03, 163.3178, 163.3221, 163.360, 166.0446, 175.021, 186.504, 186.505, 202.037, 212.08, 212.096, 212.097, 212.098, 212.20, 213.053, 215.5586, 216.136, 216.292, 216.231, 218.64, 220.03, 220.183, 220.191, 222.15, 250.06, 252.32, 252.34, 252.35, 252.355, 252.3568, 252.36, 252.365, 252.37, 252.371, 252.373, 252.38, 252.385, 252.40, 252.41, 252.42, 252.43, 252.44, 252.46, 252.55, 252.60, 252.61, 252.82, 252.83, 252.85, 252.86, 252.87, 252.88, 252.936, 252.937, 252.943, 252.946, 255.099, 259.035, 260.0142, 272.11, 282.34, 282.709, 287.09431, 287.09451, 287.0947, 288.012, 288.017, 288.018, 288.019, 288.021, 288.035, 288.047, 288.065, 288.0655, 288.0656, 288.06561, 288.0657, 288.0658, 288.0659, 288.075, 288.1045, 288.106, 288.107, 288.108, 288.1083, 288.1088, 288.1089, 288.1095, 288.1162, 288.11621, 288.1168, 288.1169, 288.1171, 288.122, 288.12265, 288.124, 288.1251, 288.1252, 288.1253, 288.1254, 288.386, 288.7011, 288.7015, 288.705, 288.706, 288.7094, 288.7102, 288.714, 288.773, 288.774, 288.776, 288.7771, 288.816, 288.809, 288.826, 288.95155, 288.955, 288.9519, 288.9520, 288.9603, 288.9604, 288.9605, 288.9606, 288.9614, 288.9624, 288.9625, 288.975, 288.980, 288.984, 288.9913, 288.9914, 288.9916, 288.9917, 288.9918, 288.9919, 288.9920, 288.9921, 290.004, 290.0055, 290.0056, 290.0065, 290.0066, 290.00710, 290.0072, 290.00725, 290.0073, 290.0074, 290.0077, 290.014, 311.09, 311.11, 311.115, 311.22, 320.08058, 331.302, 331.3081, 331.369, 339.08, 339.135, 364.0135, 377.703, 377.711, 377.712, 377.804, 380.031, 380.06, 380.115, 380.285, 381.0054, 381.0086, 381.7354, 381.855, 383.14, 402.281, 402.45, 402.56, 403.42, 403.7032, 403.973, 409.017, 409.1451, 409.2576, 409.944, 409.946, 411.01, 411.0101, 411.01013, 411.01014, 411.01015, 411.0103, 411.0104, 411.0106, 411.011, 411.226, 411.227, 414.24, 414.40, 414.295, 414.411, 420.631, 420.635, 429.907, 440.12, 440.15, 440.381, 440.385, 440.49, 443.012, 443.036, 443.041, 443.051, 443.071, 443.091, 443.101, 443.1113, 443.1115, 443.1116, 443.1215, 443.1216, 443.1217, 443.131, 443.1312, 443.1313, 443.1315, 443.1316, 443.1317, 443.141, 443.151, 443.163, 443.171, 443.1715, 443.181, 443.191, 443.211, 443.221, 445.002, 445.003, 445.004, 445.006, 445.007, 445.009, 445.016, 445.024, 445.0325, 445.038, 445.045, 445.048, 445.049, 445.051, 445.056, 446.41, 446.44, 446.50, 446.52, 448.109, 448.110, 450.161, 450.191, 450.31, 464.203, 468.529, 469.002, 469.003, 489.1455, 489.5335, 526.143, 526.144, 551.104, 553.62, 570.248, 570.96, 597.006, 624.5105, 625.3255, 627.0628, 657.042, 658.67, 768.13, 943.03, 943.03101, 943.0311, 943.0312, 943.0313, 944.012, 944.708, 944.801, 945.10, 985.601, 1002.375, 1002.53, 1002.55, 1002.61, 1002.63, 1002.67, 1002.69, 1002.71, 1002.72, 1002.77, 1002.79, 1003.491, 1003.492, 1003.493, 1003.575, 1003.4285, 1003.493, 1004.226, 1004.65, 1004.77, 1004.78, 1008.39, 1008.41, 1011.76, and 1012.2251, F.S.; conforming provisions to changes made by the act; conforming cross-references; deleting obsolete provisions; transferring, renumbering, and amending ss. 20.505 and 1004.99, F.S.; conforming provisions to changes made by the act; repealing s. 14.2015, F.S., which relates to the creation of the Office of Tourism, Trade, and Economic Development; repealing s. 20.18, F.S., which relates to the creation of the Department of Community Affairs; repealing s. 20.50, F.S., which relates to the creation of the Agency for Workforce Innovation; repealing ss. 255.551, 255.552, 255.553, 255.5535, 255.555, 255.556, 255.557, 255.5576, 255.558, 255.559, 255.56, 255.561, 255.562, and 255.563, F.S., which relates to the abatement of asbestos in state buildings; repealing s. 287.115, F.S., which relates to a requirement for the Chief Financial Officer to submit a report on contractual service contracts disallowed; repealing s. 288.038, F.S., which relates to agreements appointing county tax collectors as an agent of the Department of Labor and Employment Security for licenses and other similar registrations; repealing s. 288.063, F.S., which relates to contracts for transportation projects with the Office of Tourism, Trade, and Economic Development; repealing ss. 288.1221, 288.1222, 288.1223, 288.1224, 288.1226, and 288.1227, F.S., which relate to the Florida Commission on Tourism and the Florida Tourism Industry Marketing Corporation; repealing ss. 288.7065, 288.707, 288.708, 288.709, 288.7091, and 288.712, F.S., which relate to the Black Business Investment Board; repealing s. 288.12295, F.S., which relates to a public records exemption for donors for a direct support organization on promotion and development of sports-related industries and amateur athletics; repealing s. 288.90151, F.S., which relates to return on investment from activities of Enterprise Florida, Inc.; repealing s. 288.9415, F.S., which relates to Enterprise Florida, Inc., and

international trade grants; repealing s. 288.9618, F.S., which relates to an economic development program for microenterprises; repealing s. 288.982, F.S., which relates to a public records exemption for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 411.0105, F.S., which designates the Agency for Workforce Innovation as the lead agency to administer specified federal laws; amending s. 443.111, F.S.; providing that unemployment benefits are payable electronically, except that an individual being paid by paper warrant on a specified date may continue to be paid in that manner until the expiration of a claim for unemployment compensation; conforming provisions to changes made by the act; repealing s. 446.60, F.S., which relates to assistance for displaced local exchange telecommunications company workers; repealing s. 1002.75, F.S., relating to the powers and duties of the Agency for Workforce Innovation; providing an effective date.

—as amended April 6 was read the third time by title.

MOTION

On motion by Senator Dean, by the required two-thirds vote, consideration of the following amendments were allowed:

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

Amendment 1 (149544)—Delete line 3516 and insert: *for recruitment or retention, and staffing of the division. The advisory council shall include at least one representative from each of the rural areas of critical economic concern established pursuant to s. 288.0656(7).*

Amendment 2 (903382)—Delete lines 2961 and 2962 and insert: *diversity. Efforts shall be taken to ensure participation from all geographic areas of the state, including representation from urban and rural communities.*

Amendment 3 (819500)—Delete line 3590 and insert: *funding proposals, and staffing of the division. The advisory council shall make recommendations to promote tourism opportunities in all areas of this state.*

Amendment 4 (608198)—Delete line 3426 and insert: *from the lists submitted. Nominations for advisory council membership shall include representatives from all geographic areas of the state, including rural and urban communities. Each advisory council shall elect a*

Amendment 5 (313154)—Delete line 3397 and insert: *encouraging to locate or relocate to its area. A county or municipality having a population of 25,000 or fewer or its local economic development organization seeking to recruit businesses may submit information as required in this section and may participate in any activity or initiative resulting from the collection, analysis, and reporting of the information to the Jobs Florida Partnership, Inc., pursuant to this section.*

Amendment 6 (246032)—Between lines 2935 and 2936 insert:

(g) *Assist, promote, and enhance economic opportunities in this state's rural and urban communities.*

MOTION

On motion by Senator Lynn, by the required two-thirds vote, consideration of the following amendment was allowed:

Senators Lynn and Wise offered the following amendment which was moved by Senator Lynn:

Amendment 7 (706040) (with title amendment)—Between lines 14366 and 14367 insert:

3. *Provide comprehensive services to the state's birth to five population which shall ensure the preservation of parental choice by permitting parents to choose from a variety of child care categories, including: Center-based child care; Group home child care; Family child care; and In-home child care. Under each of the above categories, care and curriculum by a sectarian provider may not be limited or excluded.*

Delete lines 20172-20177 and insert: *actions, including the use of a curriculum approved by the department under paragraph (2)(c) or a staff development plan to strengthen instruction in language development and phonological awareness approved by the department.*

3. A private prekindergarten provider or public school that is placed on probation must continue the corrective actions required under subparagraph 2., including the use of a curriculum *or a staff development plan to strengthen instruction in language development and phonological awareness* approved by the department, until the provider or

And the title is amended as follows:

Delete line 373 and insert: *provisions; amending s. 411.01(4), F.S., to ensure the Department of Education provides preservation of parental choice; amending s. 1002.67, F.S., to provide for private prekindergarten providers or public schools that are on probation to use a staff development plan to strengthen instruction in language development and phonological awareness approved by the department; transferring, renumbering and amending*

On motion by Senator Gaetz, further consideration of **SB 2156** as amended with pending **Amendment 7 (706040)** was deferred.

SB 2160—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 20.23, F.S.; creating motor carrier weight inspection as an area of program responsibility within the Department of Transportation, which replaces motor carrier compliance; amending s. 20.24, F.S.; revising the divisions within the Department of Highway Safety and Motor Vehicles; creating the Office of Motor Carrier Compliance of the Division of the Florida Highway Patrol within the Department of Highway Safety and Motor Vehicles; amending ss. 110.205, 311.115, 316.302, 316.3025, 316.3026, 316.516, 316.545, 316.640, 320.18, and 321.05, F.S.; conforming provisions to changes made by the act; amending s. 288.816, F.S.; requiring the department rather than the Division of Motor Vehicles to issue special motor vehicle license plates; amending s. 311.121, F.S.; providing for a representative of the department rather than the Division of Driver Licenses to be appointed to the Seaport Security Officer Qualification, Training, and Standards Coordinating Council; amending s. 316.066, F.S.; revising circumstances under which a law enforcement officer is required to submit to the department a Florida Traffic Crash Report, Long Form; providing for the use of driver exchange-of-information forms under certain circumstances; eliminating provisions authorizing counties to establish certified central traffic records centers, including provisions authorizing the funding of such centers; deleting restrictions on the commercial use of crash reports; amending s. 316.1957, F.S.; requiring that motor vehicle records be maintained by the department; amending s. 316.613, F.S.; requiring the department rather than the Division of Motor Vehicles to provide notice of the requirements for child restraint devices; amending s. 318.15, F.S.; providing for the department rather than the Division of Driver Licenses to administer certain provisions governing the suspension of a person's driver's license and privilege to drive; amending s. 320.05, F.S.; providing for a Division of Motorist Services Procedures Manual; clarifying that the creation and maintenance of records by the division is not a law enforcement function; amending s. 320.275, F.S.; providing for a representative of the department rather than the Division of Motor Vehicles to be appointed to the Automobile Dealers Industry Advisory Board; amending s. 321.23, F.S.; specifying the fee to be charged for a copy of a uniform traffic citation; providing for a portion of the fees for crash reports to be distributed to the investigating agency under certain circumstances; authorizing the Department of Highway Safety and Motor Vehicles to scan the records of crash reports, which shall be considered original copies; amending s. 322.02, F.S.; providing for the Division of Motorist Services to administer ch. 322, F.S., relating to driver's licenses; amending s. 322.135, F.S.; providing duties of the tax collectors with respect to driver's license services; directing the tax collectors who are constitutional officers to assume all driver's license issuance services by a certain date and according to a specified schedule; deleting obsolete provisions; authorizing the department to adopt rules creating exceptions for counties that are unable to provide full driver's license services; providing for interlocal agreements to provide such services; amending s. 322.20, F.S.; providing for the department and the Division of Motorist Services to maintain certain records; amending s. 322.202, F.S.; clarifying that the Division of Motorist Services is not a law enforcement agency and is not an adjunct of any law enforcement agency; amending s. 322.21, F.S.; requiring that

a portion of the fees charged for the replacement of a driver's license or identification card be used to support motorist services activities; requiring that such fees be retained by the tax collectors who issue driver's licenses following the transition of the driver's license issuance services to the constitutional tax collectors; providing for the Division of Motorist Services to collect fees and issue driver's licenses and identification cards and account for all license funds in the administration of ch. 322, F.S.; repealing s. 334.044(32), F.S., relating to the authorization of the Office of Motor Carrier Compliance within the Department of Transportation to employ sworn law enforcement officers to enforce traffic and criminal laws in this state; amending s. 413.012, F.S., relating to certain confidential records; conforming a reference to changes made by the act; amending s. 921.0022, F.S.; conforming a cross-reference; creating the Law Enforcement Consolidation Task Force; providing for membership; requiring the Department of Highway Safety and Motor Vehicles to provide administrative assistance to the task force; requiring the agency that is represented by a member of the task force to bear the travel expenses incurred by the member; requiring the task force to evaluate the duplication of law enforcement functions and to identify possible consolidation; requiring the task force to evaluate administrative functions; requiring the task force to evaluate whether to limit the jurisdiction of the Florida Highway Patrol; requiring the task force to make recommendations and submit a report to the Legislature by a certain date; providing for future expiration; transferring the Office of Motor Carrier Compliance of the Department of Transportation to the Division of the Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles; authorizing the Executive Office of the Governor to transfer funds and positions between agencies; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **SB 2160** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 2162—A bill to be entitled An act relating to trust funds; creating the Welfare Transition Trust Fund within the Department of Education; providing for sources of funds and purposes; providing for the annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **SB 2162** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Detert	Gardiner
Alexander	Diaz de la Portilla	Hays
Altman	Dockery	Hill
Benacquisto	Evers	Jones
Bennett	Fasano	Joyner
Bogdanoff	Flores	Latvala
Braynon	Gaetz	Lynn
Dean	Garcia	Margolis

Montford	Richter	Smith
Negron	Ring	Sobel
Norman	Sachs	Storms
Oelrich	Simmons	Thrasher
Rich	Siplin	Wise

Nays—None

SB 2094—A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

—was read the third time by title.

SENATOR JONES PRESIDING

On motion by Senator Alexander, **SB 2094** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Jones

CS for SB 1738—A bill to be entitled An act relating to state financial information; amending s. 11.45, F.S.; requiring the Auditor General to annually provide to the Legislature a list of school districts that have failed to comply with certain financial transparency requirements, as identified pursuant to audit; amending s. 215.90, F.S.; conforming a cross-reference; amending s. 215.91, F.S.; providing that the Financial Management Information Board is responsible for the system; deleting provisions relating to the Florida Financial Management Information System Coordinating Council; deleting references to functional owner subsystems; amending s. 215.92, F.S.; redefining terms and adding and deleting definitions; creating s. 215.922, F.S.; establishing the Agency for Enterprise Business Services within the Department of Financial Services; providing that the office is a separate budget entity not subject to the department; providing that the agency is headed by the Governor and Cabinet acting as the Financial Management Information Board; providing for an executive director; providing the duties of the agency; creating s. 215.923, F.S.; establishing the Enterprise Financial Business Operations Council to act in an advisory capacity to the agency; providing the members of the council; providing council duties; creating s. 215.924, F.S.; providing for an Enterprise Financial Business Strategic Plan; requiring the plan to be annually reviewed, updated, and submitted to the Legislature; providing for the contents of the plan; amending s. 215.93, F.S.; revising provisions relating to the Florida Financial Management Information System; renaming the Florida Accounting Information Resource Subsystem the Financial Management Subsystem; adding the Revenue and Tax Collection, Processing, and Distribution Subsystem; deleting references to functional owner subsystems and providing for enterprise business owners; revising the duties of the owners; deleting references to the design and coordination staff; providing for the ownership and functions of the Revenue and Tax Collection, Processing, and Distribution Subsystem by the Department

of Revenue; amending s. 215.94, F.S.; deleting references to functional owner subsystems and providing for enterprise business owners; amending s. 215.95, F.S.; providing additional duties for the Financial Management Information Board; repealing s. 215.96, F.S., relating to the coordinating council and design and coordination staff; creating s. 215.961, F.S.; providing state agency requirements relating to the Florida Financial Management Information System and the use of functional information and enterprise agency business subsystems; amending s. 215.985, F.S., relating to the Transparency Florida Act; redefining the term "governmental entity" to include public schools rather than public school districts; requiring the Legislative Auditing Committee to recommend a format for school districts, charter schools, and charter technical career centers to use in collecting and displaying financial information; revising the schedule for adding information to the state's official website; revising provisions exempting certain municipalities and special districts from the Transparency Florida Act; requiring the Office of Policy and Budget to maintain the state's financial data on the state website for a specified period; requiring a certified public accountant conducting an audit of a unit of local government to report compliance with the act; establishing a state contract management system on the website; requiring the Legislative Auditing Committee to adopt guidelines for administering the act; conforming terms; amending ss. 17.11, 216.102, 216.141, and 216.237, F.S.; conforming terms; providing for funding; providing an effective date.

—was read the third time by title.

On motion by Senator Alexander, **CS for SB 1738** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 2096—A bill to be entitled An act relating to state financial information; amending s. 11.45, F.S.; requiring the Auditor General to annually provide to the Legislature a list of school districts and water management districts that have failed to comply with certain financial transparency requirements, as identified pursuant to audit; amending s. 215.985, F.S., relating to the Transparency Florida Act; defining the term "department" to mean the Department of Financial Services; removing the term "committee"; redefining the term "governmental entity" to include public schools rather than public school districts; requiring the Chief Financial Officer to develop and maintain the transparency website; providing for the transition of the website to the department; requiring the department to recommend a format for school districts, charter schools, and charter technical career centers to use in collecting and displaying financial information; revising the schedule for adding information to the state's official website; requiring certain functional owners and governmental entities to provide information specified by the department; revising provisions exempting certain municipalities and special districts from the Transparency Florida Act; requiring each water management district to post certain information on its website; requiring the fiscal year of each water management district to be July 1 to June 30; requiring each water management district to maintain its financial data in a certain manner; requiring each water management district to submit monthly detailed financial reports to the department in a manner specified by the Chief Financial Officer; requiring the Chief Financial Officer to maintain the state's financial data on the state website for a specified period; requiring a certified public accountant conducting an audit of a unit of local government to report compliance

with the Transparency Florida Act; authorizing the department to adopt guidelines for administering the act; providing for public access to a state contract management system on the Transparency Florida website; requiring the collection of certain data; requiring that agency procurement staff update data in the state contract management system following a major change to a contract; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2096** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 2098—A bill to be entitled An act relating to the consolidation of state information technology services; transferring, renumbering, and amending s. 14.204, F.S.; establishing the Agency for Enterprise Information Technology in the Department of Management Services rather than the Executive Office of the Governor; revising the duties of the agency to include the planning, project management, and implementation of the enterprise information technology services; requiring the agency to submit a plan to the Legislative Budget Commission for aggregating information technology purchases; deleting references to the Office of Information Security and the Agency Chief Information Officers Council; amending s. 282.0041, F.S.; revising definitions; amending s. 282.0056, F.S.; revising provisions relating to the agency's annual work plan; amending s. 282.201, F.S.; revising the duties of the agency; deleting obsolete provisions; providing a schedule for the consolidations of state agency data centers; requiring agencies to update their service-level agreements and to develop consolidation plans; requiring the Agency for Enterprise Information Technology to submit a status report to the Governor and Legislature and to develop a comprehensive transition plan; requiring primary data centers to develop transition plans; revising agency limitations relating to technology services; amending s. 282.203, F.S.; deleting obsolete provisions; revising duties of primary data centers relating to state agency resources and equipment relinquished to the centers; requiring state agencies to relinquish all administrative access rights to certain resources and equipment upon consolidation; providing for the appointment of alternate board members; revising provisions relating to state agency representation on data center boards; conforming a cross-reference; amending s. 282.204, F.S.; establishing the Northwood Shared Resource Center in the Department of Management Services rather than the Department of Children and Family Services; creating s. 282.206, F.S.; establishing the Northwest Regional Data Center as a primary data center; repealing s. 282.315, F.S., relating to the Agency Chief Information Officers Council; amending s. 282.318, F.S.; deleting references to the Office of Information Security with respect to responsibility for enterprise security; deleting obsolete provisions; amending s. 282.33, F.S.; deleting an obsolete provision; revising the schedule for the Agency for Enterprise Information Technology to submit certain recommendations to the Legislature; amending s. 282.34, F.S.; revising the schedule for migrating state agencies to the statewide e-mail system; revising limitations on state agencies; revising the requirements for rules adopted by the Agency for Enterprise Information Technology; creating s. 282.35, F.S.; providing for a statewide desktop service as an enterprise information technology service to be provided by the Department of Management Services; requiring the Agency for Enterprise Information Technology to develop a plan for the establishment of the service and submit such plan to the

Governor and Legislature by a certain date; specifying the contents of the plan; providing agency limitations with respect to such services and exceptions from such limitations if granted by the agency; amending ss. 287.042 and 287.056, F.S.; directing the department to adopt rules establishing conditions under which an agency may be exempted from using a state term contract or purchasing agreement; conforming provisions to changes made by the act; amending s. 287.057, F.S.; authorizing the department to adopt rules to be used by agencies to manage contracts; deleting a prohibition against an entity contracting to provide a feasibility study on certain subject matter from contracting with an agency for that subject matter; amending s. 45 of chapter 2010-151, Laws of Florida; providing that certain contracts are subject to transaction fees; transferring the Agency for Enterprise Information Technology and the Northwood Shared Resource Center to the Department of Management Services; requiring the agency to coordinate with the Southwood Shared Resource Center to provide a status report to the Executive Office of the Governor and to the Legislature; providing an effective date.

—as amended April 6 was read the third time by title.

On motion by Senator Hays, **SB 2098** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 2100—A bill to be entitled An act relating to retirement; amending ss. 110.123, 112.0801, 112.363, and 112.65, F.S.; conforming provisions to changes made by the act; amending s. 121.011, F.S.; requiring employee and employer contributions to the retirement system by a certain date; amending s. 121.021, F.S.; redefining the terms “system,” “prior service,” “compensation,” “average final compensation,” “normal retirement date,” “termination,” “benefit,” and “payee”; defining the term “division”; amending s. 121.051, F.S.; conforming provisions to changes made by the act; amending s. 121.0515, F.S.; providing that special risk employee contributions be used, if applicable, when purchasing credit for past service; conforming a cross-reference; amending s. 121.052, F.S., relating to the membership class of elected officers; conforming provisions to changes made by the act; providing for a refund of contributions under certain circumstances for an officer who leaves office; prohibiting such refund if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; conforming a cross-reference; amending s. 121.053, F.S.; conforming provisions to changes made by the act; amending s. 121.055, F.S., relating to the Senior Management Service Class; conforming provisions to changes made by the act; providing for refunds of employee refunds; prohibiting a refund of retirement contributions if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; requiring employee and employer contributions for members in the Senior Management Service Optional Annuity Program after a certain date; limiting the payment of benefits before a member’s termination of employment; amending s. 121.071, F.S.; requiring employee and employer contributions to the retirement system beginning on a certain date; limiting the payment of benefits before a member’s termination of employment; requiring repayment plus interest of an invalid refund; amending s. 121.081, F.S.; providing requirements for contributions for

prior service performed on or after a certain date; amending s. 121.091, F.S.; conforming a cross-reference; providing for refunds of employee refunds; limiting the payment of benefits before a member’s termination of employment; prohibiting a refund of retirement contributions if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; revising the interest rate accruing on DROP benefits after a certain date; conforming provisions to changes made by the act; amending s. 121.1001, F.S.; conforming provisions to changes made by the act; amending s. 121.101, F.S.; revising the cost-of-living adjustment depending on the date of retirement; amending s. 121.121, F.S., relating to the purchase of creditable service following an authorized leave of absence; requiring that service credit be purchased at the employee and employer contribution rates in effect during the leave of absence; reducing the interest rate on benefits payable under the Deferred Retirement Option Program for employees hired after a certain date; amending s. 121.122, F.S.; providing for renewed membership in the retirement system for retirees who are reemployed after a certain date; excluding retirees of the Elected Officers’ Class or the Senior Management Service Class; specifying requirements and limitations; amending s. 121.125, F.S.; conforming provisions to changes made by the act; assessing a penalty against employers for contributions not paid after a member becomes eligible for workers’ compensation; amending s. 121.35, F.S., relating to the optional retirement program for the State University System; conforming provisions to changes made by the act; requiring employee and employer contributions for members participating in the optional retirement program after a certain date; deleting certain requirements governing employer contributions to conform to changes made by the act; prohibiting certain benefits before termination from employment; conforming cross-references; amending s. 121.355, F.S.; conforming provisions to changes made by the act; amending s. 121.4501, F.S.; changing the name of the Public Employee Optional Retirement Program to the Florida Retirement System Investment Plan; limiting the option of enrolling in the State Retirement System’s defined benefit program or defined contribution program to public employees employed before a certain date; requiring certain public employees employed on or after a certain date to enroll in the investment plan; providing exceptions; requiring that plan members make contributions to the plan based on the employee’s membership class; revising definitions; revising the benefit commencement age for members of the special risk class; providing for contribution adjustments as a result of errors or corrections; deleting obsolete provisions relating to the 2002 optional transfer of public employees from the pension plan to the investment plan; providing for past employees who reenter the system; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; providing for a retiree to retain his or her prior plan choice following a return to employment; limiting certain refunds of contributions which exceed the amount that would have accrued had the member remained in the pension plan; providing certain requirements and limitations with respect to contributions; clarifying that employee and employer contributions are earmarked for specified purposes; providing duties of the third-party administrator; providing that a member is vested immediately with respect to employee contributions paid by the employee; providing for the forfeiture of nonvested employer contributions and service credit based on years of service; amending s. 121.4502, F.S.; conforming provisions to changes made by the act; amending s. 121.4503, F.S.; providing for the deposit of employee contributions into the Florida Retirement System Contributions Clearing Trust Fund; amending s. 121.571, F.S.; conforming provisions to changes made by the act; providing requirements for submitting employee contributions; amending s. 121.591, F.S.; prohibiting the payment of certain benefits before termination of employment; providing for the forfeiture of nonvested accumulations upon payment of certain vested benefits; providing that the distribution payment method selected by the member or beneficiary is irrevocable at the time of distribution; prohibiting a distribution of employee contributions if a qualified domestic relations order is filed against the member’s account; providing for the distribution of an employee’s contributions if the employee dies before being vested; conforming provisions to changes made by the act; amending ss. 121.5911 and 121.70, F.S.; conforming provisions to changes made by the act; amending s. 121.71, F.S.; providing for employee contributions to be deducted from the employee’s monthly salary, beginning on a specified date, and treated as employer contributions under certain provisions of federal law; clarifying that an employee may not receive such contributions directly; specifying the required contribution rate for all members

of the Florida Retirement System; specifying the required employer retirement contribution rates for each membership class and subclass of the system in order to address unfunded actuarial liabilities of the system; requiring an assessment to be imposed if the employee contributions remitted are less than the amount required; providing for the employer to receive a credit for excess contributions remitted; conforming cross-references; amending s. 121.72, F.S.; revising certain requirements governing allocations to optional retirement program member accounts; conforming cross-references; amending s. 121.73, F.S., relating to disability coverage for members of the optional retirement program; conforming provisions to changes made by the act; amending ss. 121.74, 121.75, and 121.77, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 121.78, F.S.; revising certain requirements for administering the payment and distribution of contributions; requiring that certain fees be imposed for delinquent payment; providing that an employer is responsible for recovering any refund provided to an employee in error; revising the terms of an authorized waiver of delinquency; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; amending s. 175.121, F.S.; specifying other sources available to pay the expenses of the Department of Revenue for administering firefighters' pension plans; amending s. 175.341, F.S.; conforming provisions to changes made by the act; amending s. 185.10, F.S.; specifying other sources available to pay the expenses of the department for administering police officers' pension plans; amending s. 185.23, F.S.; conforming provisions to changes made by the act; amending s. 250.22, F.S.; providing that retirement pay for members of the Florida National Guard is determined on the date of retirement and may not be recomputed to reflect an increase in basic pay; directing the Division of Retirement to annually adjust retirement pay after a certain date; amending s. 1012.875, F.S.; requiring employee and employer contributions for members of the State Community College System Optional Retirement Program on a certain date; conforming cross-references; providing that the act fulfills an important state interest; providing a directive to the Division of Statutory Revision; requiring the State Board of Administration and the Department of Management Services to request a private letter ruling from the United States Internal Revenue Service regarding the act; providing an effective date.

—as amended April 6 was read the third time by title.

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

Amendment 1 (705008) (with title amendment)—Between lines 1853 and 1854 insert:

7. *The effective date for DROP participation is before July 1, 2016.*

(l) *Closure of program to new participants.-Effective July 1, 2016, DROP is closed to new participants. Only members whose DROP effective date is before July 1, 2016, may participate in DROP.*

And the title is amended as follows:

Delete line 56 and insert: rights under the Florida Retirement System; terminating participation in the Deferred Retirement Option Program after a certain date; revising

Amendment 2 (919816) (with title amendment)—Delete lines 4657-4683 and insert: change. *Beginning July 1, 2011, each employee, except those participating in the Deferred Retirement Option Program, shall contribute the contributions required in subsection (3) to the plan. The employer shall deduct the contribution from the employee's monthly salary and submit it to the division. The contributions shall be reported as employer-paid employee contributions, and shall be credited to the account of the employee. The contributions shall be deducted from the employee's salary before the computation of applicable federal taxes and treated as employer contributions under 26 U.S.C. 414(h)(2). Although designated as employee contributions, the employer specifies that the contributions are being paid by the employer in lieu of contributions by the employee. The employee does not have the option of choosing to receive the contributed amounts directly instead of having them paid to the plan. Such contributions are mandatory and each employee is deemed to have consented to the payroll deductions. Payment of an employee's salary or wages, less the contribution, is a full and complete discharge and satisfaction of all claims and demands for the service rendered by employees*

during the period covered by the payment, except for claims to benefits to which they may be entitled under this chapter.

(3) *Effective July 1, 2011, the required employee retirement contribution rates for all members of the Florida Retirement System shall be 2 percent for gross compensation up to and including \$25,000, 4 percent for gross compensation greater than \$25,000 and up to and including \$50,000, and 6 percent for gross compensation greater than \$50,000. This subsection does not apply to members participating in the Deferred Option Retirement Program.*

And the title is amended as follows:

Between lines 152 and 153 insert: providing an exception for participants in the Deferred Retirement Option Program;

MOTION

On motion by Senator Gaetz, by the required two-thirds vote, consideration of the following amendment was allowed:

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

Amendment 3 (803074)—Between lines 4683 and 4684 insert:

(4) *Effective July 1, 2011, the required employee retirement contribution rate for those members of the Elected Officers' Class who are members of the Florida Legislature and all Statewide Elected Officials (for both the pension and investment plans) shall be 3 percent for gross compensation up to and including \$25,000, 5 percent for gross compensation greater than \$25,000 and up to and including \$50,000, and 7 percent for gross compensation greater than \$50,000.*

On motion by Senator Alexander, **SB 2100** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—26

Mr. President	Flores	Norman
Alexander	Gaetz	Rich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Hays	Simmons
Dean	Jones	Storms
Detert	Latvala	Thrasher
Diaz de la Portilla	Lynn	Wise
Evers	Negron	

Nays—13

Altman	Joyner	Siplin
Braynon	Margolis	Smith
Dockery	Montford	Sobel
Fasano	Oelrich	
Hill	Sachs	

CS for CS for SB 1292—A bill to be entitled An act relating to the Chief Financial Officer; creating s. 215.89, F.S.; providing legislative intent; providing definitions; requiring the Chief Financial Officer to conduct workshops with state agencies, local governments, educational entities, and entities of higher education to gather information pertaining to uniform reporting requirements; requiring the Chief Financial Officer to accept comments from state agencies, local governments, educational entities, entities of higher education, and interested parties regarding proposed charts of account by a certain date; requiring the Chief Financial Officer to adopt charts of account which meet certain requirements by a certain date; requiring a review and update of the charts of account; requiring the Chief Financial Officer to consult with the Legislature, the Auditor General, and the affected parties about certain modifications; requiring the Chief Financial Officer to publish the charts of account by memoranda to all affected reporting entities; amending s. 120.52, F.S.; revising the definition of the term "rule" to include certain statements, memoranda, or instructions by the Chief Financial Officer on the manner in which accounts and financial in-

formation are kept and reported by state agencies, local governments, educational entities, and entities of higher education; providing a declaration of important state interest; providing an effective date.

—was read the third time by title.

On motion by Senator Alexander, **CS for CS for SB 1292** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 2104—A bill to be entitled An act relating to the Office of Drug Control; amending s. 14.2019, F.S.; relocating the Statewide Office for Suicide Prevention into the Department of Children and Family Services; requiring the director of the Statewide Office for Suicide Prevention to employ a coordinator for the office; requiring revenues from grants accepted by the Statewide Office for Suicide Prevention to be deposited into the Grants and Donations Trust Fund within the Department of Children and Family Services rather than the Executive Office of the Governor; amending s. 14.20195, F.S.; requiring the director of the Statewide Office for Suicide Prevention, rather than the director of the Office of Drug Control, to appoint members to the Suicide Prevention Coordinating Council; providing that the director of the Statewide Office for Suicide Prevention is a nonvoting member of the coordinating council; repealing s. 311.115, F.S., relating to Seaport Security Standards Advisory Council within the Office of Drug Control; amending s. 311.12, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to maintain a sufficient number of copies of the standards for seaport security at its offices for distribution to the public and provide copies to each affected seaport upon request; conforming provisions to changes made by the act; amending s. 311.123, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to create a maritime domain security awareness training program; amending s. 397.331, F.S.; conforming provisions to changes made by the act; repealing s. 397.332, F.S., relating to the creation of the Office of Drug Control; amending s. 397.333, F.S.; relocating the Statewide Drug Policy Advisory Council into the Department of Health; requiring the Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to be a nonvoting, ex officio member of the advisory council; requiring the department to provide staff support for the advisory council; revising the state officials that are appointed to serve on the advisory council; amending s. 893.055, F.S.; conforming provisions to changes made by the act; requiring the State Surgeon General to appoint a board of directors for the direct-support organization to provide assistance, funding, and promotional support for the activities authorized for the prescription drug monitoring program; requiring the State Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to provide guidance to members of the board of directors; requiring the direct-support organization to operate under written contract with the Department of Health rather than the Office of Drug Control; requiring the activities of the direct-support organization to be consistent with the goals and mission of the department rather than the Office of Drug Control; requiring the direct-support organization to obtain a written approval from the State Surgeon General or his or her designee rather than the director of the Office of Drug Control for any activities in support of the prescription drug monitoring program before undertaking the activities; prohibiting the state from permitting use of any of its administrative services, property, or facilities by a direct-

support organization under certain circumstances; amending s. 943.031, F.S.; revising the membership of the Florida Violent Crime and Drug Control Council; conforming provisions to changes made by the act; revising the membership of the Drug Control Strategy and Criminal Gang Committee; amending s. 943.042, F.S., relating to the Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account; conforming provisions to changes made by the act; repealing s. 1006.07(7), F.S., relating to suicide prevention education; requesting the Division of Statutory Revision of the Office of Legislative Services to prepare a reviser's bill to conform the Florida Statutes to the changes made by the act; providing an effective date.

—was read the third time by title.

MOTION

On motion by Senator Fasano, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Fasano moved the following amendment:

Amendment 1 (205014) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (1), (3), and (4) of section 14.2019, Florida Statutes, are amended to read:

14.2019 Statewide Office for Suicide Prevention.—

(1) The Statewide Office for Suicide Prevention *shall be located in the Department of Children and Family Services* ~~is created as a unit of the Office of Drug Control within the Executive Office of the Governor.~~

(3) Contingent upon a specific appropriation, the director of the Statewide Office for Suicide Prevention ~~of Drug Control~~ shall employ a coordinator for the Statewide office for Suicide Prevention who shall work under the direction of the director to achieve the goals and objectives set forth in this section.

(4) The Statewide Office for Suicide Prevention may seek and accept grants or funds from any federal, state, or local source to support the operation and defray the authorized expenses of the office and the Suicide Prevention Coordinating Council. Revenues from grants shall be deposited in the Grants and Donations Trust Fund within the *Department of Children and Family Services* ~~Executive Office of the Governor~~. In accordance with s. 216.181(11), the Executive Office of the Governor may request changes to the approved operating budget to allow the expenditure of any additional grant funds collected pursuant to this subsection.

Section 2. Subsection (2) of section 14.20195, Florida Statutes, is amended to read:

14.20195 Suicide Prevention Coordinating Council; creation; membership; duties.—There is created within the Statewide Office for Suicide Prevention a Suicide Prevention Coordinating Council. The council shall develop strategies for preventing suicide.

(2) MEMBERSHIP.—The Suicide Prevention Coordinating Council shall consist of 27 ~~28~~ voting members *and one nonvoting member*.

(a) Thirteen members shall be appointed by the director of the *Statewide Office for Suicide Prevention* ~~of Drug Control~~ and shall represent the following organizations:

1. The Florida Association of School Psychologists.
2. The Florida Sheriffs Association.
3. The Suicide Prevention Action Network USA.
4. The Florida Initiative of Suicide Prevention.
5. The Florida Suicide Prevention Coalition.
6. The American Foundation of Suicide Prevention.
7. The Florida School Board Association.

8. The National Council for Suicide Prevention.
9. The state chapter of AARP.
10. The Florida Alcohol and Drug Abuse Association.
11. The Florida Council for Community Mental Health.
12. The Florida Counseling Association.
13. NAMI Florida.

(b) The following state officials or their designees shall serve on the coordinating council:

1. The Secretary of Elderly Affairs.
2. The State Surgeon General.
3. The Commissioner of Education.
4. The Secretary of Health Care Administration.
5. The Secretary of Juvenile Justice.
6. The Secretary of Corrections.
7. The executive director of the Department of Law Enforcement.
8. The executive director of the Department of Veterans' Affairs.
9. The Secretary of Children and Family Services.
10. The director of the Agency for Workforce Innovation.

(c) The Governor shall appoint four additional members to the coordinating council. The appointees must have expertise that is critical to the prevention of suicide or represent an organization that is not already represented on the coordinating council.

(d) For the members appointed by the director of the *Statewide Office for Suicide Prevention of Drug Control*, seven members shall be appointed to initial terms of 3 years, and seven members shall be appointed to initial terms of 4 years. For the members appointed by the Governor, two members shall be appointed to initial terms of 4 years, and two members shall be appointed to initial terms of 3 years. Thereafter, such members shall be appointed to terms of 4 years. Any vacancy on the coordinating council shall be filled in the same manner as the original appointment, and any member who is appointed to fill a vacancy occurring because of death, resignation, or ineligibility for membership shall serve only for the unexpired term of the member's predecessor. A member is eligible for reappointment.

(e) The director of the *Statewide Office for Suicide Prevention of Drug Control* shall be a nonvoting member of the coordinating council and shall act as chair.

(f) Members of the coordinating council shall serve without compensation. Any member of the coordinating council who is a public employee is entitled to reimbursement for per diem and travel expenses as provided in s. 112.061.

Section 3. *Section 311.115, Florida Statutes, is repealed.*

Section 4. Subsections (1), (3), (8), (10), and (11) of section 311.12, Florida Statutes, are amended to read:

311.12 Seaport security.—

(1) SECURITY STANDARDS.—

(a) The statewide minimum standards for seaport security applicable to seaports listed in s. 311.09 shall be those based on the Florida Seaport Security Assessment 2000 and set forth in the Port Security Standards Compliance Plan delivered to the Speaker of the House of Representatives and the President of the Senate on December 11, 2000. ~~The Office of Drug Control within the Executive Office of the Governor shall maintain a sufficient number of copies of the standards at its offices for distribution to the public and provide copies to each affected seaport upon request.~~

(b) A seaport may implement security measures that are more stringent, more extensive, or supplemental to the minimum security standards established by this subsection.

(c) The provisions of s. 790.251 are not superseded, preempted, or otherwise modified in any way by the provisions of this section.

(3) SECURITY PLAN.—Each seaport listed in s. 311.09 shall adopt and maintain a security plan specific to that seaport which provides for a secure seaport infrastructure that promotes the safety and security of state residents and visitors and the flow of legitimate trade and travel.

(a) Every 5 years after January 1, 2007, each seaport director, with the assistance of the Regional Domestic Security Task Force and in conjunction with the United States Coast Guard, shall revise the seaport's security plan based on the director's ongoing assessment of security risks, the risks of terrorist activities, and the specific and identifiable needs of the seaport for ensuring that the seaport is in substantial compliance with the minimum security standards established under subsection (1).

(b) Each adopted or revised security plan must be reviewed and approved by the ~~Office of Drug Control and the~~ Department of Law Enforcement for compliance with federal facility security assessment requirements under 33 C.F.R. s. 105.305 and the minimum security standards established under subsection (1). Within 30 days after completion, a copy of the written review shall be delivered to the United States Coast Guard, the Regional Domestic Security Task Force, and the Domestic Security Oversight Council.

(8) WAIVER FROM SECURITY REQUIREMENTS.—~~The Office of Drug Control and the~~ Department of Law Enforcement may modify or waive any physical facility requirement or other requirement contained in the minimum security standards upon a determination that the purposes of the standards have been reasonably met or exceeded by the seaport requesting the modification or waiver. An alternate means of compliance must not diminish the safety or security of the seaport and must be verified through an extensive risk analysis conducted by the seaport director.

(a) Waiver requests shall be submitted in writing, along with supporting documentation, to the ~~Office of Drug Control and the~~ Department of Law Enforcement. ~~The office and the department has have~~ 90 days to jointly grant or reject the waiver, in whole or in part.

(b) The seaport may submit any waivers that are not granted or are jointly rejected to the Domestic Security Oversight Council for review within 90 days. The council shall recommend that the ~~Office of Drug Control and the~~ Department of Law Enforcement grant the waiver or reject the waiver, in whole or in part. ~~The office and the~~ department shall give great weight to the council's recommendations.

(c) A request seeking a waiver from the seaport law enforcement personnel standards established under s. 311.122(3) may not be granted for percentages below 10 percent.

(d) Any modifications or waivers granted under this subsection shall be noted in the annual report submitted by the Department of Law Enforcement pursuant to subsection (10).

(10) REPORTS.—~~The Department of Law Enforcement, in consultation with the Office of Drug Control,~~ shall annually complete a report indicating the observations and findings of all reviews, inspections, or other operations relating to the seaports conducted during the year and any recommendations resulting from such reviews, inspections, and operations. A copy of the report shall be provided to the Governor, the President of the Senate, the Speaker of the House of Representatives, the governing body of each seaport or seaport authority, and each seaport director. The report must include each director's response indicating what actions, if any, have been taken or are planned to be taken pursuant to the observations, findings, and recommendations reported by the department.

(11) FUNDING.—

(a) In making decisions regarding security projects or other funding applicable to each seaport listed in s. 311.09, the Legislature may consider the Department of Law Enforcement's annual report under subsection (10) as authoritative, especially regarding each seaport's degree

of substantial compliance with the minimum security standards established in subsection (1).

(b) The Legislature shall regularly review the ongoing costs of operational security on seaports, the impacts of this section on those costs, mitigating factors that may reduce costs without reducing security, and the methods by which seaports may implement operational security using a combination of sworn law enforcement officers and private security services.

(c) Subject to the provisions of this chapter and appropriations made for seaport security, state funds may not be expended for security costs without certification of need for such expenditures by the Office of Ports Administrator within the Department of Law Enforcement.

(d) If funds are appropriated for seaport security, ~~the Office of Drug Control, the Department of Law Enforcement, and the Florida Seaport Transportation and Economic Development Council~~ shall mutually determine the allocation of such funds for security project needs identified in the approved seaport security plans. Any seaport that receives state funds for security projects must enter into a joint participation agreement with the appropriate state entity and use the seaport security plan as the basis for the agreement.

1. If funds are made available over more than 1 fiscal year, the agreement must reflect the entire scope of the project approved in the security plan and, as practicable, allow for reimbursement for authorized projects over more than 1 year.

2. The agreement may include specific timeframes for completion of a security project and the applicable funding reimbursement dates. The agreement may also require a contractual penalty of up to \$1,000 per day to be imposed for failure to meet project completion dates if state funding is available. Any such penalty shall be deposited into the State Transportation Trust Fund and used for seaport security operations and capital improvements.

Section 5. Subsection (1) of section 311.123, Florida Statutes, is amended to read:

311.123 Maritime domain security awareness training program.—

(1) The Florida Seaport Transportation and Economic Development Council, in conjunction with the Department of Law Enforcement ~~and the Office of Drug Control within the Executive Office of the Governor~~, shall create a maritime domain security awareness training program to instruct all personnel employed within a seaport's boundaries about the security procedures required of them for implementation of the seaport security plan required under s. 311.12(3).

Section 6. Paragraphs (a), (b), and (c) of subsection (1) of section 397.333, Florida Statutes, are amended to read:

397.333 Statewide Drug Policy Advisory Council.—

(1)(a) The Statewide Drug Policy Advisory Council ~~shall be located in the Department of Health~~ ~~is created within the Executive Office of the Governor.~~ The ~~Surgeon General or his or her designee~~ ~~director of the Office of Drug Control~~ shall be a nonvoting, ex officio member of the advisory council and shall act as chairperson. The ~~director of the Office of Planning and Budgeting or his or her designee~~ shall be a nonvoting, ex officio member of the advisory council. The ~~Department of Health or its successor agency~~ ~~Office of Drug Control and the Office of Planning and Budgeting~~ shall provide staff support for the advisory council.

(b) The following state officials shall be appointed to serve on the advisory council:

1. The Attorney General, or his or her designee.
2. The executive director of the Department of Law Enforcement, or his or her designee.
3. The Secretary of Children and Family Services, or his or her designee.
4. The ~~director of the Office of Planning and Budgeting in the Executive Office of the Governor~~ ~~State Surgeon General~~, or his or her designee.

5. The Secretary of Corrections, or his or her designee.
6. The Secretary of Juvenile Justice, or his or her designee.
7. The Commissioner of Education, or his or her designee.
8. The executive director of the Department of Highway Safety and Motor Vehicles, or his or her designee.
9. The Adjutant General of the state as the Chief of the Department of Military Affairs, or his or her designee.

(c) In addition, the Governor shall appoint 7 ~~11~~ members of the public to serve on the advisory council. Of the 7 ~~11~~ appointed members, one member must have professional or occupational expertise in drug enforcement, one member must have professional or occupational expertise in substance abuse prevention, one member must have professional or occupational expertise in substance abuse treatment, and two members must have professional or occupational expertise in faith-based substance abuse treatment services. The remainder of the members appointed should have professional or occupational expertise in, or be generally knowledgeable about, issues that relate to drug enforcement and substance abuse programs and services. The members appointed by the Governor must, to the extent possible, equitably represent all geographic areas of the state.

Section 7. Paragraph (b) of subsection (2) and subsections (11) and (13) of section 893.055, Florida Statutes, are amended to read:

893.055 Prescription drug monitoring program.—

(2)

(b) The department, ~~when the direct support organization receives at least \$20,000 in nonstate moneys or the state receives at least \$20,000 in federal grants for the prescription drug monitoring program, and in consultation with the Office of Drug Control~~, shall adopt rules as necessary concerning the reporting, accessing the database, evaluation, management, development, implementation, operation, security, and storage of information within the system, including rules for when patient advisory reports are provided to pharmacies and prescribers. The patient advisory report shall be provided in accordance with s. 893.13(7)(a)8. The department shall work with the professional health care licensure boards, such as the Board of Medicine, the Board of Osteopathic Medicine, and the Board of Pharmacy; other appropriate organizations, such as the Florida Pharmacy Association, the Office of Drug Control, the Florida Medical Association, the Florida Retail Federation, and the Florida Osteopathic Medical Association, including those relating to pain management; and the Attorney General, the Department of Law Enforcement, and the Agency for Health Care Administration to develop rules appropriate for the prescription drug monitoring program.

(11) The ~~Office of Drug Control, in coordination with the~~ department, may establish a direct-support organization that has a board consisting of at least five members to provide assistance, funding, and promotional support for the activities authorized for the prescription drug monitoring program.

(a) As used in this subsection, the term "direct-support organization" means an organization that is:

1. A Florida corporation not for profit incorporated under chapter 617, exempted from filing fees, and approved by the Department of State.
2. Organized and operated to conduct programs and activities; raise funds; request and receive grants, gifts, and bequests of money; acquire, receive, hold, and invest, in its own name, securities, funds, objects of value, or other property, either real or personal; and make expenditures or provide funding to or for the direct or indirect benefit of the department in the furtherance of the prescription drug monitoring program.

(b) The direct-support organization is not considered a lobbying firm within the meaning of s. 11.045.

(c) The ~~State Surgeon General~~ ~~director of the Office of Drug Control~~ shall appoint a board of directors for the direct-support organization. The ~~State Surgeon General~~ ~~director~~ may designate ~~employees of the~~

~~Office of Drug Control~~, state employees other than state employees from the department, and any other nonstate employees as appropriate, to serve on the board. Members of the board shall serve at the pleasure of the ~~State Surgeon General~~ ~~director of the Office of Drug Control~~. The ~~State Surgeon General or his or her designee~~ ~~director~~ shall provide guidance to members of the board to ensure that moneys received by the direct-support organization are not received from inappropriate sources. Inappropriate sources include, but are not limited to, donors, grantors, persons, or organizations that may monetarily or substantively benefit from the purchase of goods or services by the department in furtherance of the prescription drug monitoring program.

(d) The direct-support organization shall operate under written contract with the ~~department~~ ~~Office of Drug Control~~. The contract must, at a minimum, provide for:

1. Approval of the articles of incorporation and bylaws of the direct-support organization by the ~~department~~ ~~Office of Drug Control~~.
2. Submission of an annual budget for the approval of the ~~department~~ ~~Office of Drug Control~~.
3. Certification by ~~the Office of Drug Control in consultation with~~ the department that the direct-support organization is complying with the terms of the contract in a manner consistent with and in furtherance of the goals and purposes of the prescription drug monitoring program and in the best interests of the state. Such certification must be made annually and reported in the official minutes of a meeting of the direct-support organization.
4. The reversion, without penalty, to ~~the Office of Drug Control, or to the state if the Office of Drug Control ceases to exist~~, of all moneys and property held in trust by the direct-support organization for the benefit of the prescription drug monitoring program if the direct-support organization ceases to exist or if the contract is terminated.
5. The fiscal year of the direct-support organization, which must begin July 1 of each year and end June 30 of the following year.
6. The disclosure of the material provisions of the contract to donors of gifts, contributions, or bequests, including such disclosure on all promotional and fundraising publications, and an explanation to such donors of the distinction between the ~~department~~ ~~Office of Drug Control~~ and the direct-support organization.
7. The direct-support organization's collecting, expending, and providing of funds to the department for the development, implementation, and operation of the prescription drug monitoring program as described in this section and s. 2, chapter 2009-198, Laws of Florida, as long as the task force is authorized. The direct-support organization may collect and expend funds to be used for the functions of the direct-support organization's board of directors, as necessary and approved by the ~~department~~ ~~director of the Office of Drug Control~~. In addition, the direct-support organization may collect and provide funding to the department in furtherance of the prescription drug monitoring program by:
 - a. Establishing and administering the prescription drug monitoring program's electronic database, including hardware and software.
 - b. Conducting studies on the efficiency and effectiveness of the program to include feasibility studies as described in subsection (13).
 - c. Providing funds for future enhancements of the program within the intent of this section.
 - d. Providing user training of the prescription drug monitoring program, including distribution of materials to promote public awareness and education and conducting workshops or other meetings, for health care practitioners, pharmacists, and others as appropriate.
 - e. Providing funds for travel expenses.
 - f. Providing funds for administrative costs, including personnel, audits, facilities, and equipment.
 - g. Fulfilling all other requirements necessary to implement and operate the program as outlined in this section.

(e) The activities of the direct-support organization must be consistent with the goals and mission of ~~the Office of Drug Control, as determined by the office in consultation with~~ the department, and in the best interests of the state. The direct-support organization must obtain a written approval from the ~~State Surgeon General or his or her designee~~ ~~director of the Office of Drug Control~~ for any activities in support of the prescription drug monitoring program before undertaking those activities.

(f) ~~The Office of Drug Control, in consultation with~~ the department, may permit, without charge, appropriate use of administrative services, property, and facilities of ~~the Office of Drug Control and~~ the department by the direct-support organization, subject to this section. The use must be directly in keeping with the approved purposes of the direct-support organization and may not be made at times or places that would unreasonably interfere with opportunities for the public to use such facilities for established purposes. Any moneys received from rentals of facilities and properties managed by ~~the Office of Drug Control and~~ the department may be held by the ~~department~~ ~~Office of Drug Control~~ or in a separate depository account in the name of the direct-support organization and subject to the provisions of the letter of agreement with the ~~department~~ ~~Office of Drug Control~~. The letter of agreement must provide that any funds held in the separate depository account in the name of the direct-support organization must revert to the ~~department~~ ~~Office of Drug Control~~ if the direct-support organization is no longer approved by the ~~department~~ ~~Office of Drug Control~~ to operate in the best interests of the state.

(g) ~~The Office of Drug Control, in consultation with~~ the department, may adopt rules under s. 120.54 to govern the use of administrative services, property, or facilities of the department ~~or office~~ by the direct-support organization.

(h) ~~The state~~ ~~Office of Drug Control~~ may not permit the use of any of its administrative services, property, or facilities of ~~the state~~ by a direct-support organization if that organization does not provide equal membership and employment opportunities to all persons regardless of race, color, religion, gender, age, or national origin.

(i) The direct-support organization shall provide for an independent annual financial audit in accordance with s. 215.981. Copies of the audit shall be provided to the ~~department~~ ~~Office of Drug Control and the Office of Policy and Budget in the Executive Office of the Governor~~.

(j) The direct-support organization may not exercise any power under s. 617.0302(12) or (16).

(13) To the extent that funding is provided for such purpose through federal or private grants or gifts and other types of available moneys, the department, ~~in collaboration with the Office of Drug Control~~, shall study the feasibility of enhancing the prescription drug monitoring program for the purposes of public health initiatives and statistical reporting that respects the privacy of the patient, the prescriber, and the dispenser. Such a study shall be conducted in order to further improve the quality of health care services and safety by improving the prescribing and dispensing practices for prescription drugs, taking advantage of advances in technology, reducing duplicative prescriptions and the over-prescribing of prescription drugs, and reducing drug abuse. The requirements of the National All Schedules Prescription Electronic Reporting (NASPER) Act are authorized in order to apply for federal NASPER funding. In addition, the direct-support organization shall provide funding for the department, ~~in collaboration with the Office of Drug Control~~, to conduct training for health care practitioners and other appropriate persons in using the monitoring program to support the program enhancements.

Section 8. Subsections (2) and (5) of section 943.031, Florida Statutes, are amended to read:

943.031 Florida Violent Crime and Drug Control Council.—

(2) MEMBERSHIP.—The council shall consist of 14 members, as follows:

(a) The Attorney General or a designate.

(b) A designate of the executive director of the Department of Law Enforcement.

- (c) The secretary of the Department of Corrections or a designate.
- (d) The Secretary of Juvenile Justice or a designate.
- (e) The Commissioner of Education or a designate.
- (f) The president of the Florida Network of Victim/Witness Services, Inc., or a designate.
- (g) ~~The policy coordinator in the Public Safety Unit of the Governor's Office of Planning and Budgeting~~ ~~director of the Office of Drug Control~~ ~~within the Executive Office of the Governor,~~ or a designate.
- (h) The Chief Financial Officer, or a designate.
- (i) Six members appointed by the Governor, consisting of two sheriffs, two chiefs of police, one medical examiner, and one state attorney or their designates.

The Governor, when making appointments under this subsection, must take into consideration representation by geography, population, ethnicity, and other relevant factors to ensure that the membership of the council is representative of the state at large. Designates appearing on behalf of a council member who is unable to attend a meeting of the council are empowered to vote on issues before the council to the same extent the designating council member is so empowered.

(5) DUTIES OF COUNCIL.—The council shall provide advice and make recommendations, as necessary, to the executive director of the department.

(a) The council may advise the executive director on the feasibility of undertaking initiatives which include, but are not limited to, the following:

1. Establishing a program ~~that which~~ provides grants to criminal justice agencies that develop and implement effective violent crime prevention and investigative programs and which provides grants to law enforcement agencies for the purpose of drug control, criminal gang, and illicit money laundering investigative efforts or task force efforts that are determined by the council to significantly contribute to achieving the state's goal of reducing drug-related crime ~~as articulated by the Office of Drug Control,~~ that represent significant criminal gang investigative efforts, that represent a significant illicit money laundering investigative effort, or that otherwise significantly support statewide strategies developed by the Statewide Drug Policy Advisory Council established under s. 397.333, subject to the limitations provided in this section. The grant program may include an innovations grant program to provide startup funding for new initiatives by local and state law enforcement agencies to combat violent crime or to implement drug control, criminal gang, or illicit money laundering investigative efforts or task force efforts by law enforcement agencies, including, but not limited to, initiatives such as:

- a. Providing enhanced community-oriented policing.
 - b. Providing additional undercover officers and other investigative officers to assist with violent crime investigations in emergency situations.
 - c. Providing funding for multiagency or statewide drug control, criminal gang, or illicit money laundering investigative efforts or task force efforts that cannot be reasonably funded completely by alternative sources and that significantly contribute to achieving the state's goal of reducing drug-related crime as articulated by the Office of Drug Control, that represent significant criminal gang investigative efforts, that represent a significant illicit money laundering investigative effort, or that otherwise significantly support statewide strategies developed by the Statewide Drug Policy Advisory Council established under s. 397.333.
2. Expanding the use of automated fingerprint identification systems at the state and local level.
 3. Identifying methods to prevent violent crime.
 4. Identifying methods to enhance multiagency or statewide drug control, criminal gang, or illicit money laundering investigative efforts or task force efforts that significantly contribute to achieving the state's goal of reducing drug-related crime as articulated by the Office of Drug

Control, that represent significant criminal gang investigative efforts, that represent a significant illicit money laundering investigative effort, or that otherwise significantly support statewide strategies developed by the Statewide Drug Policy Advisory Council established under s. 397.333.

5. Enhancing criminal justice training programs ~~that which~~ address violent crime, drug control, illicit money laundering investigative techniques, or efforts to control and eliminate criminal gangs.

6. Developing and promoting crime prevention services and educational programs that serve the public, including, but not limited to:

a. Enhanced victim and witness counseling services that also provide crisis intervention, information referral, transportation, and emergency financial assistance.

b. A well-publicized rewards program for the apprehension and conviction of criminals who perpetrate violent crimes.

7. Enhancing information sharing and assistance in the criminal justice community by expanding the use of community partnerships and community policing programs. Such expansion may include the use of civilian employees or volunteers to relieve law enforcement officers of clerical work in order to enable the officers to concentrate on street visibility within the community.

(b) The full council shall:

1. Receive periodic reports from regional violent crime investigation and statewide drug control strategy implementation coordinating teams which relate to violent crime trends or the investigative needs or successes in the regions, including discussions regarding the activity of significant criminal gangs in the region, factors, and trends relevant to the implementation of the statewide drug strategy, and the results of drug control and illicit money laundering investigative efforts funded in part by the council.

2. Maintain and use criteria for the disbursement of funds from the Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account or any other account from which the council may disburse proactive investigative funds as may be established within the Department of Law Enforcement Operating Trust Fund or other appropriations provided to the Department of Law Enforcement by the Legislature in the General Appropriations Act. The criteria shall allow for the advancement of funds to reimburse agencies regarding violent crime investigations as approved by the full council and the advancement of funds to implement proactive drug control strategies or significant criminal gang investigative efforts as authorized by the Drug Control Strategy and Criminal Gang Committee or the Victim and Witness Protection Review Committee. Regarding violent crime investigation reimbursement, an expedited approval procedure shall be established for rapid disbursement of funds in violent crime emergency situations.

(c) As used in this section, "significant criminal gang investigative efforts" eligible for proactive funding must involve at a minimum an effort against a known criminal gang that:

1. Involves multiple law enforcement agencies.
2. Reflects a dedicated significant investigative effort on the part of each participating agency in personnel, time devoted to the investigation, and agency resources dedicated to the effort.
3. Reflects a dedicated commitment by a prosecuting authority to ensure that cases developed by the investigation will be timely and effectively prosecuted.
4. Demonstrates a strategy and commitment to dismantling the criminal gang via seizures of assets, significant money laundering and organized crime investigations and prosecutions, or similar efforts.

The council may require satisfaction of additional elements, to include reporting criminal investigative and criminal intelligence information related to criminal gang activity and members in a manner required by the department, as a prerequisite for receiving proactive criminal gang funding.

Section 9. *Subsection (7) of section 1006.07, Florida Statutes, is repealed.*

Section 10. *In accordance with s. 11.242, Florida Statutes, the Division of Statutory Revision of the Office of Legislative Services is requested to prepare a reviser's bill for consideration by the 2012 Regular Session of the Legislature to conform the Florida Statutes to the changes made by this act.*

Section 11. This act shall take effect July 1, 2011.

And the title is amended as follows:

Delete everything before the enacting clause and insert: An act relating to governmental reorganization; amending s. 14.2019, F.S.; relocating the Statewide Office for Suicide Prevention from the Executive Office of the Governor to the Department of Children and Family Services; requiring the director of the Statewide Office for Suicide Prevention to employ a coordinator for the office; requiring revenues from grants accepted by the Statewide Office for Suicide Prevention to be deposited into the Grants and Donations Trust Fund within the Department of Children and Family Services rather than the Executive Office of the Governor; amending s. 14.20195, F.S.; requiring the director of the Statewide Office for Suicide Prevention, rather than the director of the Office of Drug Control, to appoint members to the Suicide Prevention Coordinating Council; providing that the director of the Statewide Office for Suicide Prevention is a nonvoting member of the coordinating council; repealing s. 311.115, F.S., relating to Seaport Security Standards Advisory Council within the Office of Drug Control; amending s. 311.12, F.S.; deleting the provision requiring the Office of Drug Control within the Executive Office of the Governor to maintain a sufficient number of copies of the standards for seaport security at its offices for distribution to the public and provide copies to each affected seaport upon request; conforming provisions to changes made by the act; amending s. 311.123, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to create a maritime domain security awareness training program; amending s. 397.333, F.S.; relocating the Statewide Drug Policy Advisory Council from the Executive Office of the Governor to the Department of Health; requiring the Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to be a nonvoting, ex officio member of the advisory council; requiring the department to provide staff support for the advisory council; revising the state officials that are appointed to serve on the advisory council; amending s. 893.055, F.S.; conforming provisions to changes made by the act; requiring the State Surgeon General to appoint a board of directors for the direct-support organization to provide assistance, funding, and promotional support for the activities authorized for the prescription drug monitoring program; requiring the State Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to provide guidance to members of the board of directors; requiring the direct-support organization to operate under written contract with the Department of Health rather than the Office of Drug Control; requiring the activities of the direct-support organization to be consistent with the goals and mission of the department rather than the Office of Drug Control; requiring the direct-support organization to obtain a written approval from the State Surgeon General or his or her designee rather than the director of the Office of Drug Control for any activities in support of the prescription drug monitoring program before undertaking the activities; prohibiting the state from permitting use of any of its administrative services, property, or facilities by a direct-support organization under certain circumstances; amending s. 943.031, F.S.; revising the membership of the Florida Violent Crime and Drug Control Council; conforming provisions to changes made by the act; repealing s. 1006.07(7), F.S., relating to suicide prevention education; requesting the Division of Statutory Revision of the Office of Legislative Services to prepare a reviser's bill to conform the Florida Statutes to the changes made by the act; providing an effective date.

On motion by Senator Hays, further consideration of **SB 2104** with pending **Amendment 1 (205014)** was deferred.

SB 2106—A bill to be entitled An act relating to the Florida Energy and Climate Commission; amending ss. 213.053, 220.192, 288.1089, 288.9607, 366.82, and 366.92, F.S.; eliminating the Florida Energy and Climate Commission and transferring its duties with respect to a tax credit, an incentive program, and the state's renewable energy policy to

the Department of Environmental Protection; repealing s. 377.6015, F.S., relating to the Florida Energy and Climate Commission; amending ss. 377.602, 377.603, 377.604, 377.605, 377.606, 377.608, 377.701, 377.703, 377.803, 377.804, 377.806, 377.807, 377.808, 377.809, 403.44, 526.207, and 1004.648, F.S.; amending ss. 1 and 2 of chapter 2010-282, Laws of Florida; transferring the duties of the Florida Energy and Climate Commission with respect to planning and developing the state's energy policy and its duties under the Florida Energy and Climate Protection Act to the Department of Environmental Protection; providing for the transfer of the commission's duties and records, personnel, property, unexpended balances of appropriations, allocations, and other funds, administrative authority, administrative rules, pending issues, and existing contracts to the Department of Environmental Protection; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2106** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Richter
Altman	Gardiner	Ring
Benacquisto	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—4

Bennett	Dockery	Latvala
Rich		

SB 2108—A bill to be entitled An act relating to the welfare of children; repealing s. 39.001(7), (8), (9), and (12), F.S., relating to the Office of Adoption and Child Protection within the Executive Office of the Governor; amending s. 39.001, F.S.; removing obsolete provisions relating to the Office of Adoption and Child Protection within the Executive Office of the Governor; amending s. 39.0014, F.S.; requiring all state, county, and local agencies to cooperate, assist, and provide information to the Department of Children and Family Services rather than the Office of Adoption and Child Protection; repealing s. 39.01(46), F.S., relating to the definition of the term "office" as it relates to the Office of Adoption and Child Protection; amending s. 39.302, F.S.; conforming a cross-reference; providing an effective date.

—as amended April 6 was read the third time by title.

MOTION

On motion by Senator Lynn, by the required two-thirds vote, consideration of the following amendment was allowed:

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

Amendment 1 (583560) (with title amendment)—Delete lines 21-36 and insert:

Section 1. Subsections (6), (7), (8), (9), and (12) of section 39.001, Florida Statutes, are amended to read:

39.001 Purposes and intent; personnel standards and screening.—

(6) **LEGISLATIVE INTENT FOR THE PREVENTION OF ABUSE, ABANDONMENT, AND NEGLECT OF CHILDREN.**—The incidence of known child abuse, abandonment, and neglect has *continued to increase increased rapidly over the past 5 years*. The impact that abuse, aban-

donment, or neglect has on the victimized child, siblings, family structure, and inevitably on all citizens of the state has caused the Legislature to determine that the prevention of child abuse, abandonment, and neglect shall be a priority of this state. To further this end, it is the intent of the Legislature that *the Florida Prevention of Child Abuse, Abandonment and Neglect Plan: July 2010 – June 2015, be implemented and monitored by the agencies and organizations named within the plan. The Legislature finds that the plan contains low-cost and no cost cross-agency strategies adopted by the Children and Youth Cabinet. These activities are already underway and are privately and federally funded where necessary. No additional funds from the state are being requested for these activities. By February 1, 2015, the Department of Children and Family Services shall report to the Legislature whether the plan has been effective and whether it should be updated and continued* ~~an Office of Adoption and Child Protection be established.~~

~~(7) OFFICE OF ADOPTION AND CHILD PROTECTION.—~~

~~(a) For purposes of establishing a comprehensive statewide approach for the promotion of adoption, support of adoptive families, and prevention of child abuse, abandonment, and neglect, the Office of Adoption and Child Protection is created within the Executive Office of the Governor. The Governor shall appoint a Chief Child Advocate for the office.~~

~~(b) The Chief Child Advocate shall:~~

~~1. Assist in developing rules pertaining to the promotion of adoption, support of adoptive families, and implementation of child abuse prevention efforts.~~

~~2. Act as the Governor's liaison with state agencies, other state governments, and the public and private sectors on matters that relate to the promotion of adoption, support of adoptive families, and child abuse prevention.~~

~~3. Work to secure funding and other support for the state's promotion of adoption, support of adoptive families, and child abuse prevention efforts, including, but not limited to, establishing cooperative relationships among state and private agencies.~~

~~4. Develop a strategic program and funding initiative that links the separate jurisdictional activities of state agencies with respect to promotion of adoption, support of adoptive families, and child abuse prevention. The office may designate lead and contributing agencies to develop such initiatives.~~

~~5. Advise the Governor and the Legislature on statistics related to the promotion of adoption, support of adoptive families, and child abuse prevention trends in this state; the status of current adoption programs and services, current child abuse prevention programs and services, the funding of adoption, support of adoptive families, and child abuse prevention programs and services; and the status of the office with regard to the development and implementation of the state strategy for the promotion of adoption, support of adoptive families, and child abuse prevention.~~

~~6. Develop public awareness campaigns to be implemented throughout the state for the promotion of adoption, support of adoptive families, and child abuse prevention.~~

~~(c) The office is authorized and directed to:~~

~~1. Oversee the preparation and implementation of the state plan established under subsection (8) and revise and update the state plan as necessary.~~

~~2. Provide for or make available continuing professional education and training in the prevention of child abuse and neglect.~~

~~3. Work to secure funding in the form of appropriations, gifts, and grants from the state, the Federal Government, and other public and private sources in order to ensure that sufficient funds are available for the promotion of adoption, support of adoptive families, and child abuse prevention efforts.~~

~~4. Make recommendations pertaining to agreements or contracts for the establishment and development of:~~

~~a. Programs and services for the promotion of adoption, support of adoptive families, and prevention of child abuse and neglect.~~

~~b. Training programs for the prevention of child abuse and neglect.~~

~~e. Multidisciplinary and discipline specific training programs for professionals with responsibilities affecting children, young adults, and families.~~

~~d. Efforts to promote adoption.~~

~~e. Postadoptive services to support adoptive families.~~

~~5. Monitor, evaluate, and review the development and quality of local and statewide services and programs for the promotion of adoption, support of adoptive families, and prevention of child abuse and neglect and shall publish and distribute an annual report of its findings on or before January 1 of each year to the Governor, the Speaker of the House of Representatives, the President of the Senate, the head of each state agency affected by the report, and the appropriate substantive committees of the Legislature. The report shall include:~~

~~a. A summary of the activities of the office.~~

~~b. A summary of the adoption data collected and reported to the federal Adoption and Foster Care Analysis and Reporting System (AFCARS) and the federal Administration for Children and Families.~~

~~c. A summary of the child abuse prevention data collected and reported to the National Child Abuse and Neglect Data System (NCANDS) and the federal Administration for Children and Families.~~

~~d. A summary detailing the timeliness of the adoption process for children adopted from within the child welfare system.~~

~~e. Recommendations, by state agency, for the further development and improvement of services and programs for the promotion of adoption, support of adoptive families, and prevention of child abuse and neglect.~~

~~f. Budget requests, adoption promotion and support needs, and child abuse prevention program needs by state agency.~~

~~6. Work with the direct support organization established under s. 39.0011 to receive financial assistance.~~

~~(8) PLAN FOR COMPREHENSIVE APPROACH.—~~

~~(a) The office shall develop a state plan for the promotion of adoption, support of adoptive families, and prevention of abuse, abandonment, and neglect of children and shall submit the state plan to the Speaker of the House of Representatives, the President of the Senate, and the Governor no later than December 31, 2008. The Department of Children and Family Services, the Department of Corrections, the Department of Education, the Department of Health, the Department of Juvenile Justice, the Department of Law Enforcement, the Agency for Persons with Disabilities, and the Agency for Workforce Innovation shall participate and fully cooperate in the development of the state plan at both the state and local levels. Furthermore, appropriate local agencies and organizations shall be provided an opportunity to participate in the development of the state plan at the local level. Appropriate local groups and organizations shall include, but not be limited to, community mental health centers; guardian ad litem programs for children under the circuit court; the school boards of the local school districts; the Florida local advocacy councils; community-based care lead agencies; private or public organizations or programs with recognized expertise in working with child abuse prevention programs for children and families; private or public organizations or programs with recognized expertise in working with children who are sexually abused, physically abused, emotionally abused, abandoned, or neglected and with expertise in working with the families of such children; private or public programs or organizations with expertise in maternal and infant health care; multidisciplinary child protection teams; child day care centers; law enforcement agencies; and the circuit courts, when guardian ad litem programs are not available in the local area. The state plan to be provided to the Legislature and the Governor shall include, as a minimum, the information required of the various groups in paragraph (b).~~

(b) The development of the state plan shall be accomplished in the following manner:

1. The office shall establish a Child Abuse Prevention and Permanency Advisory Council composed of an adoptive parent who has adopted a child from within the child welfare system and representatives from each state agency and appropriate local agencies and organizations specified in paragraph (a). The advisory council shall serve as the research arm of the office and shall be responsible for:

a. Assisting in developing a plan of action for better coordination and integration of the goals, activities, and funding pertaining to the promotion and support of adoption and the prevention of child abuse, abandonment, and neglect conducted by the office in order to maximize staff and resources at the state level. The plan of action shall be included in the state plan.

b. Assisting in providing a basic format to be utilized by the districts in the preparation of local plans of action in order to provide for uniformity in the district plans and to provide for greater ease in compiling information for the state plan.

c. Providing the districts with technical assistance in the development of local plans of action, if requested.

d. Assisting in examining the local plans to determine if all the requirements of the local plans have been met and, if they have not, informing the districts of the deficiencies and requesting the additional information needed.

e. Assisting in preparing the state plan for submission to the Legislature and the Governor. Such preparation shall include the incorporation into the state plan of information obtained from the local plans, the cooperative plans with the members of the advisory council, and the plan of action for coordination and integration of state departmental activities. The state plan shall include a section reflecting general conditions and needs, an analysis of variations based on population or geographic areas, identified problems, and recommendations for change. In essence, the state plan shall provide an analysis and summary of each element of the local plans to provide a statewide perspective. The state plan shall also include each separate local plan of action.

f. Conducting a feasibility study on the establishment of a Children's Cabinet.

g. Working with the specified state agency in fulfilling the requirements of subparagraphs 2., 3., 4., and 5.

2. The office, the department, the Department of Education, and the Department of Health shall work together in developing ways to inform and instruct parents of school children and appropriate district school personnel in all school districts in the detection of child abuse, abandonment, and neglect and in the proper action that should be taken in a suspected case of child abuse, abandonment, or neglect, and in caring for a child's needs after a report is made. The plan for accomplishing this end shall be included in the state plan.

3. The office, the department, the Department of Law Enforcement, and the Department of Health shall work together in developing ways to inform and instruct appropriate local law enforcement personnel in the detection of child abuse, abandonment, and neglect and in the proper action that should be taken in a suspected case of child abuse, abandonment, or neglect.

4. Within existing appropriations, the office shall work with other appropriate public and private agencies to emphasize efforts to educate the general public about the problem of and ways to detect child abuse, abandonment, and neglect and in the proper action that should be taken in a suspected case of child abuse, abandonment, or neglect. The plan for accomplishing this end shall be included in the state plan.

5. The office, the department, the Department of Education, and the Department of Health shall work together on the enhancement or adaptation of curriculum materials to assist instructional personnel in providing instruction through a multidisciplinary approach on the identification, intervention, and prevention of child abuse, abandonment, and neglect. The curriculum materials shall be geared toward a sequential program of instruction at the four progression levels, K-3, 4-6, 7-9, and 10-12. Strategies for encouraging all school districts to utilize

the curriculum are to be included in the state plan for the prevention of child abuse, abandonment, and neglect.

6. Each district of the department shall develop a plan for its specific geographical area. The plan developed at the district level shall be submitted to the advisory council for utilization in preparing the state plan. The district local plan of action shall be prepared with the involvement and assistance of the local agencies and organizations listed in this paragraph, as well as representatives from those departmental district offices participating in the promotion of adoption, support of adoptive families, and treatment and prevention of child abuse, abandonment, and neglect. In order to accomplish this, the office shall establish a task force on the promotion of adoption, support of adoptive families, and prevention of child abuse, abandonment, and neglect. The office shall appoint the members of the task force in accordance with the membership requirements of this section. The office shall ensure that individuals from both urban and rural areas and an adoptive parent who has adopted a child from within the child welfare system are represented on the task force. The task force shall develop a written statement clearly identifying its operating procedures, purpose, overall responsibilities, and method of meeting responsibilities. The district plan of action to be prepared by the task force shall include, but shall not be limited to:

a. Documentation of the magnitude of the problems of child abuse, including sexual abuse, physical abuse, and emotional abuse, and child abandonment and neglect in its geographical area.

b. A description of programs currently serving abused, abandoned, and neglected children and their families and a description of programs for the prevention of child abuse, abandonment, and neglect, including information on the impact, cost effectiveness, and sources of funding of such programs.

c. Information concerning the number of children within the child welfare system available for adoption who need child-specific adoption promotion efforts.

d. A description of programs currently promoting and supporting adoptive families, including information on the impact, cost effectiveness, and sources of funding of such programs.

e. A description of a comprehensive approach for providing post-adoption services. The continuum of services shall include, but not be limited to, sufficient and accessible parent and teen support groups; case management, information, and referral services; and educational advocacy.

f. A continuum of programs and services necessary for a comprehensive approach to the promotion of adoption and the prevention of all types of child abuse, abandonment, and neglect as well as a brief description of such programs and services.

g. A description, documentation, and priority ranking of local needs related to the promotion of adoption, support of adoptive families, and prevention of child abuse, abandonment, and neglect based upon the continuum of programs and services.

h. A plan for steps to be taken in meeting identified needs, including the coordination and integration of services to avoid unnecessary duplication and cost, and for alternative funding strategies for meeting needs through the reallocation of existing resources, utilization of volunteers, contracting with local universities for services, and local government or private agency funding.

i. A description of barriers to the accomplishment of a comprehensive approach to the promotion of adoption, support of adoptive families, and prevention of child abuse, abandonment, and neglect.

j. Recommendations for changes that can be accomplished only at the state program level or by legislative action.

(9) FUNDING AND SUBSEQUENT PLANS.—

(a) All budget requests submitted by the office, the department, the Department of Health, the Department of Education, the Department of Juvenile Justice, the Department of Corrections, the Agency for Persons with Disabilities, the Agency for Workforce Innovation, or any other agency to the Legislature for funding of efforts for the promotion of

adoption, support of adoptive families, and prevention of child abuse, abandonment, and neglect shall be based on the state plan developed pursuant to this section.

~~(b) The office and the other agencies and organizations listed in paragraph (9)(a) shall readdress the state plan and make necessary revisions every 5 years, at a minimum. Such revisions shall be submitted to the Speaker of the House of Representatives and the President of the Senate no later than June 30 of each year divisible by 5. At least biennially, the office shall review the state plan and make any necessary revisions based on changing needs and program evaluation results. An annual progress report shall be submitted to update the state plan in the years between the 5-year intervals. In order to avoid duplication of effort, these required plans may be made a part of or merged with other plans required by either the state or Federal Government, so long as the portions of the other state or Federal Government plan that constitute the state plan for the promotion of adoption, support of adoptive families, and prevention of child abuse, abandonment, and neglect are clearly identified as such and are provided to the Speaker of the House of Representatives and the President of the Senate as required above.~~

~~(12) EVALUATION. By February 1, 2009, the Legislature shall evaluate the office and determine whether it should continue to be housed in the Executive Office of the Governor or transferred to a state agency.~~

And the title is amended as follows:

Delete lines 2 and 3 and insert: An act relating to the welfare of children; amending s. 39.001, F.S.; requiring certain agencies and organizations named in the Florida Prevention of Child Abuse, Abandonment and Neglect Plan: July 2010 - 2015 to implement and monitor the plan; providing legislative findings; requiring the Department of Children and Family Services to report to the Legislature; deleting certain provisions relating to

THE PRESIDENT PRESIDING

MOTION

On motion by Senator Storms, by the required two-thirds vote, consideration of the following amendment was allowed:

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

Amendment 2 (753224) (with title amendment)—Delete lines 21-84.

And the title is amended as follows:

Delete lines 2-17.

On motion by Senator Lynn, **SB 2108** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 2110—A bill to be entitled An act relating to the Auditor General; amending s. 11.45, F.S.; redefining the term “financial audit” to conform with applicable auditing standards; defining the term “operational audit” to provide the objectives of such audits; clarifying the requirement for the Auditor General to conduct financial audits of the accounts and records of all district school boards in counties of a specified size once every 3 years; revising duties and responsibilities of the Auditor General; requiring that the Auditor General conduct operational audits at least every 3 years of certain additional state entities and district school boards and report on the activities of the ad valorem tax program of the Department of Revenue; amending ss. 25.075 and 28.35, F.S.; revising the duties of the Auditor General with respect to responsibilities for auditing certain reports made to the State Supreme Court and the operations of the Florida Clerks of Court Operations Corporation, respectively; repealing s. 195.096(7), F.S., relating to the Auditor General’s responsibility for conducting a performance audit of the Department of Revenue’s administration of ad valorem tax laws; amending s. 218.31, F.S.; redefining the term “financial audit” to conform with applicable auditing standards; amending s. 273.05, F.S.; revising requirements to issue rules for surplus property; repealing ss. 365.173(3) and 943.25(3), F.S., relating to the Auditor General’s responsibilities for auditing the Emergency Communications Number E911 System Fund and criminal justice trust funds, respectively; amending s. 1002.36, F.S.; conforming provisions to changes made by the act; amending s. 1009.53, F.S.; requiring colleges and universities that receive Florida Bright Futures Scholarship Program moneys to submit to the Department of Education a financial audit prepared by an independent certified public accountant or the Auditor General if the college or university expended more than a specified amount of program money; requiring that the audit include an examination of the institute’s administration of the program; providing that the audit be submitted to the department within a certain time; requiring any institution that is not subject to the audit to attest, under penalty of perjury, that the moneys were used in compliance with the law; providing for the attestation be made annually in a form and format determined by the Department of Education; reenacting s. 11.40(3), F.S., relating to the Legislative Auditing Committee, to incorporate the amendments made to s. 11.45, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2110** was passed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

The Senate resumed consideration of—

SB 2104—A bill to be entitled An act relating to the Office of Drug Control; amending s. 14.2019, F.S.; relocating the Statewide Office for Suicide Prevention into the Department of Children and Family Services; requiring the director of the Statewide Office for Suicide Prevention to employ a coordinator for the office; requiring revenues from grants accepted by the Statewide Office for Suicide Prevention to be deposited into the Grants and Donations Trust Fund within the Department of Children and Family Services rather than the Executive Office of the Governor; amending s. 14.20195, F.S.; requiring the director of the Statewide Office for Suicide Prevention, rather than the director of the Office of Drug Control, to appoint members to the Suicide Prevention

Coordinating Council; providing that the director of the Statewide Office for Suicide Prevention is a nonvoting member of the coordinating council; repealing s. 311.115, F.S., relating to Seaport Security Standards Advisory Council within the Office of Drug Control; amending s. 311.12, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to maintain a sufficient number of copies of the standards for seaport security at its offices for distribution to the public and provide copies to each affected seaport upon request; conforming provisions to changes made by the act; amending s. 311.123, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to create a maritime domain security awareness training program; amending s. 397.331, F.S.; conforming provisions to changes made by the act; repealing s. 397.332, F.S., relating to the creation of the Office of Drug Control; amending s. 397.333, F.S.; relocating the Statewide Drug Policy Advisory Council into the Department of Health; requiring the Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to be a nonvoting, ex officio member of the advisory council; requiring the department to provide staff support for the advisory council; revising the state officials that are appointed to serve on the advisory council; amending s. 893.055, F.S.; conforming provisions to changes made by the act; requiring the State Surgeon General to appoint a board of directors for the direct-support organization to provide assistance, funding, and promotional support for the activities authorized for the prescription drug monitoring program; requiring the State Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to provide guidance to members of the board of directors; requiring the direct-support organization to operate under written contract with the Department of Health rather than the Office of Drug Control; requiring the activities of the direct-support organization to be consistent with the goals and mission of the department rather than the Office of Drug Control; requiring the direct-support organization to obtain a written approval from the State Surgeon General or his or her designee rather than the director of the Office of Drug Control for any activities in support of the prescription drug monitoring program before undertaking the activities; prohibiting the state from permitting use of any of its administrative services, property, or facilities by a direct-support organization under certain circumstances; amending s. 943.031, F.S.; revising the membership of the Florida Violent Crime and Drug Control Council; conforming provisions to changes made by the act; revising the membership of the Drug Control Strategy and Criminal Gang Committee; amending s. 943.042, F.S., relating to the Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account; conforming provisions to changes made by the act; repealing s. 1006.07(7), F.S., relating to suicide prevention education; requesting the Division of Statutory Revision of the Office of Legislative Services to prepare a reviser's bill to conform the Florida Statutes to the changes made by the act; providing an effective date.

—which was previously considered this day. Pending **Amendment 1 (205014)** by Senator Fasano was adopted by two-thirds vote.

On motion by Senator Hays, **SB 2104** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

RECESS

On motion by Senator Thrasher, the Senate recessed at 12:27 p.m. to

reconvene at 2:30 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by President Haridopolos at 2:43 p.m. A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

BILLS ON THIRD READING

The Senate resumed consideration of—

SB 2156—A bill to be entitled An act relating to governmental reorganization; transferring the functions and trust funds of the Agency for Workforce Innovation to other agencies; transferring the Office of Early Learning Services to the Department of Education; transferring the Office of Unemployment Compensation to Jobs Florida; transferring the Office of Workforce Services to Jobs Florida; transferring the functions and trust funds of the Department of Community Affairs to other agencies; transferring the Florida Housing Finance Corporation to Jobs Florida; transferring the Division of Housing and Community Development to Jobs Florida; transferring the Division of Community Planning to Jobs Florida; transferring the Division of Emergency Management to the Executive Office of the Governor and renaming it as the “Office of Emergency Management”; transferring the Florida Building Commission to the Department of Business and Professional Regulation; transferring the responsibilities under the Florida Communities Trust to the Department of Environmental Protection; transferring the responsibilities under the Stan Mayfield Working Waterfronts program to the Department of Environmental Protection; transferring functions and trust funds of the Office of Tourism, Trade, and Economic Development in the Executive Office of the Governor to Jobs Florida; providing legislative intent with respect to the transfer of programs and administrative responsibilities; providing for a transition period; providing for coordination between the Agency for Workforce Innovation, the Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development and other state agencies to implement the transition; requiring that the Governor appoint a representative to coordinate the transition plan; requiring that the Governor submit information and obtain waivers as required by federal law; authorizing the Governor to transfer funds and positions between agencies upon approval from the Legislative Budget Commission to implement the act; directing the nonprofit entities to enter into a plan for merger; transferring the functions of Space Florida to the Jobs Florida Partnership, Inc.; providing legislative intent with respect to the merger of Enterprise Florida, Inc., the Florida Sports Foundation Incorporated, the Florida Tourism Industry Marketing Corporation d/b/a VISIT Florida, and the Florida Black Business Investment Board, Inc., into and the transfer of Space Florida to the Jobs Florida Partnership, Inc.; providing for a transition period; requiring that the Governor appoint a representative to coordinate the transition plan; providing for the transfer of any funds held in trust by the entities to be transferred to the Jobs Florida Partnership, Inc., to be used for their original purposes; requiring that the Governor submit information and obtain waivers as required by federal law; providing a directive to the Division of Statutory Revision to prepare conforming legislation; creating s. 14.2016, F.S.; establishing the Office of Emergency Management as a separate budget entity within the Executive Office of the Governor; providing for the director of the office to serve at the pleasure of the Governor; amending s. 20.15, F.S.; establishing the Division of Early Learning within the Department of Education; providing for the office to administer the school readiness system and the Voluntary Prekindergarten Education Program; creating

s. 20.60, F.S.; creating Jobs Florida as a new department of state government; providing for the commissioner of Jobs Florida to be appointed by the Governor and confirmed by the Senate; establishing divisions of Jobs Florida and specifying their responsibilities; providing for Jobs Florida to serve as the designated agency for the purposes of federal workforce development grants; authorizing Jobs Florida to contract for training for employees of administrative entities and case managers of contracted providers; specifying that the Unemployment Appeals Commission is not subject to control, supervision, or direction from Jobs Florida; specifying the responsibilities of the commissioner of Jobs Florida; limiting the amount of the commissioner's public remuneration; specifying powers and responsibilities of the Chief Inspector General in the Executive Office of the Governor with respect to Jobs Florida; providing for Jobs Florida to have an official seal; providing for Jobs Florida to administer the role of state government with respect to laws relating to housing; authorizing Jobs Florida to adopt rules; amending s. 112.044, F.S.; requiring an employer, employment agency, and labor organization to post notices required by the United States Department of Labor and the United States Equal Employment Opportunity Commission; amending s. 163.3164, F.S.; redefining the terms "state land planning agency" and "optional sector plans"; amending ss. 163.3177 and 163.3180, F.S.; deleting the word "optional" from the phrase "optional sector plans" to conform to changes made by the act; amending s. 163.3184, F.S.; creating exceptions to requirements for comprehensive plan amendments to be reviewed by the state land planning agency; requiring the state land planning agency to submit a copy of a comprehensive plan or plan amendment that relates to or includes a public schools facilities element to the Department of Education; amending s. 163.3191, F.S.; creating exceptions to requirements for a local government to prepare an evaluation and appraisal report to assess progress in implementing the local government's comprehensive plan; deleting requirements for a local government to include in an evaluation and appraisal report certain statements to update a comprehensive plan; deleting a requirement for a local government to provide a proposed evaluation and appraisal report to certain entities and interested citizens; deleting provisions relating to a requirement for a local government to adopt an evaluation and appraisal report; providing for the report to be submitted as data and analysis in support of the amendments based on evaluation and appraisal report; deleting provisions relating to the delegation of the review of evaluation and appraisal reports; authorizing the state land planning agency to establish a phased schedule for adoption of amendments based on an evaluation and appraisal report; deleting a requirement for the state land planning agency to review the evaluation and appraisal report process and submit a report to the Governor and the Legislature regarding its findings; amending s. 163.3245, F.S.; renaming optional sector plans as sector plans; increasing the minimum size of geographic areas that qualify for the use of sector plans; revising terminology relating to such plans; deleting obsolete provisions; renaming long-term conceptual buildout overlays as long-term master plans; revising the content required to be included in long-term master plans and detailed specified area plans; requiring identification of water development projects and transportation facilities to serve future development needs; exempting certain developments from the requirement to develop a detailed specific area plan; providing that detailed specific area plans shall be adopted by local development orders; requiring that detailed specific area plans include a buildout date and precluding certain changes in the development until after that date; authorizing certain development agreements between the developer and the local government; providing for continuation of certain existing land uses; amending s. 163.3246, F.S.; deleting the word "optional" from the phrase "optional sector plans" to conform to changes made by the act; amending s. 163.32465, F.S.; making the alternative state review of comprehensive plan amendments applicable statewide; amending s. 215.559, F.S.; providing for the Hurricane Loss Mitigation Program to be housed within the Office of Emergency Management; extending the repeal date of the program; deleting an obsolete provision relating to the use of funds for programs to retrofit certain existing hurricane shelters; creating s. 288.005, F.S.; defining the terms "economic benefits" and "commissioner"; creating s. 288.048, F.S.; creating the incumbent worker training program within Jobs Florida; providing for the program to provide preapproved, direct, training-related costs; providing for the administration of the program by Jobs Florida in conjunction with Workforce Florida, Inc.; amending s. 288.061, F.S.; providing for Jobs Florida and the Jobs Florida Partnership, Inc., to review applications for state economic development incentives; authorizing Jobs Florida to enter into an agreement with an applicant relating to all incentives offered by the state; amending s. 288.095, F.S.; providing for the Eco-

omic Development Incentives account to be used for certain economic development incentives programs; providing for Jobs Florida to approve applications for certification or requests for participation in certain economic development programs; amending s. 288.1081, F.S.; providing for the Economic Gardening Business Loan Pilot Program to be administered by Jobs Florida; deleting provisions providing for certain funds to be deposited into the General Revenue Fund; deleting provisions that provide for the future repeal of the program; amending s. 288.1082, F.S.; providing for the Economic Gardening Technical Assistance Pilot Program to be administered by Jobs Florida; requesting the Division of Statutory Revision to rename part VII of ch. 288, F.S., as "Jobs Florida Partnership, Inc."; amending s. 288.901, F.S.; creating the Jobs Florida Partnership, Inc., as a nonprofit corporation; specifying that the partnership is subject to the provisions of chs. 119 and 286, F.S.; specifying that the partnership's board of directors is subject to certain requirements in ch. 112, F.S.; specifying the purposes of the partnership; creating the board of directors for the partnership; naming the Governor as chair of the board of directors; specifying appointment procedures, terms of office, selecting a vice chairperson, filling vacancies, and removing board members; providing for the appointment of at-large members to the board of directors; specifying terms; allowing the at-large members to make contributions to the partnership; specifying that the commissioner of Jobs Florida and the chairs of the advisory councils for each division shall serve as ex officio, nonvoting members of the board of directors; specifying that members of the board of directors shall serve without compensation, but are entitled to reimbursement for all reasonable, necessary, and actual expenses as determined by the board of directors; amending s. 288.9015, F.S.; specifying the powers of the partnership and the board of directors; authorizing liberal construction of the partnership's statutory powers; prohibiting the partnership from pledging the full faith and credit of the state; allowing the partnership to indemnify, purchase, and maintain insurance on its board members, officers, and employees; amending s. 288.903, F.S.; specifying the duties of the partnership; amending s. 288.904, F.S.; providing for legislative appropriations; requiring a private match equal to at least 35 percent of the appropriation of public funds; specifying potential sources of private funding; directing the board of directors to develop annual budgets; providing for the partnership to enter into an agreement with Jobs Florida; requiring performance measures; requiring review of the partnership's activities as a return on the public's financial investment; directing the partnership to consult with the Office of Economic and Demographic Research when hiring an economic analysis firm to prepare the return on investment analysis and when hiring a survey research firm to develop, analyze and report on the results of its customer satisfaction survey; amending s. 288.905, F.S.; directing the partnership's board of directors to hire a president, who shall serve at the pleasure of the Governor; defining the president's role and responsibilities; specifying that no employee of the partnership shall earn more than the Governor, but provides for the granting of performance-based incentive payments to employees that may increase their total compensation in excess of the Governor's; amending s. 288.906, F.S.; requiring the partnership to prepare an annual report by December 1 of each year; specifying the content of the annual report; creating s. 288.907, F.S.; requiring the partnership to create an annual incentives report; specifying the required components of the report; amending s. 288.911, F.S.; requiring the partnership to promote and market this state to businesses in target industries and high-impact industries; creating s. 288.912, F.S.; requiring that certain counties and municipalities annually provide to the partnership an overview of certain local economic development activities; creating s. 288.92, F.S.; specifying divisions within the partnership; providing for hiring of staff; requiring each division to have a 15-member advisory council; specifying selection and appointments to the advisory council; creating s. 288.921, F.S.; creating the Division of International Trade and Business Development; specifying its responsibilities; providing for administration of a grant program; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.922, F.S.; creating the Division of Business Retention and Recruitment; specifying its responsibilities; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.923, F.S.; creating the Division of Tourism Marketing; providing definitions; specifying the division's responsibilities and duties, including a 4-year marketing plan; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.925, F.S.; creating the Division of Minority Business Development; specifying the division's responsibilities and duties; requiring an annual report; specifying minimum responsibilities of the advisory council; transferring, renumbering, and amending s. 288.1229, F.S.;

creating the Division of Sports Industry Development; specifying the division's responsibilities; requiring an annual report; specifying minimum responsibilities of the advisory board; advisory board; amending s. 290.0055, F.S.; authorizing certain governing bodies to apply to Jobs Florida to amend the boundary of an enterprise zone that includes a rural area of critical economic concern; providing a limitation; authorizing Jobs Florida to approve the amendment application subject to certain requirements; requiring that Jobs Florida establish the effective date of certain enterprise zones; creating s. 290.00726, F.S.; authorizing Martin County to apply to Jobs Florida for designation of an enterprise zone; providing application requirements; authorizing Jobs Florida to designate an enterprise zone in Martin County; providing responsibilities of Jobs Florida; amending s. 409.942, F.S.; deleting requirements that Workforce Florida, Inc., establish an electronic transfer benefit program; amending s. 411.0102, F.S.; requiring each participating early learning coalition board to develop a plan for the use of child care purchasing pool funds; amending s. 1002.73, F.S.; requiring the Department of Education to administer the operational requirements of the Voluntary Prekindergarten Education Program; requiring the Department of Education to adopt procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts; requiring the Department of Education to adopt procedures for the distribution of funds to early learning coalitions; amending ss. 11.45, 14.20195, 15.18, 15.182, 16.615, 39.001, 45.031, 69.041, 112.3135, 119.071, 120.80, 125.01045, 159.803, 159.8081, 159.8083, 161.54, 163.03, 163.3178, 163.3221, 163.360, 166.0446, 175.021, 186.504, 186.505, 202.037, 212.08, 212.096, 212.097, 212.098, 212.20, 213.053, 215.5586, 216.136, 216.292, 216.231, 218.64, 220.03, 220.183, 220.191, 222.15, 250.06, 252.32, 252.34, 252.35, 252.355, 252.3568, 252.36, 252.365, 252.37, 252.371, 252.373, 252.38, 252.385, 252.40, 252.41, 252.42, 252.43, 252.44, 252.46, 252.55, 252.60, 252.61, 252.82, 252.83, 252.85, 252.86, 252.87, 252.88, 252.936, 252.937, 252.943, 252.946, 255.099, 259.035, 260.0142, 272.11, 282.34, 282.709, 287.09431, 287.09451, 287.0947, 288.012, 288.017, 288.018, 288.019, 288.021, 288.035, 288.047, 288.065, 288.0655, 288.0656, 288.06561, 288.0657, 288.0658, 288.0659, 288.075, 288.1045, 288.106, 288.107, 288.108, 288.1083, 288.1088, 288.1089, 288.1095, 288.1162, 288.11621, 288.1168, 288.1169, 288.1171, 288.122, 288.12265, 288.124, 288.1251, 288.1252, 288.1253, 288.1254, 288.386, 288.7011, 288.7015, 288.705, 288.706, 288.7094, 288.7102, 288.714, 288.773, 288.774, 288.776, 288.7771, 288.816, 288.809, 288.826, 288.95155, 288.955, 288.9519, 288.9520, 288.9603, 288.9604, 288.9605, 288.9606, 288.9614, 288.9624, 288.9625, 288.975, 288.980, 288.984, 288.9913, 288.9914, 288.9916, 288.9917, 288.9918, 288.9919, 288.9920, 288.9921, 290.004, 290.0055, 290.0056, 290.0065, 290.0066, 290.00710, 290.0072, 290.00725, 290.0073, 290.0074, 290.0077, 290.014, 311.09, 311.11, 311.115, 311.22, 320.08058, 331.302, 331.3081, 331.369, 339.08, 339.135, 364.0135, 377.703, 377.711, 377.712, 377.804, 380.031, 380.06, 380.115, 380.285, 381.0054, 381.0086, 381.7354, 381.855, 383.14, 402.281, 402.45, 402.56, 403.42, 403.7032, 403.973, 409.017, 409.1451, 409.2576, 409.944, 409.946, 411.01, 411.0101, 411.01013, 411.01014, 411.01015, 411.0103, 411.0104, 411.0106, 411.011, 411.226, 411.227, 414.24, 414.40, 414.295, 414.411, 420.631, 420.635, 429.907, 440.12, 440.15, 440.381, 440.385, 440.49, 443.012, 443.036, 443.041, 443.051, 443.071, 443.091, 443.101, 443.1113, 443.1115, 443.1116, 443.1215, 443.1216, 443.1217, 443.131, 443.1312, 443.1313, 443.1315, 443.1316, 443.1317, 443.141, 443.151, 443.163, 443.171, 443.1715, 443.181, 443.191, 443.211, 443.221, 445.002, 445.003, 445.004, 445.006, 445.007, 445.009, 445.016, 445.024, 445.0325, 445.038, 445.045, 445.048, 445.049, 445.051, 445.056, 446.41, 446.44, 446.50, 446.52, 448.109, 448.110, 450.161, 450.191, 450.31, 464.203, 468.529, 469.002, 469.003, 489.1455, 489.5335, 526.143, 526.144, 551.104, 553.62, 570.248, 570.96, 597.006, 624.5105, 625.3255, 627.0628, 657.042, 658.67, 768.13, 943.03, 943.03101, 943.0311, 943.0312, 943.0313, 944.012, 944.708, 944.801, 945.10, 985.601, 1002.375, 1002.53, 1002.55, 1002.61, 1002.63, 1002.67, 1002.69, 1002.71, 1002.72, 1002.77, 1002.79, 1003.491, 1003.492, 1003.493, 1003.575, 1003.4285, 1003.493, 1004.226, 1004.65, 1004.77, 1004.78, 1008.39, 1008.41, 1011.76, and 1012.2251, F.S.; conforming provisions to changes made by the act; conforming cross-references; deleting obsolete provisions; transferring, renumbering, and amending ss. 20.505 and 1004.99, F.S.; conforming provisions to changes made by the act; repealing s. 14.2015, F.S., which relates to the creation of the Office of Tourism, Trade, and Economic Development; repealing s. 20.18, F.S., which relates to the creation of the Department of Community Affairs; repealing s. 20.50, F.S., which relates to the creation of the Agency for Workforce Innovation; repealing ss. 255.551, 255.552, 255.553, 255.5535, 255.555, 255.556, 255.557, 255.5576, 255.558, 255.559, 255.56, 255.561, 255.562, and 255.563, F.S.,

which relates to the abatement of asbestos in state buildings; repealing s. 287.115, F.S., which relates to a requirement for the Chief Financial Officer to submit a report on contractual service contracts disallowed; repealing s. 288.038, F.S., which relates to agreements appointing county tax collectors as an agent of the Department of Labor and Employment Security for licenses and other similar registrations; repealing s. 288.063, F.S., which relates to contracts for transportation projects with the Office of Tourism, Trade, and Economic Development; repealing ss. 288.1221, 288.1222, 288.1223, 288.1224, 288.1226, and 288.1227, F.S., which relate to the Florida Commission on Tourism and the Florida Tourism Industry Marketing Corporation; repealing ss. 288.7065, 288.707, 288.708, 288.709, 288.7091, and 288.712, F.S., which relate to the Black Business Investment Board; repealing s. 288.12295, F.S., which relates to a public records exemption for donors for a direct support organization on promotion and development of sports-related industries and amateur athletics; repealing s. 288.90151, F.S., which relates to return on investment from activities of Enterprise Florida, Inc.; repealing s. 288.9415, F.S., which relates to Enterprise Florida, Inc., and international trade grants; repealing s. 288.9618, F.S., which relates to an economic development program for microenterprises; repealing s. 288.982, F.S., which relates to a public records exemption for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 411.0105, F.S., which designates the Agency for Workforce Innovation as the lead agency to administer specified federal laws; amending s. 443.111, F.S.; providing that unemployment benefits are payable electronically, except that an individual being paid by paper warrant on a specified date may continue to be paid in that manner until the expiration of a claim for unemployment compensation; conforming provisions to changes made by the act; repealing s. 446.60, F.S., which relates to assistance for displaced local exchange telecommunications company workers; repealing s. 1002.75, F.S., relating to the powers and duties of the Agency for Workforce Innovation; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 7 (706040)** by Senators Lynn and Wise was adopted by two-thirds vote.

MOTION

On motion by Senator Lynn, by the required two-thirds vote, consideration of the following amendment was allowed:

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

Amendment 8 (715056)—Delete line 3948 and insert: Pre-kindergarten Education Program at the state level. *The department shall ensure the preservation of parental choice by permitting parents to choose from a variety of child care categories, including: Center-based child care; Group home child care; Family child care; and In-home child care. Under each of the above categories, care and curriculum by a sectarian provider may not be limited or excluded.*

On motion by Senator Gaetz, **SB 2156** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Latvala	Siplin
Dean	Lynn	Smith
Detert	Margolis	Sobel
Diaz de la Portilla	Montford	Storms
Evers	Negron	Thrasher
Fasano	Norman	Wise

Nays—2

Dockery	Joyner
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Vote after roll call:

Yea—Flores

CS for CS for SB 1314—A bill to be entitled An act relating to state financial matters; amending s. 216.011, F.S.; defining the term “lease or lease-purchase of equipment”; amending s. 216.023, F.S.; requiring that specified information relating to certain contracts be included in an agency’s legislative budget request; amending s. 216.311, F.S.; defining the terms “contract” and “agreement”; prohibiting an agency or branch of state government, without legislative authority, from contracting to pay liquidated damages or early termination fees resulting from the breach or early termination of a contract or agreement, from paying interest because of insufficient budget authority to pay an obligation in the current year, from obligating the state to make future payments to cover unpaid payments, or from granting a party the right to collect fees or other revenues from nonparties; providing certain exemptions; prohibiting an agency from entering into certain leases without authorization by the Legislature or the Legislative Budget Commission; creating s. 216.312, F.S.; requiring the executive and judicial branch to notify the Governor and Legislature before entering into contracts containing certain provisions relating to expenditures; providing an exception for the Department of Transportation; transferring, renumbering, and amending s. 287.0582, F.S.; requiring a state contract to identify the appropriation that funds a contract; expanding the statement that must be included in state contracts to include grounds for terminating the contract based on budget deficits; requiring the judicial branch to include the statement in its contracts; requiring the agency head, executive director, or chief judge, as appropriate, or a designated senior management employee, to sign contracts that exceed a specified amount; requiring the agency head, executive director, or chief judge to review certain contracts and certify compliance with ch. 216, F.S.; requiring contracts exceeding a specified amount to require written acceptance or rejection of contract deliverables; providing that contracts in violation of these provisions are null and void; providing penalties; amending s. 287.063, F.S.; prohibiting certain lease or deferred-payment purchases by state agencies unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending s. 287.064, F.S.; prohibiting certain master equipment financing agreements unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending ss. 376.3075 and 403.1837, F.S.; conforming cross-references; repealing s. 287.056(2), F.S., relating to provisions providing agencies with the option of purchasing services from state term contracts; amending s. 45, chapter 2010-151, Laws of Florida; providing that certain contracts are subject to transaction fees; providing for application; providing an effective date.

—was read the third time by title.

On motion by Senator Alexander, **CS for CS for SB 1314** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Flores

MOTIONS

On motion by Senator Alexander, the rules were waived and staff of the Committee on Budget was instructed to make title amendments and technical changes in **SB 2000** and **SB 2002** as necessary.

On motion by Senator Alexander, by two-thirds vote the following Senate budget bills passed this day were ordered immediately certified to the House: **SB 2000, SB 2002, SB 2120, SB 2150, SB 2114, SB 2116, SB 2118, SB 2112, SB 2144, SB 2146, SB 2148, SB 2122, SB 2124, SB 2126, SB 2128, SB 2130, SB 2132, SB 2134, SB 2136, SB 2142, SB 2152, SB 2154, SB 2156, SB 2160, SB 2162, SB 2094, CS for SB 1738, SB 2096, SB 2098, SB 2100, CS for CS for SB 1292, SB 2104, SB 2106, SB 2110, and CS for CS for SB 1314**

On further motion by Senator Alexander, the House was requested to pass the Senate budget bills listed above as passed by the Senate; or agree to include these bills in the budget conference.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed **CS for HB 143** and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. “Bob” Ward, Clerk

CS for HB 143—A bill to be entitled An act relating to tax credits; amending s. 220.02, F.S.; revising the priority of tax credits that may be taken against the corporate income tax or the franchise tax; amending s. 220.13, F.S.; redefining the term “adjusted federal income” to include the amount of certain tax credits; creating s. 220.1811, F.S.; authorizing aerospace-sector jobs tax credits and tuition reimbursement tax credits; defining terms; authorizing a tax credit to aerospace businesses based on the salary or tuition reimbursed to certain employees; specifying the maximum annual amount of tax credits for an aerospace business; limiting the annual amount of tax credits available; prohibiting a business from claiming an aerospace-sector jobs tax credit and a tuition reimbursement tax credit, or any other state tax credit or tax incentive refund, for the same employee; providing for the Department of Revenue to approve applications for tax credits; prohibiting increases in the amount of unused tax credits carried over in amended tax returns; providing fines and criminal penalties for certain unlawful claims of tax credits; authorizing the Department of Revenue to adopt rules; providing for the expiration of the tax credit program; providing for applicability; providing an effective date.

—was referred to the Committee on Budget

On motions by Senator Alexander, by two-thirds vote **CS for HB 143** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **CS for HB 143** was read the second time by title.

Senator Bogdanoff offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (740310) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **CS for HB 143** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Altman	Bennett
Alexander	Benacquisto	Bogdanoff

Braynon	Hays	Ring
Dean	Hill	Sachs
Detert	Jones	Simmons
Diaz de la Portilla	Latvala	Siplin
Dockery	Lynn	Smith
Evers	Margolis	Sobel
Fasano	Montford	Storms
Flores	Negron	Thrasher
Gaetz	Norman	Wise
Garcia	Oelrich	
Gardiner	Richter	

Nays—2

Joyner Rich

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 641 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

CS for HB 641—A bill to be entitled An act relating to the contaminated site rehabilitation tax credit; amending s. 220.1845, F.S.; increasing the annual tax credit cap; amending s. 376.30781, F.S.; conforming references; providing an effective date.

—was referred to the Committee on Budget

On motions by Senator Alexander, by two-thirds vote **CS for HB 641** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **CS for HB 641** was read the second time by title.

Senator Bogdanoff offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (831470) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **CS for HB 641** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 733 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

CS for HB 733—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during this year when the sale of clothing, wallets, bags, school supplies, and textbooks are exempt from the tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; providing an effective date.

—was referred to the Committee on Budget

On motions by Senator Alexander, by two-thirds vote **CS for HB 733** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **CS for HB 733** was read the second time by title.

Senator Bogdanoff offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (133410) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **CS for HB 733** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Hays	Sachs
Braynon	Hill	Simmons
Dean	Jones	Siplin
Detert	Joyner	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Thrasher
Evers	Montford	Wise

Nays—2

Latvala Rich

Vote after roll call:

Yea—Storms

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 873 as amended and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

CS for CS for HB 873—A bill to be entitled An act relating to corporate tax credits and refunds; amending s. 14.2015, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to administer corporate income tax credits for spaceflight projects; amending s. 213.053, F.S.; authorizing the Department of Revenue to share information relating to corporate income tax credits for spaceflight projects with the Office of Tourism, Trade, and Economic Development; amending s. 220.02, F.S.; revising the order in which credits against the cor-

porate income tax or franchise tax may be taken to include credits for spaceflight projects; amending s. 220.13, F.S.; requiring that the amount taken as a credit for a spaceflight project be added to taxable income; prohibiting a deduction from taxable income for any net operating loss taken as a credit against corporate income taxes or transferred; amending s. 220.16, F.S.; requiring that the amount of payments received in exchange for transferring a net operating loss for spaceflight projects be allocated to the state; creating s. 220.194, F.S.; providing a short title; providing legislative purpose; defining terms; authorizing a certified spaceflight business to take or transfer corporate income tax credits related to spaceflight projects carried out in this state; specifying tax credit amounts and business eligibility criteria; providing limitations; requiring a business to demonstrate to the satisfaction of the office and the department its eligibility to claim a tax credit; requiring a business to submit an application to the office for approval to earn credits; specifying the required contents of the application; requiring the office to approve or deny an application within 60 days after receipt; specifying the approval process; requiring a spaceflight business to submit an application for certification to the office; specifying the required contents of an application for certification; specifying the approval process; requiring the office to submit a copy of an approved certification to the department; providing procedures for transferring a tax credit to a taxpayer; authorizing the department to perform audits and investigations necessary to verify the accuracy of returns relating to the tax credit; specifying circumstances under which the office may revoke or modify a certification that grants eligibility for tax credits; requiring a certified spaceflight business to file an amended return and pay any required tax within 60 days after receiving notice that previously approved tax credits have been revoked or modified; authorizing the department to assess additional taxes, interest, or penalties; authorizing the office and the department to adopt rules; requiring the office to submit an annual report to the Governor and Legislature regarding the Florida Space Business Incentives Act; amending s. 288.1045, F.S.; increasing the maximum amount of tax refund a defense or space flight contractor may receive; amending s. 288.106, F.S.; increasing the maximum amount of tax refund a qualified target industry business may receive; providing for application; providing an effective date.

—was referred to the Committee on Budget

On motions by Senator Alexander, by two-thirds vote **CS for CS for HB 873** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **CS for CS for HB 873** was read the second time by title.

Senator Bogdanoff offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (762206) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **CS for CS for HB 873** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—1

Rich

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 7203 as amended and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

HB 7203—A bill to be entitled An act relating to economic development; amending ss. 72.011 and 72.041, F.S.; deleting a reference to conform to changes made by this act; amending ss. 220.02 and 220.13, F.S.; revising references to conform to changes made by this act; amending s. 220.131, F.S.; conforming provisions to changes made by this act; creating s. 220.153, F.S.; defining the terms "full-time employee" and "qualified capital expenditures"; providing for the apportionment of certain taxpayer's adjusted federal income solely by the sales factor provided in s. 220.15, F.S.; providing for eligibility based on the taxpayer's capital expenditures and number of full-time employees; providing an application process; authorizing the Department of Revenue to examine and verify that a taxpayer has correctly apportioned its taxes; authorizing the Office of Tourism, Trade, and Economic Development to approve and revoke approval of an application; providing for the recapture of unpaid taxes, interest, and penalties; authorizing the Office of Tourism, Trade, and Economic Development and the Department of Revenue to adopt rules; creating s. 220.194, F.S.; creating a corporate income tax credit to continue credits available under the emergency excise tax; amending ss. 220.801, 213.05, 213.053, and 213.255, F.S.; deleting references to conform to changes made by this act; authorizing the department to share information with the office relating to single sales factor apportionment used by a taxpayer; repealing chapter 221, F.S.; repealing the emergency excise tax and related provisions; amending ss. 288.075, 288.1045, and 288.106, F.S.; deleting references to conform to changes made by this act; amending s. 288.1254, F.S.; revising a definition and providing definitions; revising criteria for awarding tax credits and increasing the amount of credits to be awarded under the entertainment industry financial incentive program; revising the application procedure and approval process; amending s. 288.1258, F.S.; changing the recordkeeping requirements of the Office of Film and Entertainment; amending s. 290.0055, F.S.; authorizing certain governing bodies to apply to the Office of Tourism, Trade, and Economic Development to amend the boundary of an enterprise zone that includes a rural area of critical economic concern; providing a limitation; providing an application deadline; authorizing the office to approve the amendment application subject to certain requirements; requiring the office to establish the effective date of certain enterprise zones; creating s. 290.00726, F.S.; authorizing Martin County to apply to the Office of Tourism, Trade, and Economic Development for designation of an enterprise zone; providing application requirements; authorizing the office to designate an enterprise zone in Martin County; providing responsibilities of the office; creating s. 290.00727, F.S.; authorizing the City of Palm Bay to apply to the Office of Tourism, Trade, and Economic Development for designation of an enterprise zone; providing application requirements; authorizing the office to designate an enterprise zone in the City of Palm Bay; providing responsibilities of the office; creating s. 290.00728, F.S.; authorizing Lake County to apply to the Office of Tourism, Trade, and Economic Development for designation of an enterprise zone; providing application requirements; authorizing the office to designate an enterprise zone in Lake County; providing responsibilities of the office; amending ss. 334.30, 624.509, and 624.51055, F.S.; deleting references to conform to changes made by this act; authorizing the executive director of the Department of Revenue to adopt emergency rules; providing appropriations; providing effective dates.

—was referred to the Committee on Budget

On motions by Senator Alexander, by two-thirds vote **HB 7203** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **HB 7203** was read the second time by title.

Senator Bogdanoff offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (482612) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 7203** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hays	Simmons
Bogdanoff	Hill	Siplin
Braynon	Jones	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—2

Joyner	Rich
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MOTIONS

On motion by Senator Alexander, the Senate having passed **CS for HB 143, CS for HB 641, CS for HB 733, CS for CS for HB 873, and HB 7203** with amendments acceded to the request of the House to include these bills in the budget conference.

RECONSIDERATION OF BILL

On motion by Senator Lynn, the Senate reconsidered the vote by which—

SB 2108—A bill to be entitled An act relating to the welfare of children; repealing s. 39.001(7), (8), (9), and (12), F.S., relating to the Office of Adoption and Child Protection within the Executive Office of the Governor; amending s. 39.001, F.S.; removing obsolete provisions relating to the Office of Adoption and Child Protection within the Executive Office of the Governor; amending s. 39.0014, F.S.; requiring all state, county, and local agencies to cooperate, assist, and provide information to the Department of Children and Family Services rather than the Office of Adoption and Child Protection; repealing s. 39.01(46), F.S., relating to the definition of the term “office” as it relates to the Office of Adoption and Child Protection; amending s. 39.302, F.S.; conforming a cross-reference; providing an effective date.

—as amended passed this day.

RECONSIDERATION OF AMENDMENTS

On motion by Senator Lynn, the Senate reconsidered the vote by which **Amendment 1 (583560)** was adopted.

Amendment 1 (583560) was withdrawn.

On motion by Senator Storms, the Senate reconsidered the vote by which **Amendment 2 (753224)** was adopted.

Amendment 2 (753224) was withdrawn.

MOTION

On motion by Senator Storms, by the required two-thirds vote, consideration of the following amendment was allowed:

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

Amendment 3 (654660) (with title amendment)—Delete lines 21-83 and insert:

Section 1. Subsection (6) of section 39.001, Florida Statutes, is amended to read:

39.001 Purposes and intent; personnel standards and screening.—

(6) **LEGISLATIVE INTENT FOR THE PREVENTION OF ABUSE, ABANDONMENT, AND NEGLECT OF CHILDREN.**—The incidence of known child abuse, abandonment, and neglect has *continued to increase increased rapidly over the past 5 years*. The impact that abuse, abandonment, or neglect has on the victimized child, siblings, family structure, and inevitably on all citizens of the state has caused the Legislature to determine that the prevention of child abuse, abandonment, and neglect shall be a priority of this state. To further this end, it is the intent of the Legislature that an Office of Adoption and Child Protection be established. *It is further the intent of the Legislature that Florida Prevention of Child Abuse, Abandonment and Neglect Plan: July 2010 – June 2015, be implemented and monitored by the agencies and organizations named within the plan. The Legislature finds that the plan contains low-cost and no cost cross-agency strategies adopted by the Children and Youth Cabinet. These activities are already underway and are privately and federally funded where necessary. No additional funds from the state are being requested for these activities. By February 1, 2015, the Department of Children and Family Services shall report to the Legislature whether the plan has been effective and whether it should be updated and continued.*

And the title is amended as follows:

Delete lines 2-17 and insert: An act relating to the welfare of children; amending s. 39.001, F.S.; requiring certain agencies and organizations named in the Florida Prevention of Child Abuse, Abandonment and Neglect Plan: July 2010 - 2015 to implement and monitor the plan; providing legislative findings; requiring the Department of Children and Family Services to report to the Legislature; providing an effective date.

On motions by Senator Lynn, **SB 2108** as amended was passed, ordered engrossed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

MOTIONS

On motion by Senator Alexander, the House was requested to pass **SB 2108** as passed by the Senate; or agree to include the bill in the budget conference.

RECESS

On motion by Senator Thrasher, the Senate recessed at 3:16 p.m. to reconvene upon call of the President.

EVENING SESSION

The Senate was called to order by President Haridopolos at 5:30 p.m. A quorum present—35:

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Fasano	Norman	

MOTIONS

On motion by Senator Thrasher, the rules were waived and time of recess was extended until 7:00 p.m.

On motion by Senator Alexander, the House was requested to pass **CS for CS for CS for SB 248** as passed by the Senate March 16; or agree to include the bill in the budget conference.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 5405 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

HB 5405—A bill to be entitled An act relating to trust funds of the state courts system; amending s. 25.384, F.S.; conforming provisions to changes made by the act; amending s. 28.2401, F.S.; redirecting proceeds from a specified service charge from the Court Education Trust Fund to the State Courts Revenue Trust Fund; amending s. 28.241, F.S.; redirecting proceeds from part of a filing fee from the state courts' Mediation and Arbitration Trust Fund to the State Courts Revenue Trust Fund; redirecting the proceeds from certain additional filing fees from the Court Education Trust Fund to the State Courts Revenue Trust Fund; amending s. 34.041, F.S.; redirecting the proceeds from a part of a filing fee from the state courts' Mediation and Arbitration Trust Fund to the State Courts Revenue Trust Fund; redirecting the proceeds from a part of an additional filing fee from the Court Education Trust Fund to the State Courts Revenue Trust Fund; amending s. 35.22, F.S.; redirecting the proceeds from a fee from the Mediation/Arbitration Trust Fund to the State Courts Revenue Trust Fund; amending s. 44.108, F.S.; redirecting the proceeds from a part of specified fees from the state courts' Mediation and Arbitration Trust Fund to the State Courts Revenue Trust Fund; deleting an obsolete provision relating to use of moneys in the Mediation and Arbitration Trust Fund; providing an effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **HB 5405** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **HB 5405** was read the second time by title.

Senator Fasano offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (235662) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5405** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Evers

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 5403 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

CS for HB 5403—A bill to be entitled An act relating to the Department of Corrections; amending s. 945.0311, F.S.; deleting a reference to the youthful offender basic training program; amending s. 951.231, F.S.; removing a reference to the youthful offender basic training program; amending s. 958.04, F.S.; deleting references to the youthful offender basic training program; repealing s. 958.045, F.S., relating to the youthful offender basic training program; amending s. 943.10, F.S.; revising the definitions of "correctional probation officer" and "part-time correctional probation officer"; amending s. 944.02, F.S.; redefining the term "elderly offender" to remove a reference to the Department of Management Services; creating s. 944.1051, F.S.; authorizing the Department of Corrections to contract with a private entity to supervise offenders on community supervision in Broward and Miami-Dade counties pursuant to the General Appropriations Act; providing contract requirements; providing definitions; amending s. 944.115, F.S.; removing a reference to the Department of Management Services in the definition of the term "employee"; amending ss. 944.72, 944.8041, and 945.215, F.S.; conforming provisions to changes made by the act; amending s. 947.005, F.S.; revising the definition of "department"; amending s. 948.001, F.S.; defining the term "department" for purposes of chapter 948, F.S., relating to probation and community control; amending s. 948.01, F.S.; providing an exception to the prohibition on private entities providing supervision services to certain offenders; providing for a transfer of specified duties, functions, property, and funds from the Department of Management Services to the Department of Corrections; amending ss. 957.04, 957.06, 957.07, 957.08, 957.14, 957.15, and 957.16, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **CS for HB 5403** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **CS for HB 5403** was read the second time by title.

Senator Fasano offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (710788) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **CS for HB 5403** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Evers

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 5303 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

HB 5303—A bill to be entitled An act relating to biomedical research; amending s. 215.5602, F.S.; deleting provisions that specify amounts of revenue to be appropriated to the James and Esther King Biomedical Research Program, the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program, and the H. Lee Moffitt Cancer Center and Research Institute; amending s. 381.922, F.S.; conforming a reference; providing an effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **HB 5303** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **HB 5303** was read the second time by title.

Senator Negron offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (725582) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5303** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Evers

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 5305 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

HB 5305—A bill to be entitled An act relating to the Correctional Medical Authority; repealing ss. 945.601, 945.602, 945.603, 945.6031, 945.6032, 945.6035, and 945.6036, F.S., relating to the Correctional Medical Authority definitions, creation, powers, reports and surveys, quality management, dispute resolution, and enforcement, respectively; amending ss. 381.90, 766.101, 944.8041, 945.35, 945.6034, and 951.27, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **HB 5305** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **HB 5305** was read the second time by title.

Senator Negron offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (444234) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5305** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Diaz de la Portilla	Joyner
Alexander	Dockery	Lynn
Altman	Fasano	Margolis
Benacquisto	Flores	Montford
Bennett	Gaetz	Negron
Bogdanoff	Garcia	Norman
Braynon	Gardiner	Oelrich
Dean	Hill	Richter
Detert	Jones	Ring

Sachs	Smith	Thrasher	Richter	Siplin	Thrasher
Simmons	Sobel	Wise	Ring	Smith	Wise
Siplin	Storms		Sachs	Sobel	
			Simmons	Storms	

Nays—None

Vote after roll call:

Yea—Evers

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 5309 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

HB 5309—A bill to be entitled An act relating to domestic violence; amending s. 39.903, F.S.; revising provisions relating to certification of domestic violence centers; providing specified additional duties for and authority of the Florida Coalition Against Domestic Violence; revising the duties of the Department of Children and Family Services; requiring the department to contract with the Florida Coalition Against Domestic Violence for specified purposes; amending s. 39.904, F.S.; requiring the Florida Coalition Against Domestic Violence rather than the department to make a specified annual report; revising the contents of the report; amending s. 39.905, F.S.; requiring the Florida Coalition Against Domestic Violence rather than the department to perform certain duties relating to certification of domestic violence centers; revising provisions relating to certification of domestic violence centers; requiring a demonstration of need for certification of a new domestic violence center; revising provisions relating to expiration of a center's annual certificate; amending ss. 381.006, 381.0072, 741.281, 741.2902, 741.30, and 741.316, F.S.; conforming provisions to changes made by the act; amending s. 741.32, F.S.; deleting provisions relating to certification of batterers' intervention programs by the Department of Children and Family Services; amending s. 741.325, F.S.; revising the requirements for batterers' intervention programs; repealing s. 741.327, F.S., relating to certification and monitoring of batterers' intervention programs; amending ss. 948.038 and 938.01, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **HB 5309** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **HB 5309** was read the second time by title.

Senator Negron offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (456766) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5309** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—34

Mr. President	Detert	Hill
Alexander	Diaz de la Portilla	Jones
Altman	Dockery	Joyner
Benacquisto	Fasano	Lynn
Bennett	Flores	Margolis
Bogdanoff	Gaetz	Montford
Braynon	Garcia	Negron
Dean	Gardiner	Norman

Nays—1

Oelrich

Vote after roll call:

Yea—Evers

Nay to Yea—Oelrich

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 5005 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

CS for HB 5005—A bill to be entitled An act relating to the deregulation of professions and occupations; amending s. 20.165, F.S.; renaming the Board of Architecture and Interior Design, to conform; deleting provisions establishing the Florida Board of Auctioneers; repealing chapter 326, F.S., relating to the Yacht and Ship Brokers' Act and the licensure of yacht and ship brokers and salespersons; amending ss. 212.06 and 213.053, F.S., to conform; repealing part VI of chapter 468, F.S., relating to the licensure of auctioneers, apprentices, and auction businesses, the Florida Board of Auctioneers, the Auctioneer Recovery Fund, and the conduct of auctions; amending s. 538.03, F.S., to conform; repealing part VII of chapter 468, F.S., relating to the licensure and regulation of talent agencies; repealing part IX of chapter 468, F.S., relating to the licensure and regulation of athlete agents; amending s. 477.0132, F.S.; deleting provisions requiring the registration of persons whose occupation or practice is confined solely to hair braiding, hair wrapping, or body wrapping; providing that the Florida Cosmetology Act does not apply to such persons; amending ss. 477.019, 477.026, 477.0265, and 477.029, F.S., to conform; repealing ss. 481.2131 and 481.2251, F.S., relating to the practice of interior design by registered interior designers and disciplinary proceedings against registered interior designers; deleting provisions relating to the registration of interior designers and the regulation of interior design; amending s. 481.201, F.S.; deleting legislative findings relating to the practice of interior design, to conform; amending s. 481.203, F.S.; revising definitions relating to the practice of architecture and deleting definitions relating to the practice of interior design; specifying that the practice of architecture includes interior design; amending s. 481.205, F.S.; renaming the Board of Architecture and Interior Design, to conform; revising membership of the board; conforming provisions; amending ss. 481.207, 481.209, 481.211, 481.213, 481.215, and 481.217, F.S., to conform; amending s. 481.219, F.S.; deleting provisions permitting the practice of or offer to practice interior design through certain business organizations; deleting provisions requiring certificates of authorization for certain business organizations offering interior design services to the public; conforming provisions; amending ss. 481.221, 481.222, 481.223, 481.229, 481.231, and 553.79, F.S., to conform; amending s. 558.002, F.S.; revising the definition of "design professional" for purposes of provisions relating to alternative dispute resolution of construction defects, to conform; repealing chapter 496, F.S., relating to the registration of professional fundraising consultants and professional solicitors and the regulation of solicitation of charitable contributions and charitable sales promotions; amending ss. 110.181, 316.2045, 320.023, 322.081, 413.033, 550.0351, 550.1647, 741.0305, 775.0861, 790.166, 843.16, and 849.0935, F.S., to conform; repealing s. 500.459, F.S., relating to the regulation of water vending machines and the permitting of water vending machine operators; amending s. 500.511, F.S.; deleting provisions for the deposit of operator permitting fees, the enforcement of the state's water vending machine regulations, penalties, and the preemption of county and municipal water vending machine regulations, to conform; repealing ss. 501.012-501.019, F.S., relating to the registration of health studios and the regulation of health studio services; amending s. 501.165, F.S., to conform; repealing s. 501.143, F.S., relating to the Dance Studio Act, the registration of ballroom dance studios, and the regulation of dance stu-

dio lessons and services; repealing s. 205.1969, F.S., relating to the issuance by counties and municipalities of business tax receipts to health studios and ballroom dance studios, to conform; repealing part IV of chapter 501, F.S., relating to the Florida Telemarketing Act, the licensure of commercial telephone sellers and salespersons, and the regulation of commercial telephone solicitation; repealing s. 205.1973, F.S., relating to the issuance by counties and municipalities of business tax receipts to telemarketing businesses, to conform; amending ss. 501.165, 648.44, 772.102, and 895.02, F.S., to conform; repealing chapter 507, F.S., relating to the registration of movers and moving brokers and the regulation of household moving services; repealing s. 205.1975, F.S., relating to the issuance by counties and municipalities of business tax receipts to movers and moving brokers, to conform; amending s. 509.242, F.S.; revising the license classifications of public lodging establishments for purposes of provisions regulating such establishments; amending s. 509.221, F.S.; conforming a cross-reference; repealing chapter 555, F.S., relating to the regulation of outdoor theaters in which audiences view performances from parked vehicles; repealing part VIII of chapter 559, F.S., relating to the Sale of Business Opportunities Act and the regulation of certain business opportunities; repealing part IX of chapter 559, F.S., relating to the registration of motor vehicle repair shops, the Motor Vehicle Repair Advisory Council, and the regulation of motor vehicle repair; amending ss. 320.27, 445.025, and 713.585, F.S., to conform; repealing part XI of chapter 559, F.S., relating to the Florida Sellers of Travel Act, the registration of sellers of travel, certification of certain business activities, and the regulation of prearranged travel, tourist-related services, tour-guide services, and vacation certificates; repealing s. 205.1971, F.S., relating to the issuance by counties and municipalities of business tax receipts to sellers of travel, to conform; amending ss. 501.604, 501.608, 636.044, and 721.11, F.S., to conform; repealing s. 686.201, F.S., relating to contracts with sales representatives involving commissions; repealing s. 817.559, F.S., relating to the labeling of television picture tubes; providing an effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **CS for HB 5005** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **CS for HB 5005** was read the second time by title.

Senator Hays offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (197066) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **CS for HB 5005** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—33

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise

Nays—2

Fasano	Norman
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Vote after roll call:

Yea—Evers

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 5007 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

CS for HB 5007—An act relating to reducing and streamlining regulations; amending s. 320.90, F.S.; transferring the responsibility for distribution of a motor vehicle consumer's rights pamphlet to a motor vehicle owner from the Department of Agriculture and Consumer Services to the Department of Legal Affairs; amending s. 322.142, F.S.; providing for the release of certain driver license information by the Department of Highway Safety and Motor Vehicles to the Department of Business and Professional Regulation under certain circumstances; amending s. 468.8324, F.S.; providing alternative criteria for obtaining a home inspector's license; removing certain application requirements for a person who performs home inspection services and who qualifies for licensure on or before a specified date; amending s. 468.841, F.S.; exempting licensed home inspectors from certain provisions related to mold assessment; amending ss. 468.8413 and 468.8414, F.S.; revising licensing requirements for mold assessors and remediators; deleting certain training requirements; amending s. 468.8419, F.S.; revising prohibitions and penalties for mold assessors and remediators, to conform; conforming a cross-reference; amending s. 468.8423, F.S.; revising alternative criteria for obtaining a mold assessor's or mold remediator's license; deleting certain education requirements; amending s. 469.006, F.S.; authorizing an asbestos consultant or contractor doing business as a sole proprietorship to be licensed under his or her fictitious name; amending s. 475.611, F.S.; deleting the definition of the term "Uniform Standards of Professional Appraisal Practice"; amending ss. 373.461, 475.25, 475.615, 475.617, 475.6175, and 475.6235, F.S., to conform; amending s. 475.624, F.S.; revising the grounds for discipline of a registered or certified appraiser or applicant for registration or certification, to which penalties apply; prohibiting the violation of professional practice standards established by the Florida Real Estate Appraisal Board; conforming provisions; amending s. 475.6245, F.S., to conform; amending s. 475.628, F.S.; authorizing the board to adopt rules establishing professional practice standards; amending ss. 475.42, 475.626, and 477.0265, F.S.; deleting criminal penalties for persons who violate orders or rules of the Florida Real Estate Commission, persons who violate orders or rules of the Florida Real Estate Appraisal Board or related grounds for disciplinary action, and persons who commit certain violations of the Florida Cosmetology Act or rules of the Board of Cosmetology; amending ss. 455.271, 468.8317, 468.8417, 477.0212, 481.217, 481.315, 489.116, and 489.519, F.S.; revising the continuing education requirements for reactivating a license, certificate, or registration to practice certain regulated professions and occupations; amending s. 473.308, F.S.; revising licensure requirements for certified public accountants and firms; deleting obsolete provisions; revising licensure requirements for certain persons licensed to practice public accounting in another state or territory; amending s. 475.17, F.S.; revising the education requirements for licensed real estate brokers and sales associates; amending s. 481.219, F.S.; providing that a certificate of authorization is not required for an architect doing business as a sole proprietorship under his or her fictitious name; amending s. 481.329, F.S.; providing for applicability of provisions regulating the practice of landscape architecture; amending ss. 493.6107 and 493.6202, F.S.; revising requirements for the method of payment of certain fees; amending s. 493.6401, F.S.; revising terminology for reprocessor schools and training facilities; amending s. 493.6402, F.S.; conforming terminology; revising requirements for the method of payment of certain fees; amending s. 493.6406, F.S.; conforming terminology; amending s. 500.03, F.S.; providing and revising definitions for purposes of the Florida Food Safety Act; amending s. 500.121, F.S.; providing penalties for food safety violations committed by cottage food operations; creating s. 500.80, F.S.; exempting cottage food operations from food permitting requirements; limiting the annual gross sales of cottage food operations and the methods by which cottage food products may be sold or offered for sale; requiring certain packaging and labeling of cottage food products; limiting the sale of cottage food products to certain locations; providing for application; authorizing the Department of Agriculture

and Consumer Services to investigate complaints and enter into the premises of a cottage food operation; amending s. 501.160, F.S.; deleting authority for the department to enforce certain prohibitions against unconscionable practices during a declared state of emergency; amending s. 509.032, F.S.; revising which matters relating to the regulation of public lodging establishments and public food service establishments are preempted to the state; amending s. 509.261, F.S.; authorizing the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to require certain public lodging establishments and public food service establishments to complete certain remedial educational programs; amending s. 627.711, F.S.; revising training and continuing education requirements for home inspectors conducting hurricane mitigation verification inspections; amending s. 633.537, F.S.; revising the validity period for inactive status certificates of fire protection system contractors; amending ss. 681.102, 681.103, 681.108, 681.109, 681.1095, 681.1096, and 681.112, F.S.; deleting a definition; transferring certain responsibilities of the Division of Consumer Services for the Motor Vehicle Warranty Enforcement Act to the Department of Legal Affairs; conforming provisions; amending s. 681.117, F.S.; deleting provisions providing for the transfer of certain fees and interagency contracting between the Department of Legal Affairs and the Division of Consumer Services, to conform; amending s. 10, ch. 2010-84, Laws of Florida; revising the effective date of provisions relating to the regulation of real estate appraisers and appraisal management companies; providing for retroactive operation under certain circumstances; providing effective dates.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **CS for HB 5007** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **CS for HB 5007** was read the second time by title.

Senator Hays offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (773216) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **CS for HB 5007** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Evers

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 5011 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. “Bob” Ward, Clerk

HB 5011—A bill to be entitled An act relating to the Commission on Capital Cases; repealing s. 27.709, F.S., relating to the creation of the Commission on Capital Cases; amending ss. 27.7002, 27.702, 27.710, and 27.711, F.S.; providing for assumption of certain duties of the Commission on Capital Cases by the Justice Administrative Commission; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **HB 5011** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **HB 5011** was read the second time by title.

Senator Fasano offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (973772) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5011** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Evers

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 7205 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. “Bob” Ward, Clerk

HB 7205—A bill to be entitled An act relating to trust funds; creating s. 288.120, F.S.; creating the State Economic Enhancement and Development Trust Fund within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **HB 7205** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **HB 7205** was read the second time by title.

Senator Gaetz offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (541712) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 7205** as amended was read the third time by title, passed by the required constitutional three-fifths vote of the membership, and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Evers

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 7207 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

HB 7207—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; terminating specified trust funds within the State Treasury; providing for the disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; amending s. 17.61, F.S., relating to specified trust funds within the Executive Office of the Governor which must retain moneys therein for investment, with interest appropriated to the General Revenue Fund; eliminating the Economic Development Transportation Trust Fund and the Economic Development Trust Fund from such trust funds; amending s. 201.15, F.S.; revising the distribution of excise taxes on documents; providing for specified distributions of funds to the State Economic Enhancement and Development Trust Fund in the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; eliminating distributions to the State Transportation Trust Fund and the State Housing Trust Fund, and specified uses of such distributions; requiring the Revenue Estimating Conference to maintain separate accounting of specified proceeds; providing for applicability of a specified sufficiency requirement with respect to distributions to the State Economic Enhancement and Development Trust Fund; amending s. 212.0606, F.S.; revising distribution of the proceeds from the rental car surcharge; providing for elimination of the distribution of the proceeds of the surcharge to the Tourism Promotional Trust Fund and the Florida International Trade and Promotion Trust Fund, and for distribution of the proceeds of the surcharge to the State Economic Enhancement and Development Trust Fund; amending ss. 288.095 and 288.120, F.S.; eliminating provisions governing the Economic Development Trust Fund within the Office of Tourism, Trade, and Economic Development of the

Executive Office of the Governor, relating to the Economic Development Incentives Account within the trust fund, approval of applications for certification by the Office of Tourism, Trade, and Economic Development, limitations on the total amount of tax refund claims approved for payment by the office, procedure for payment of claims for tax refunds under the qualified defense contractor and space flight business tax refund program and the tax refund program for qualified target industry businesses, notification to the Legislature by the office of anticipated shortfalls in the amount of funds needed to satisfy claims for tax refunds from the appropriation for the current fiscal year, a required annual report compiled by Enterprise Florida, Inc., restrictions on uses of moneys in the Economic Development Incentives Account of the trust fund, and the adoption of specified rules by the office, and transferring those provisions to the State Economic Enhancement and Development Trust Fund; amending ss. 288.1045, 288.106, 288.107, 288.1089, 288.7771, 288.95155, and 373.461, F.S.; replacing references to the Economic Development Trust Fund in the Executive Office of the Governor with references to State Economic Enhancement and Development Trust Fund, and correcting cross-references, to conform; repealing s. 288.1221, F.S.; which provides legislative intent with respect to the establishment of a public-private partnership to provide policy direction to and technical expertise in the promotion and marketing of state tourism; providing for conforming legislation; providing for assistance to certain legislative substantive committees by the Division of Statutory Revision of the Office of Legislative Services for certain purposes; providing a conditional effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **HB 7207** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **HB 7207** was read the second time by title.

Senator Gaetz offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (177538) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 7207** as amended was read the third time by title, passed by the required constitutional three-fifths vote of the membership, and immediately certified to the House. The vote on passage was:

Yeas—33

Mr. President	Fasano	Oelrich
Alexander	Flores	Richter
Altman	Gaetz	Ring
Benacquisto	Garcia	Sachs
Bennett	Gardiner	Simmons
Bogdanoff	Hill	Siplin
Braynon	Jones	Smith
Dean	Lynn	Sobel
Detert	Montford	Storms
Diaz de la Portilla	Negron	Thrasher
Dockery	Norman	Wise

Nays—1

Joyner

Vote after roll call:

Yea—Evers

MOTIONS

On motion by Senator Alexander, the Senate having passed **HB 5405**, **CS for HB 5403**, **HB 5303**, **HB 5305**, **HB 5309**, **CS for HB 5005**, **CS for HB 5007**, **HB 5011**, **HB 7205**, and **HB 7207** with amendments, acceded to the request of the House to include these bills in the budget conference.

Diaz de la Portilla	Jones	Richter
Dockery	Joyner	Simmons
Evers	Margolis	Siplin
Gaetz	Montford	Smith
Garcia	Negron	Storms
Gardiner	Norman	Thrasher
Hill	Oelrich	Wise

RECESS

On motion by Senator Thrasher, the Senate recessed at 5:51 p.m. to reconvene upon the call of the President.

Nays—None

CALL TO ORDER

The Senate was called to order by President Haridopolos at 6:20 p.m. A quorum present—30:

Mr. President	Dockery	Negron
Alexander	Evers	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Simmons
Bogdanoff	Hill	Siplin
Braynon	Jones	Smith
Dean	Joyner	Storms
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	Wise

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 5401 as amended and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

HB 5401—A bill to be entitled An act relating to the Cybercrime Office; repealing s. 16.61, F.S., relating to the operation of the Cybercrime Office by the Department of Legal Affairs; providing for the transfer of the assets and duties of the office to the Department of Law Enforcement; providing an effective date.

—was referred to the Committee on Budget

On motions by Senator Alexander, by two-thirds vote **HB 5401** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **HB 5401** was read the second time by title.

Senator Fasano offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (777354) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5401** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—30

Mr. President	Benacquisto	Braynon
Alexander	Bennett	Dean
Altman	Bogdanoff	Detert

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 5409 as amended and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

HB 5409—A bill to be entitled An act relating to clerks of the court; transferring the Clerks of the Court Trust Fund to the Department of Revenue; amending s. 11.90, F.S.; providing additional powers and duties of the Legislative Budget Commission; amending s. 28.241, F.S.; revising distributions of filing fees for trial and appellate proceedings; amending s. 28.2455, F.S.; correcting references to the Clerks of the Court Trust Fund; amending s. 28.246, F.S.; conforming provisions relating to the transfer of the Clerks of the Court Trust Fund; amending s. 28.35, F.S.; deleting provisions relating to housing the Florida Clerks of Court Operations Corporation within the Justice Administrative Commission, to specifying the corporation as a budget entity of the commission, and to specifying corporation employees as commission employees; revising membership of the corporation's executive council; specifying that the corporation is subject to certain procurement requirements; revising and expanding the duties and responsibilities of the corporation relating to budget requests; providing definitions; requiring the corporation to submit certain budgets and information to the Legislative Budget Commission; providing duties and responsibilities of the commission; deleting a requirement that clerks of court submit certain financial audit information to the Supreme Court; amending s. 28.36, F.S.; revising required budget procedures for budget requests for funding court-related functions of the clerks of court; revising duties of the corporation; deleting provisions relating to quarterly releases of funds to clerks by the corporation; creating s. 28.365, F.S.; subjecting clerks of the courts to certain procurement requirements and limitations; amending s. 28.37, F.S.; revising requirements for distribution of fines, fees, service charges, and court costs collected by clerks of the court; amending s. 28.43, F.S.; conforming provisions relating to the transfer of the Clerks of the Court Trust Fund; amending s. 34.041, F.S.; revising requirements for distribution of certain filing fees collected by clerks of the court; requiring certain filing fees to be retained as fee income of the office of the clerk of the circuit court; amending s. 43.16, F.S.; deleting provisions including the Florida Clerks of Court Operations Corporation under provisions relating to the Justice Administrative Commission; amending s. 110.205, F.S.; deleting an exemption from career service for and employees of the Florida Clerks of Court Operations Corporation officers; amending s. 142.01, F.S.; conforming provisions to the transfer of the Clerks of the Court Trust Fund; amending s. 213.131, F.S.; specifying the creation of the Clerks of the Court Trust Fund within the Department of Revenue; providing for credit of certain funds to the trust fund; amending s. 216.011, F.S.; deleting a reference to the Florida Clerks of Court Operations Corporation as a state agency; providing for approved budgets of the clerks of the circuit court for a specified period; providing an effective date.

—was referred to the Committee on Budget

On motions by Senator Alexander, by two-thirds vote **HB 5409** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **HB 5409** was read the second time by title.

Senator Fasano offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 1 (686108) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5409** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—30

Mr. President	Dockery	Negron
Alexander	Evers	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Simmons
Bogdanoff	Hill	Siplin
Braynon	Jones	Smith
Dean	Joyner	Storms
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	Wise

Nays—None

MOTIONS

On motion by Senator Alexander, the Senate having passed **HB 5401** and **HB 5409** with amendments acceded to the request of the House to include these bills in the budget conference.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **SB 2056** was withdrawn from the Committee on Rules.

On motion by Senator Thrasher, by two-thirds vote **SB 420, SB 568, SB 570, CS for SB 572, CS for SB 600, SB 602, SB 604, and CS for CS for SB 818** were withdrawn from the Committee on Rules; **CS for SB 2078** was withdrawn from the Committee on Governmental Oversight and Accountability and referred to the Committee on Budget; **SB 1330, CS for SB 1836, CS for SB 274, CS for SB 886, SB 510, CS for SB 1318, SB 550, SB 1390, SB 1494, CS for SB 2010, CS for SB 1254, CS for SB 1696, SB 1620, CS for SB 584, CS for SB 1410, CS for SB 822, SB 942, SB 1990, CS for SB 1388, CS for SB 1714, CS for SB 512, CS for SB 2076, SB 1252, CS for SB 1286, CS for SB 1316, CS for SB 1332, CS for SB 1428, CS for SB 1568, CS for SB 1592, SB 1826, and CS for SB 1916** were also referred to the Committee on Rules; and **CS for SB 1744** was withdrawn from the Committee on Rules and referred to the Committees on Budget; and Rules.

REPORTS OF COMMITTEES

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 874; SB 1182 with 1 amendment

The bills were referred to the Committee on Budget under the original reference.

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 502; SB 604; SJR 1664

The bills were referred to the Committee on Rules under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1836

The Committee on Budget Subcommittee on Finance and Tax recommends committee substitutes for the following: SB 376; CS for SB 582

The Committee on Budget Subcommittee on Health and Human Services Appropriations recommends a committee substitute for the following: CS for SB 1972

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: SB 102; CS for SB 520; SB 1382; CS for SB 1616

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 374

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 106

The Committee on Rules recommends a committee substitute for the following: CS for CS for SB 408

The bills with committee substitute attached were placed on the Calendar.

The Special Master on Claim Bills recommends the following not pass: SB 42

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

INTRODUCTION AND REFERENCE OF BILLS

ADDITIONAL REFERENCES

By Senator Benacquisto—

SB 42—A bill to be entitled An act for the relief of Eric Brody by the Broward County Sheriff's Office; providing for an appropriation to compensate Eric Brody for injuries sustained as a result of the negligence of the Broward County Sheriff's Office; authorizing the Sheriff of Broward County, in lieu of payment, to execute to Eric Brody and his legal guardians an assignment of all claims that the Broward County Sheriff's Office has against its insurer arising out of the insurer's handling of the claim against the sheriff's office; clarifying that such assignment does not impair the ability or right of the assignees to pursue the final judgment and cost judgment against the insurer; providing a limitation on the payment of fees and costs related to the claim against the Broward County Sheriff's Office and an exception to that limitation as to any assigned claims brought against the insurer; providing an effective date.

—was also referred to the Committee on Rules.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Governmental Oversight and Accountability; and Senator Ring—

CS for SB 102—A bill to be entitled An act relating to the Agency for Enterprise Information Technology; transferring, renumbering, and amending s. 14.204, F.S.; renaming the agency the Department of Information Technology; requiring that the department director have a degree from an accredited postsecondary institution in certain fields, be appointed by the Governor, and serve at the pleasure of the Governor; establishing divisions within the department; amending ss. 17.0315,

110.205, 215.322, and 216.235, F.S.; conforming provisions to changes made by the act; repealing s. 282.0041, F.S., to delete reference to the agency; amending s. 282.0055, F.S.; conforming provisions to changes made by the act; amending s. 282.0056, F.S.; specifying proposals that must be included in the department's annual work plan; amending ss. 282.201, 282.203, 282.204, 282.205, 282.3055, 282.315, 282.318, 282.33, 282.34, 287.057, 445.011, 445.045, and 668.50, F.S.; conforming provisions to changes made by the act; requiring the department and state agencies to identify all positions and resources related to information technology by a certain date; requiring the department to submit a plan to the Governor and Legislature transferring all information technology operations to the department; transferring the agency from the Executive Office of the Governor to the department by a type two transfer; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Ring—

CS for SB 106—A bill to be entitled An act relating to public records; defining the term “publicly owned performing arts center”; creating an exemption from public-records requirements for information that identifies a donor or prospective donor of a donation made for the benefit of a publicly owned performing arts center if the donor desires to remain anonymous; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; amending s. 272.136, F.S.; creating an exemption from public-records requirements for information identifying a donor or prospective donor to the direct-support organization of the Legislative Research Center and Museum at the Historic Capitol; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Bogdanoff—

CS for SB 374—A bill to be entitled An act relating to health and human services contracts; amending s. 287.0575, F.S.; creating the Health and Human Services Contract Resource Council within the Department of Management Services; requiring the department to provide administrative support; providing meeting times and duties of the council; providing membership of the council; establishing the duties of several state agencies, including the Department of Juvenile Justice and the Agency for Health Care Administration with regard to contracts for health and human services; revising the deadline dates for state agencies to notify their contract service providers and for contract service providers to provide their contract managers a list of their health and human service contracts; requiring the Health and Human Service Contract Resource Council to designate a lead administrative coordinator for each contract service provider; conforming provisions to changes made by the act; revising the responsibilities of the designated lead administrative coordinator; requiring each agency contracting for health and human services to submit an annual report to the council; requiring the council to provide an executive summary of the reports to the Governor and the Legislature; requiring the council to make recommendations to the Legislature regarding legislation or rulemaking authority that would promote interdepartmental collaboration and program integration; amending s. 287.057, F.S.; exempting services provided by an eligible lead community-based provider from being subject to the state competitive bidding process; providing an effective date.

By the Committee on Budget Subcommittee on Finance and Tax; and Senators Gaetz and Negron—

CS for SB 376—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 125.0104, F.S.; providing definitions relating to the tourist development tax; providing requirements for separate statement of the tax; providing an exception; providing for construction; amending s. 125.0108, F.S.; providing definitions relating to the tourist impact tax; providing requirements for separate statement of the tax; providing an exception; providing for construction; amending s. 212.03, F.S.; providing definitions relating to the transient

rentals tax; revising requirements for charging, collecting, and remitting the tax; providing requirements for separate statement of the tax on rental documents; amending s. 212.0305, F.S.; providing definitions relating to the convention development tax; revising requirements for charging, collecting, and remitting the tax; providing requirements for separate statement of the tax on rental documents; amending s. 213.30, F.S.; authorizing the Department of Revenue to compensate county governments for providing certain information to the department; specifying a payment amount; amending ss. 1 and 3, chapter 67-930, Laws of Florida, as amended; providing definitions relating to a municipal resort tax; providing requirements for separate statement of the tax; providing an exception; providing for construction; providing an effective date.

By the Committees on Rules; Budget Subcommittee on General Government Appropriations; and Banking and Insurance; and Senators Richter and Hayes—

CS for CS for CS for SB 408—A bill to be entitled An act relating to property and casualty insurance; amending s. 215.555, F.S.; revising the definition of “losses,” relating to the Florida Hurricane Catastrophe Fund, to exclude certain losses; providing applicability; amending s. 215.5595, F.S.; authorizing an insurer to renegotiate the terms a surplus note issued before a certain date; providing limitations; amending s. 624.407, F.S.; revising the amount of surplus funds required for domestic insurers applying for a certificate of authority after a certain date; amending s. 624.408, F.S.; revising the minimum surplus that must be maintained by certain insurers; authorizing the Office of Insurance Regulation to reduce the surplus requirement under specified circumstances; amending s. 624.4095, F.S.; excluding certain premiums for federal multiple-peril crop insurance from calculations for an insurer's gross writing ratio; requiring insurers to disclose the gross written premiums for federal multiple-peril crop insurance in a financial statement; amending s. 624.424, F.S.; revising the frequency that an insurer may use the same accountant or partner to prepare an annual audited financial report; amending s. 626.854, F.S.; providing limitations on the amount of compensation that may be received by a public adjuster for a reopened or supplemental claim; providing statements that may be considered deceptive or misleading if made in any public adjuster's advertisement or solicitation; providing a definition for the term “written advertisement”; requiring that a disclaimer be included in any public adjuster's written advertisement; providing requirements for such disclaimer; requiring certain persons who act on behalf of an insurer to provide notice to the insurer, claimant, public adjuster, or legal representative for an onsite inspection of the insured property; authorizing the insured or claimant to deny access to the property if notice is not provided; requiring the public adjuster to ensure prompt notice of certain property loss claims; providing that an insurer be allowed to interview the insured directly about the loss claim; prohibiting the insurer from obstructing or preventing the public adjuster from communicating with the insured; requiring that the insurer communicate with the public adjuster in an effort to reach an agreement as to the scope of the covered loss under the insurance policy; prohibiting a public adjuster from restricting or preventing persons acting on behalf of the insured from having reasonable access to the insured or the insured's property; prohibiting a public adjuster from restricting or preventing the insured's adjuster from having reasonable access to or inspecting the insured's property; authorizing the insured's adjuster to be present for the inspection; prohibiting a licensed contractor or subcontractor from adjusting a claim on behalf of an insured if such contractor or subcontractor is not a licensed public adjuster; providing an exception; amending s. 626.8651, F.S.; requiring that a public adjuster apprentice complete a minimum number of hours of continuing education to qualify for licensure; amending s. 626.8796, F.S.; providing requirements for a public adjuster contract; creating s. 626.70132, F.S.; requiring that notice of a claim, supplemental claim, or reopened claim be given to the insurer within a specified period after a windstorm or hurricane occurs; providing a definition for the terms “supplemental claim” or “reopened claim”; providing applicability; repealing s. 627.0613(4), F.S., relating to the requirement that the consumer advocate for the Chief Financial Officer prepare an annual report card for each personal residential property insurer; amending s. 627.062, F.S.; requiring that the office

issue an approval rather than a notice of intent to approve following its approval of a file and use filing; authorizing the office to disapprove a rate filing because the coverage is inadequate or the insurer charges a higher premium due to certain discriminatory factors; extending the expiration date for making a “file and use” filing; prohibiting the Office of Insurance Regulation from, directly or indirectly, impeding the right of an insurer to acquire policyholders, advertise or appoint agents, or regulate agent commissions; revising the information that must be included in a rate filing relating to certain reinsurance or financing products; deleting a provision that prohibited an insurer from making certain rate filings within a certain period of time after a rate increase; deleting a provision prohibiting an insurer from filing for a rate increase within 6 months after it makes certain rate filings; deleting obsolete provisions relating to legislation enacted during the 2003 Special Session D of the Legislature; providing for the submission of additional or supplementary information pursuant to a rate filing; amending s. 627.0629, F.S.; deleting obsolete provisions; deleting a requirement that the Office of Insurance Regulation propose a method for establishing discounts, debits, credits, and other rate differentials for hurricane mitigation by a certain date; requiring the Financial Services Commission to adopt rules relating to such debits by a certain date; deleting a provision that prohibits an insurer from including an expense or profit load in the cost of reinsurance to replace the Temporary Increase in Coverage Limits; conforming provisions to changes made by the act; amending s. 627.351, F.S.; renaming the “Citizens Property Insurance Corporation” as the “Taxpayer-Funded Property Insurance Corporation”; requiring policies issued by the corporation to include a provision that prohibits policyholders from engaging the services of a public adjuster until after the corporation has tendered an offer; limiting an adjuster’s fee for a claim against the corporation; renaming the “high-risk account” as the “coastal account”; revising the conditions under which the Citizens policyholder surcharge may be imposed; providing that members of the Citizens Property Insurance Corporation Board of Governors are not prohibited from practicing in a certain profession if not prohibited by law or ordinance; limiting coverage for damage from sinkholes after a certain date and providing that the corporation must require repair of the property as a condition of any payment; prohibiting board members from voting on certain measures; exempting sinkhole coverage from the corporation’s annual rate increase requirements; deleting a requirement that the board reduce the boundaries of certain high-risk areas eligible for wind-only coverages under certain circumstances; amending s. 627.3511, F.S.; conforming provisions to changes made by the act; amending s. 627.4133, F.S.; revising the requirements for providing an insured with notice of nonrenewal, cancellation, or termination of personal lines or commercial residential property insurance; authorizing an insurer to cancel policies after 45 days’ notice if the Office of Insurance Regulation determines that the cancellation of policies is necessary to protect the interests of the public or policyholders; authorizing the Office of Insurance Regulation to place an insurer under administrative supervision or appoint a receiver upon the consent of the insurer under certain circumstances; creating s. 627.43141, F.S.; providing definitions; requiring the delivery of a “Notice of Change in Policy Terms” under certain circumstances; specifying requirements for such notice; specifying actions constituting proof of notice; authorizing policy renewals to contain a change in policy terms; providing that receipt of payment by an insurer is deemed acceptance of new policy terms by an insured; providing that the original policy remains in effect until the occurrence of specified events if an insurer fails to provide notice; providing intent; amending s. 627.7011, F.S.; requiring the insurer to pay the actual cash value of an insured loss for a dwelling, less any applicable deductible; requiring a policyholder to enter into a contract for the performance of building and structural repairs unless waived by the insurer; restricting insurers and contractors from requiring advance payments for repairs and expenses; requiring the insurer to offer coverage under which the insurer is obligated to pay replacement costs; authorizing the insurer to offer coverage that limits the initial payment for personal property to the actual cash value of the property to be replaced and to require the insured to provide receipts for purchases; requiring the insurer to provide notice of this process in the insurance contract; prohibiting an insurer from requiring the insured to advance payment; amending s. 627.70131, F.S.; specifying application of certain time periods to initial or supplemental property insurance claim notices and payments; providing legislative findings with respect to 2005 statutory changes relating to

sinkhole insurance coverage and statutory changes in this act; amending s. 627.706, F.S.; authorizing an insurer to limit coverage for catastrophic ground cover collapse to the principal building and to have discretion to provide additional coverage; allowing the deductible to include costs relating to an investigation of whether sinkhole activity is present; revising definitions; defining the term “structural damage”; providing an insurer with discretion to provide a policyholder with an opportunity to purchase an endorsement to sinkhole coverage; placing a 2-year statute of repose on claims for sinkhole coverage; amending s. 627.7061, F.S.; conforming provisions to changes made by the act; repealing s. 627.7065, F.S., relating to the establishment of a sinkhole database; amending s. 627.707, F.S.; revising provisions relating to the investigation of sinkholes by insurers; deleting a requirement that the insurer provide a policyholder with a statement regarding testing for sinkhole activity; providing a time limitation for demanding sinkhole testing by a policyholder and entering into a contract for repairs; requiring all repairs to be completed within a certain time; providing exceptions; providing a criminal penalty on a policyholder for accepting rebates from persons performing repairs; amending s. 627.7073, F.S.; revising provisions relating to inspection reports; providing that the presumption that the report is correct shifts the burden of proof; revising the reports that an insurer must file with the clerk of the court; requiring the policyholder to file certain reports as a precondition to accepting payment; requiring the professional engineer responsible for monitoring sinkhole repairs to issue a report and certification to the property owner and file such report with the court; providing that the act does not create liability for an insurer based on a representation or certification by the engineer; amending s. 627.7074, F.S.; revising provisions relating to neutral evaluation; requiring evaluation in order to make certain determinations; requiring that the neutral evaluator be allowed access to structures being evaluated; providing grounds for disqualifying an evaluator; allowing the Department of Financial Services to appoint an evaluator if the parties cannot come to agreement; revising the timeframes for scheduling a neutral evaluation conference; authorizing an evaluator to enlist another evaluator or other professionals; providing a time certain for issuing a report; providing that certain information is confidential; revising provisions relating to compliance with the evaluator’s recommendations; providing that the evaluator is an agent of the department for the purposes of immunity from suit; requiring the department to adopt rules; amending s. 627.711, F.S.; deleting the requirement that the insurer pay for verification of a uniform mitigation verification form that the insurer requires; amending s. 627.712, F.S.; conforming provisions to changes made by the act; providing effective dates.

By the Committees on Governmental Oversight and Accountability; and Military Affairs, Space, and Domestic Security; and Senators Bennett, Gaetz, Sachs, Altman, and Richter—

CS for CS for SB 520—A bill to be entitled An act relating to state memorials; creating s. 265.003, F.S.; providing legislative intent; establishing the Florida Veterans’ Hall of Fame on the Plaza Level of the Capitol Building; providing for the Department of Veterans’ Affairs to administer the Florida Veterans’ Hall of Fame; authorizing the department to establish a nomination and selection process and an induction ceremony; providing an effective date.

By the Committees on Budget Subcommittee on Finance and Tax; and Community Affairs; and Senator Detert—

CS for CS for SB 582—A bill to be entitled An act relating to local business taxes; amending s. 205.022, F.S.; defining the term “independent contractor”; creating s. 205.066, F.S.; exempting an individual engaging in or managing a business in an individual capacity as an employee from requirements related to local business taxes; specifying that an individual licensed and operating as a broker associate or sales associate is an employee; specifying that an independent contractor is not an employee; prohibiting a local governing authority from holding an exempt employee liable for the failure of a principal or employer to comply with certain obligations related to a local business tax or requiring an exempt employee to take certain actions related to a local business tax; prohibiting a local governing authority from requiring a principal or employer to provide personal or contact information for

exempt individuals in order to obtain a local business tax receipt; providing that the exemption does not apply to a business tax imposed on an individual employee by a municipality or county pursuant to a resolution or ordinance adopted before October 13, 2010; amending s. 205.194, F.S.; deleting obsolete provisions; requiring a person applying for or renewing a local business tax receipt to engage in or manage a business or occupation regulated by the Florida Supreme Court or a state agency to exhibit certain documentation before such receipt may be issued; authorizing online renewals as a means of providing electronic certifications that meet such requirement; deleting a requirement that the Department of Business and Professional Regulation provide certain professional regulation information to local officials who issue business tax receipts; deleting a provision prohibiting a local official who issues business tax receipts from renewing a license under certain circumstances; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Bennett—

CS for SB 1382—A bill to be entitled An act relating to rulemaking; amending s. 120.54, F.S.; requiring that an agency include in its notice of intended rulemaking a statement as to whether the proposed rule will require legislative ratification; clarifying that certain proposed rules are effective only when ratified by the Legislature; amending s. 120.541, F.S.; reducing the time before an agency files a rule for adoption within which the agency must notify the person who submitted a lower cost alternative and the Administrative Procedures Committee; amending s. 120.56, F.S.; reducing the time in which a substantially affected person may seek an administrative determination of the invalidity of a rule after the statement or revised statement of estimated regulatory costs is available; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Higher Education; and Senators Flores and Garcia—

CS for CS for SB 1616—A bill to be entitled An act relating to the Dan Marino Foundation Florida Vocational College; establishing the Dan Marino Foundation Florida Vocational College in Broward County as a public residential postsecondary school for certain students who have developmental disabilities; providing funding for the school through the Department of Education; requiring that the school comply with the laws and rules applicable to state agencies unless otherwise provided by law; requiring that the school provide educational programs and services; requiring that the Auditor General conduct annual audits of the school's accounts and records; creating a board of trustees; providing membership, terms, and specifying powers and duties of the board; requiring that the board submit legislative budget requests for operations and fixed capital outlay; requiring that the board provide for the content and custody of student and employee personnel records; authorizing the board to provide legal services and reimbursement of expenses for officers and employees of the board; requiring notice and a public meeting under certain circumstances; requiring that all employees and applicants for employment with the board undergo personnel screening and security background investigations; providing a penalty for failure to disclose certain material facts and for use of confidential information for certain purposes; authorizing the employment of campus police and providing powers, duties, and qualifications; requiring reporting of on-campus crime statistics; amending s. 1000.04, F.S.; providing that the Dan Marino Foundation Florida Vocational College is a component of the delivery of public education within Florida's K-20 education system; amending s. 1001.20, F.S.; authorizing investigations by the Office of Inspector General within the Department of Education; providing an effective date.

By the Committee on Banking and Insurance; and Senator Diaz de la Portilla—

CS for SB 1836—A bill to be entitled An act relating to captive insurers; amending s. 624.402, F.S.; exempting certain life or health insurers covering nonresidents from having to obtain a certificate of authority; amending s. 628.901, F.S.; providing definitions; repealing s.

628.903, F.S., relating to the definition of the term “industrial insured captive insurer”; amending s. 628.905, F.S.; requiring a captive insurer to obtain a license and to file evidence that a person or firm with whom it intends to conduct business is reputable; providing that a certificate of insurance for an association captive insurer does not exceed the total funds of the association members; creating s. 628.908, F.S.; requiring a licensed captive insurer to maintain its principal place of business in this state and hold an annual meeting in this state; amending s. 628.909, F.S.; applying additional provisions of the insurance code to captive insurers; providing an effective date.

By the Committees on Budget Subcommittee on Health and Human Services Appropriations; and Health Regulation; and Senators Negron, Gaetz, Garcia, and Hays—

CS for CS for SB 1972—A bill to be entitled An act relating to health and human services; amending s. 163.387, F.S.; exempting hospital districts from the requirement to provide funding to a community redevelopment agency; creating s. 200.186, F.S.; requiring hospital district ad valorem revenues dispersed to other entities to be spent only on health care services; amending s. 393.0661, F.S.; conforming provisions to changes made by the act; amending s. 409.016, F.S.; conforming provisions to changes made by the act; creating s. 409.16713, F.S.; providing for medical assistance for children in out-of-home care and adopted children; specifying how those services will be funded under certain circumstances; providing legislative intent; providing a directive to the Division of Statutory Revision; transferring, renumbering, and amending s. 624.91, F.S.; decreasing the administrative cost and raising the minimum loss ratio for health plans; increasing compensation to the insurer or provider for dental contracts; requiring the Florida Healthy Kids Corporation to include use of the school breakfast and lunch application form in the corporation's plan for publicizing the program; conforming provisions to changes made by the act; amending ss. 409.813, 409.8132, 409.815, 409.818, 154.503, and 408.915, F.S.; conforming provisions to changes made by the act; amending s. 1006.06, F.S.; requiring school districts to collaborate with the Florida Kidcare program to use the application form for the school breakfast and lunch programs to provide information about the Florida Kidcare program and to authorize data on the application form be shared with state agencies and the Florida Healthy Kids Corporation and its agents; authorizing each school district the option to share the data electronically; requiring interagency agreements to ensure that the data exchanged is protected from unauthorized disclosure and is used only for enrollment in the Florida Kidcare program; amending s. 409.901, F.S.; revising definitions relating to Medicaid; amending s. 409.902, F.S.; revising provisions relating to the designation of the Agency for Health Care Administration as the state Medicaid agency; specifying that eligibility and state funds for medical services apply only to citizens and certain noncitizens; providing exceptions; providing a limitation on persons transferring assets in order to become eligible for certain services; amending s. 409.9021, F.S.; revising provisions relating to conditions for Medicaid eligibility; increasing the number of years a Medicaid applicant forfeits entitlements to the Medicaid program if he or she has committed fraud; providing for the payment of monthly premiums by Medicaid recipients; providing exemptions to the premium requirement; requiring applicants to agree to participate in certain health programs; prohibiting a recipient who has access to employer-sponsored health care from obtaining services reimbursed through the Medicaid fee-for-service system; requiring the agency to develop a process to allow the Medicaid premium that would have been received to be used to pay employer premiums; requiring that the agency allow opt-out opportunities for certain recipients; creating s. 409.9022, F.S.; specifying procedures to be implemented by a state agency if the Medicaid expenditures exceed appropriations; amending s. 409.903, F.S.; conforming provisions to changes made by the act; deleting obsolete provisions; amending s. 409.904, F.S.; conforming provisions to changes made by the act; renaming the “medically needy” program as the “Medicaid nonpoverty medical subsidy”; narrowing the subsidy to cover only certain services for a family, persons age 65 or older, or blind or disabled persons; revising the criteria for the agency's assessment of need for private duty nursing services; amending s. 409.905, F.S.; conforming provisions to changes made by the act; requiring prior authorization for home health

services; amending s. 409.906, F.S.; providing for a parental fee based on family income to be assessed against the parents of children with developmental disabilities served by home and community-based waivers; prohibiting the agency from paying for certain psychotropic medications prescribed for a child; conforming provisions to changes made by the act; amending ss. 409.9062 and 409.907, F.S.; conforming provisions to changes made by the act; amending s. 409.908, F.S.; modifying the nursing home patient care per diem rate to include dental care, vision care, hearing care, and podiatric care; directing the agency to seek a waiver to treat a portion of the nursing home per diem as capital for self-insurance purposes; requiring primary physicians to be paid the Medicare fee-for-service rate by a certain date; deleting the requirement that the agency contract for transportation services with the community transportation system; authorizing qualified plans to contract for transportation services; deleting obsolete provisions; conforming provisions to changes made by the act; amending s. 409.9081, F.S.; revising copayments for physician visits; requiring the agency to seek a waiver to allow the increase of copayments for nonemergency services furnished in a hospital emergency department; amending s. 409.912, F.S.; requiring Medicaid-eligible children who have open child welfare cases and who reside in AHCA area 10 to be enrolled in specified capitated managed care plans; expanding the number of children eligible to receive behavioral health care services through a specialty prepaid plan; repealing provisions relating to a provider lock-in program; eliminating obsolete provisions and updating provisions; conforming cross-references; amending s. 409.915, F.S.; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 409.9301, F.S.; conforming provisions to changes made by the act; amending s. 409.9126, F.S.; conforming a cross-reference; providing a directive to the Division of Statutory Revision; creating s. 409.961, F.S.; providing for statutory construction of provisions relating to Medicaid managed care; creating s. 409.962, F.S.; providing definitions; creating s. 409.963, F.S.; establishing the Medicaid managed care program as the statewide, integrated managed care program for medical assistance and long-term care services; directing the agency to apply for and implement waivers; providing for public notice and comment; providing for a limited managed care program if waivers are not approved; creating s. 409.964, F.S.; requiring all Medicaid recipients to be enrolled in Medicaid managed care; providing exemptions; prohibiting a recipient who has access to employer-sponsored health care from enrolling in Medicaid managed care; requiring the agency to develop a process to allow the Medicaid premium that would have been received to be used to pay employer premiums; requiring that the agency allow opt-out opportunities for certain recipients; providing for voluntary enrollment; creating s. 409.965, F.S.; providing requirements for qualified plans that provide services in the Medicaid managed care program; requiring the agency to issue an invitation to negotiate; requiring the agency to compile and publish certain information; establishing regions for separate procurement of plans; establishing selection criteria for plan selection; limiting the number of plans in a region; authorizing the agency to conduct negotiations if funding is insufficient; specifying circumstances under which the agency may issue a new invitation to negotiate; providing that the Children's Medical Service Network is a qualified plan; directing the agency to assign Medicaid provider agreements for a limited time to a provider services network participating in the managed care program in a rural area; creating s. 409.966, F.S.; providing managed care plan contract requirements; establishing contract terms; providing for annual rate setting; providing for contract extension under certain circumstances; establishing access requirements; requiring the agency to establish performance standards for plans; requiring each plan to publish specified measures on the plan's website; providing for program integrity; requiring plans to provide encounter data; providing penalties for failure to submit data; requiring plans to accept electronic claims and electronic prior authorization requests for medication exceptions; requiring plans to provide the criteria for approval and reasons for denial of prior authorization requests; providing for prompt payment; providing for payments to noncontract emergency providers; requiring a qualified plan to post a surety bond or establish a letter of credit or a deposit in a trust account; requiring plans to establish a grievance resolution process; requiring plan solvency; requiring guaranteed savings; providing costs and penalties for early termination of contracts or reduction in enrollment levels; requiring the agency to terminate qualified plans for non-compliance under certain circumstances; requiring plans to adopt and

publish a preferred drug list; creating s. 409.967, F.S.; providing for managed care plan accountability; requiring plans to use a uniform method of accounting for medical costs; providing for achieved savings rebates; authorizing plans to limit providers in networks; mandating that certain providers be offered contracts during the first year; authorizing plans to exclude certain providers in certain circumstances; requiring plans to include certain providers; requiring plans to monitor the quality and performance history of providers; requiring plans to hold primary care physicians responsible for certain activities; requiring plans to offer certain programs and procedures; requiring plans to pay primary care providers the same rate as Medicare by a certain date; providing for conflict resolution between plans and providers; creating s. 409.968, F.S.; providing for managed care plan payments on a per-member, per-month basis; requiring the agency to establish a methodology to ensure the availability of certain types of payments to specified providers; requiring the development of rate cells; requiring that the amount paid to the plans for supplemental payments or enhanced rates be reconciled to the amount required to pay providers; requiring that plans make certain payments to providers within a certain time; requiring the agency to develop a methodology and request a state plan amendment to ensure the availability of certified public expenditures in the Medicaid managed care program to support certain noninstitutional teaching faculty providers; creating s. 409.969, F.S.; authorizing Medicaid recipients to select any plan within a region; providing for automatic enrollment of recipients by the agency in specified circumstances; providing criteria for automatic enrollment; authorizing disenrollment under certain circumstances; providing for a grievance process; defining the term "good cause" for purposes of disenrollment; requiring recipients to stay in plans for a specified time; providing for reenrollment of recipients who move out of a region; creating s. 409.970, F.S.; requiring the agency to maintain an encounter data system; providing requirements for prepaid plans to submit data in a certain format; requiring the agency to analyze the data; requiring the agency to test the data for certain purposes by a certain date; creating s. 409.971, F.S.; providing for managed care medical assistance; providing deadlines for beginning and finalizing implementation; creating s. 409.972, F.S.; establishing minimum services for the managed medical assistance; providing for optional services; authorizing plans to customize benefit packages; requiring the agency to provide certain services to hemophiliacs; creating s. 409.973, F.S.; providing for managed long-term care; providing deadlines for beginning and finalizing implementation; providing duties for the Department of Elderly Affairs relating to the program; creating s. 409.974, F.S.; providing recipient eligibility requirements for managed long-term care; listing programs for which certain recipients are eligible; specifying that an entitlement to home and community-based services is not created; creating s. 409.975, F.S.; establishing minimum services for managed long-term care; creating s. 409.976, F.S.; providing criteria for the selection of plans to provide managed long-term care; creating s. 409.977, F.S.; providing for managed long-term care plan accountability; requiring the agency to establish standards for specified providers; creating s. 409.978, F.S.; requiring that the agency operate the Comprehensive Assessment and Review for Long-Term Care Services program through an interagency agreement with the Department of Elderly Affairs; providing duties of the program; requiring the program to assign plan enrollees to a level of care; providing for the evaluation of dually eligible nursing home residents; transferring, renumbering, and amending ss. 409.91207, 409.91211, and 409.9122, F.S.; conforming provisions to changes made by the act; updating provisions and deleting obsolete provisions; transferring and renumbering ss. 409.9123 and 409.9124, F.S.; amending s. 430.04, F.S.; eliminating outdated provisions; requiring the Department of Elderly Affairs to develop a transition plan for specified elders and disabled adults receiving long-term care Medicaid services if qualified plans become available; amending s. 430.2053, F.S.; eliminating outdated provisions; providing additional duties of aging resource centers; providing an additional exception to direct services that may not be provided by an aging resource center; providing for the cessation of specified payments by the department as qualified plans become available; eliminating provisions requiring reports; amending s. 39.407, F.S.; requiring a motion by the Department of Children and Family Services to provide psychotropic medication to a child 10 years of age or younger to include a review by a child psychiatrist; providing that a court may not authorize the administration of such medication absent a finding of compelling state interest based on

the review; amending s. 216.262, F.S.; providing that limitations on an agency's total number of positions does not apply to certain positions in the Department of Health; amending s. 381.06014, F.S.; redefining the term "blood establishment" and defining the term "volunteer donor"; requiring that blood establishments disclose specified information on their Internet website; providing an exception for certain hospitals; authorizing the Department of Legal Affairs to assess a civil penalty against a blood establishment that fails to disclose the information; providing that the civil penalty accrues to the state and requiring that it be deposited into the General Revenue Fund; prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as for-profit or not-for-profit organizations when determining service fees for blood or blood components; amending s. 400.023, F.S.; requiring the trial judge to conduct an evidentiary hearing to determine the sufficiency of evidence for claims against certain persons relating to a nursing home; limiting noneconomic damages in a wrongful death action against the nursing home; amending s. 400.0237, F.S.; revising provisions relating to punitive damages against a nursing home; authorizing a defendant to proffer admissible evidence to refute a claimant's proffer of evidence for punitive damages; requiring the trial judge to conduct an evidentiary hearing and the plaintiff to demonstrate that a reasonable basis exists for the recovery of punitive damages; prohibiting discovery of the defendant's financial worth until the judge approves the pleading on punitive damages; revising definitions; amending s. 408.7057, F.S.; requiring that the dispute resolution program include a hearing in specified circumstances; providing that the dispute resolution program established to resolve claims disputes between providers and health plans does not provide an independent right of recovery; requiring that the conclusions of law in the written recommendation of the resolution organization identify certain information; providing a directive to the Division of Statutory Revision; creating ss. 458.3167 and 459.0078, F.S.; providing for an expert witness certificate for allopathic and osteopathic physicians licensed in other states or Canada which authorizes such physicians to provide expert medical opinions in this state; providing application requirements and timeframes for approval or denial by the Board of Medicine and Board of Osteopathic Medicine, respectively; requiring the boards to adopt rules and set fees; providing for expiration of a certificate; amending ss. 458.331 and 459.015, F.S.; providing grounds for disciplinary action for providing misleading, deceptive, or fraudulent expert witness testimony relating to the practice of medicine and of osteopathic medicine, respectively; providing for construction with respect to the doctrine of incorporation by reference; amending s. 499.003, F.S.; redefining the term "health care entity" to clarify that a blood establishment is a health care entity that may engage in certain activities; amending s. 499.005, F.S.; clarifying provisions that prohibit the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity or donated or supplied at a reduced price to a charitable organization, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted prescription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute under a restricted prescription drug distributor permit; authorizing the Department of Health to adopt rules regarding the distribution of prescription drugs by blood establishments; amending s. 626.9541, F.S.; authorizing insurers to offer rewards or incentives to health benefit plan members to encourage or reward participation in wellness or health improvement programs; authorizing insurers to require plan members not participating in programs to provide verification that their medical condition warrants nonparticipation; providing application; amending s. 627.4147, F.S.; deleting a requirement that a medical malpractice insurance contract include a clause authorizing an insurer to admit liability and make a settlement offer if the offer is within policy limits without the insured's permission; amending s. 766.102, F.S.; providing that a physician who is an expert witness in a medical malpractice presuit action must meet certain requirements; amending s. 766.104, F.S.; requiring a good faith demonstration in a medical malpractice case that there has been a breach of the standard of care; amending s. 766.106, F.S.; clarifying that a physician

acting as an expert witness is subject to disciplinary actions; amending s. 766.1115, F.S.; conforming provisions to changes made by the act; creating s. 766.1183, F.S.; defining terms; providing for the recovery of civil damages by Medicaid recipients according to a modified standard of care; providing for recovery of certain excess judgments by act of the Legislature; requiring the Department of Children and Family Services to provide notice to program applicants; creating s. 766.1184, F.S.; defining terms; providing for the recovery of civil damages by certain recipients of primary care services at primary care clinics receiving specified low-income pool funds according to a modified standard of care; providing for recovery of certain excess judgments by act of the Legislature; providing requirements of health care providers receiving such funds in order for the liability provisions to apply; requiring notice to low-income pool recipients; amending s. 766.203, F.S.; requiring the presuit investigations conducted by the claimant and the prospective defendant in a medical malpractice action to provide grounds for a breach of the standard of care; amending s. 768.28, F.S.; revising a definition; providing that certain colleges and universities that own or operate an accredited medical school and their employees and agents providing patient services in a teaching hospital pursuant to an affiliation agreement or contract with the teaching hospital are considered agents of the hospital for the purposes of sovereign immunity; providing definitions; requiring patients of such hospitals to be provided with notice of their remedies under sovereign immunity; providing an exception; providing that providers and vendors providing services to certain persons with disabilities on behalf of the state are agents of the state for the purposes of sovereign immunity; providing legislative findings and intent with respect to including certain colleges and universities and their employees and agents under sovereign immunity; providing a statement of public necessity; amending s. 1004.41, F.S.; clarifying provisions relating to references to the corporation known as Shands Teaching Hospital and Clinics, Inc.; clarifying provisions regarding the purpose of the corporation; authorizing the corporation to create corporate subsidiaries and affiliates; providing that Shands Teaching Hospital and Clinics, Inc., Shands Jacksonville Medical Center, Inc., Shands Jacksonville Healthcare, Inc., and any not-for-profit subsidiary of such entities are instrumentalities of the state for purposes of sovereign immunity; repealing s. 409.9121, F.S., relating to legislative intent concerning managed care; repealing s. 409.919, F.S., relating to rule authority; repealing s. 624.915, F.S., relating to the Florida Healthy Kids Corporation operating fund; renumbering and transferring ss. 409.942, 409.944, 409.945, 409.946, 409.953, and 409.9531, F.S., as ss. 414.29, 163.464, 163.465, 163.466, 402.81, and 402.82, F.S., respectively; amending s. 443.111, F.S.; conforming a cross-reference; directing the Agency for Health Care Administration to submit a reorganization plan to the Legislature; providing for the state's withdrawal from the Medicaid program under certain circumstances; providing for severability; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Governmental Oversight and Accountability; and Senator Ring—

CS for SB 106—A bill to be entitled An act relating to public records; defining the term "publicly owned performing arts center"; creating an exemption from public-records requirements for information that identifies a donor or prospective donor of a donation made for the benefit of a publicly owned performing arts center if the donor desires to remain anonymous; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; amending s. 272.136, F.S.; creating an exemption from public-records requirements for information identifying a donor or prospective donor to the direct-support organization of the Legislative Research Center and Museum at the Historic Capitol; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was placed on the Calendar.

By the Committee on Commerce and Tourism; and Senator Lynn—

CS for SB 1626—A bill to be entitled An act relating to television picture tubes; repealing ss. 817.559 and 817.56, F.S., relating to television picture tubes; providing an effective date.

—was placed on the Calendar.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 6 was corrected and approved.

CO-INTRODUCERS

Senators Altman—CS for SB 234, CS for SB 236, SB 850, CS for SB 1574, CS for SB 1650; Evers—SM 954; Fasano—SB 676; Flores—SB 1138; Hays—SB 1190; Rich—SR 2080; Richter—CS for SB 520, SJR 592; Sachs—CS for CS for SB 530, SB 1190

RECESS

On motion by Senator Thrasher, the Senate recessed at 6:27 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene upon call of the President.



Journal of the Senate

Number 15—Regular Session

Tuesday, April 26, 2011

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REPORTS OF COMMITTEES

The Committee on Commerce and Tourism recommends the following pass: CS for SB 920

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

The Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations recommends the following pass: CS for SB 524; SB 608; CS for SB 664; CS for SB 734; SB 1494

The Committee on Budget Subcommittee on Education Pre-K - 12 Appropriations recommends the following pass: CS for SB 90

The Committee on Budget Subcommittee on Finance and Tax recommends the following pass: SB 468; SB 1210

The Committee on Budget Subcommittee on General Government Appropriations recommends the following pass: CS for SB 546; SB 762; SB 850; CS for SB 1072; CS for SB 1312; CS for SB 1332; CS for SB 1428; CS for SB 1622; SB 1826

The Committee on Budget Subcommittee on Health and Human Services Appropriations recommends the following pass: CS for SB 314; SB 446; CS for SB 556 with 1 amendment; CS for SB 584; CS for SB 1410

The Committee on Budget Subcommittee on Higher Education Appropriations recommends the following pass: CS for SB 480; CS for CS for SB 1194

The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations recommends the following pass: SB 510; CS for SB 1180 with 12 amendments; SB 1792

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 1458

The Committee on Commerce and Tourism recommends the following pass: CS for SB 506 with 1 amendment; SB 790; SB 1080; SB 1424

The Committee on Community Affairs recommends the following pass: CS for SB 1110

The Committee on Criminal Justice recommends the following pass: CS for SB 328; SB 404 with 1 amendment

The Committee on Education Pre-K - 12 recommends the following pass: SB 788

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for CS for SB 952; CS for SB 1574; CS for SB 1610; CS for SB 1962

The Committee on Health Regulation recommends the following pass: SB 472 with 1 amendment; SB 1000; CS for SB 1158; SB 1358; CS for SB 1426

The Committee on Higher Education recommends the following pass: SB 534

The Committee on Judiciary recommends the following pass: CS for CS for SB 204; CS for SB 242; CS for CS for SB 364; CS for SB 504; CS for CS for SB 530 with 1 amendment; CS for SB 956; CS for SB 1334; CS for SB 1384; SB 1398 with 1 amendment; CS for SB 1402; SB 1508 with 1 amendment; SB 1770 with 1 amendment; CS for SB 1890 with 1 amendment; SB 2064

The Committee on Regulated Industries recommends the following pass: SB 522; CS for SB 580

The Committee on Transportation recommends the following pass: CS for SB 368; SB 1660

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

The Committee on Judiciary recommends the following pass: SJR 1218

The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Judiciary recommends the following pass: CS for SB 1196

The bill was referred to the Committee on Commerce and Tourism under the original reference.

The Committee on Community Affairs recommends the following pass: SB 1864 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1418

The bills contained in the foregoing reports were referred to the Committee on Communications, Energy, and Public Utilities under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 898

The Committee on Education Pre-K - 12 recommends the following pass: SB 1062

The Committee on Health Regulation recommends the following pass: SB 688

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

The Committee on Commerce and Tourism recommends the following pass: CS for SB 560

The bill was referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 1362

The Committee on Health Regulation recommends the following pass: SB 1192 with 1 amendment

The Committee on Judiciary recommends the following pass: CS for SB 828; CS for SB 1168; SCR 1558

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

The Committee on Education Pre-K - 12 recommends the following pass: SB 1550

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

The Committee on Community Affairs recommends the following pass: SJR 808

The Committee on Criminal Justice recommends the following pass: CS for SB 1088 with 1 amendment; SB 1508; SB 1790

The Committee on Education Pre-K - 12 recommends the following pass: SB 700

The Committee on Health Regulation recommends the following pass: SB 162; SB 1146; SB 1770; SB 1918

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

The Committee on Health Regulation recommends the following pass: CS for SB 1554

The Committee on Transportation recommends the following pass: SB 1488

The bills contained in the foregoing reports were referred to the Committee on Military Affairs, Space, and Domestic Security under the original reference.

The Committee on Budget recommends the following pass: CS for SB 414; CS for SB 830; CS for SB 886; CS for CS for SB 1254; CS for CS for SB 1316; CS for CS for SB 1318; CS for SB 1332; CS for SB 1410; CS for SB 1428; SB 1494; SB 1620 with 1 amendment; CS for CS for SB 1696; SB 1990; CS for SB 2010; CS for CS for SB 2076

The Committee on Community Affairs recommends the following pass: SB 722

The Committee on Education Pre-K - 12 recommends the following pass: SB 922

The Committee on Governmental Oversight and Accountability recommends the following pass: SJR 1438

The Committee on Health Regulation recommends the following pass: SB 690; SB 692; CS for SB 1754

The Committee on Judiciary recommends the following pass: SB 182; CS for SB 234; SB 474; CS for SJR 1954; SB 2170

The Committee on Rules Subcommittee on Ethics and Elections recommends the following pass: SB 1322; SB 1564

The Special Master on Claim Bills recommends the following pass: SB 54 with 1 amendment; SB 322 with 1 amendment

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

The Committee on Judiciary recommends the following pass: SB 1144

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

The Committee on Agriculture recommends the following pass: SM 852

The Committee on Budget recommends the following pass: SB 118; CS for CS for SB 178; CS for SB 224; CS for CS for SB 296; CS for SB 378; CS for SB 380; CS for CS for SB 396; CS for CS for CS for SB 432; CS for SB 438; CS for SB 504; CS for CS for SB 520; CS for SB 580; CS for CS for SB 632; CS for CS for SB 666; SB 714; CS for SB 720; CS for SB 740; CS for SB 746; CS for CS for SB 818; CS for CS for SB 846; SB 874; CS for CS for SB 888; CS for SB 900; SB 904; SB 978; SB 996; CS for SB 998; SB 1000; CS for CS for SB 1086; CS for SB 1140; CS for CS for SB 1150; CS for SB 1158; CS for SB 1176; SB 1190; CS for CS for SB 1206; CS for SB 1226; CS for CS for SB 1228; CS for CS for SB 1366; CS for SB 1372; CS for SB 1426; CS for CS for SB 1524; CS for SB 1574; SB 1586; SB 1632; CS for SB 1650; CS for SB 1656; SB 1792; SB 1822; CS for CS for SB 1824; CS for SB 1884; SB 2064; SJR 2084 with 1 amendment

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 994; CS for SB 1328; CS for CS for SB 1346; SB 2174

The Committee on Health Regulation recommends the following pass: SM 1762 with 1 amendment; SB 1778; SB 1788; SB 2168

The Committee on Judiciary recommends the following pass: CS for SB 926; CS for CS for SB 1430

The Committee on Rules recommends the following pass: CS for CS for SB 274; CS for CS for SB 512; SB 652; SB 704; CS for SB 886; CS for CS for SB 1286; CS for CS for SB 1522; SJR 1664; CS for SB 1754

The Committee on Transportation recommends the following pass: SB 1624; SB 1684

The bills were placed on the Calendar.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1340

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

The Committee on Agriculture recommends a committee substitute for the following: CS for SB 1514

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1590

The Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations recommends committee substitutes for the following: CS for SB 490; SB 1390

The Committee on Budget Subcommittee on Education Pre-K - 12 Appropriations recommends committee substitutes for the following: CS for SB 1254; CS for SB 1696

The Committee on Budget Subcommittee on Finance and Tax recommends committee substitutes for the following: CS for SB 1594; CS for SB 1816

The Committee on Budget Subcommittee on General Government Appropriations recommends committee substitutes for the following: CS for SB 236; CS for CS for SB 1290; CS for SB 1316; CS for SB 1588; CS for SB 1836; CS for SB 1916; CS for SB 2076

The Committee on Budget Subcommittee on Health and Human Services Appropriations recommends a committee substitute for the following: CS for SB 398

The Committee on Budget Subcommittee on Higher Education Appropriations recommends committee substitutes for the following: CS for SB 430; CS for SB 1732

The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations recommends a committee substitute for the following: CS for SB 1318

The Committee on Commerce and Tourism recommends committee substitutes for the following: SB 150; SB 854; CS for SB 1284; SB 1884

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: CS for SB 950

The Committee on Community Affairs recommends committee substitutes for the following: SB 292; CS for SB 296; CS for SB 386; CS for SB 632; CS for SB 796; CS for CS for SB 1698

The Committee on Criminal Justice recommends committee substitutes for the following: CS for SB 792; CS for SB 890; SB 1808

The Committee on Education Pre-K - 12 recommends committee substitutes for the following: SB 508; CS for SB 578; SB 1656; SB 2036

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 770; CS for SB 1122

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: SB 224; SB 2090

The Committee on Judiciary recommends committee substitutes for the following: CS for CS for SB 432; CS for SJR 658; CS for SB 846; SB 1010; SB 1092; SB 1176; CS for SB 1618; SB 1676; SB 1722; SB 2062

The Committee on Rules recommends a committee substitute for the following: CS for SB 2086

The Committee on Transportation recommends committee substitutes for the following: CS for SB 1124; CS for SB 1512; SB 1840

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

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: SB 1572

The Committee on Health Regulation recommends a committee substitute for the following: SB 1838

The Committee on Judiciary recommends a committee substitute for the following: SB 1978

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 1634

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1772

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: CS for SB 1460

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 332

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SM 1598

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1930

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 622

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 1528

The Committee on Health Regulation recommends a committee substitute for the following: SB 1748

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1610

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 416

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1922

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 488

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1694

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1384

The Committee on Criminal Justice recommends committee substitutes for the following: SB 956; SB 1402; SB 1890

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: CS for SB 1430

The Committee on Health Regulation recommends a committee substitute for the following: SB 1396

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

The Committee on Health Regulation recommends a committee substitute for the following: SB 1480

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

The Committee on Banking and Insurance recommends a committee substitute for the following: CS for SB 1522

The Committee on Budget recommends committee substitutes for the following: CS for SB 274; CS for SB 512; SJR 592; SB 1252; CS for SB 1286; CS for SB 1312; CS for SB 1568

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 786

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

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 778

The bill with committee substitute attached was referred to the Committee on Rules Subcommittee on Ethics and Elections under the original reference.

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: CS for SB 1904

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1152

The Committee on Budget recommends committee substitutes for the following: SCR 4; CS for SB 196; CS for SB 556; CS for CS for SB 768; SB 844; SB 880; CS for SB 1128; CS for SB 1180; CS for SB 1198; CS for SB 1414; SB 1466; CS for SB 1502; CS for CS for SB 1546; CS for CS for SB 1816; SB 1850; CS for CS for SB 1972; SB 1974; SB 1992; SB 1996; CS for SB 1998

The Committee on Commerce and Tourism recommends a committee substitute for the following: CS for SB 1196

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 594

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: CS for CS for SB 88; SB 1192; CS for SB 1456

The Committee on Rules recommends committee substitutes for the following: CS for SB 234; CS for CS for SB 402; CS for SB 830; CS for SJR 1538

The bills with committee substitute attached were placed on the Calendar.

The Special Master on Claim Bills recommends the following not pass: SB 18; SB 64

The bills were referred to the Committee on Rules under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following not pass: SB 694

The Committee on Education Pre-K - 12 recommends the following not pass: SB 2172

The Committee on Health Regulation recommends the following not pass: SB 1892

The bills were laid on the table.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Children, Families, and Elder Affairs recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Secretary of Children and Family Services Appointee: Wilkins, David	Pleasure of Governor

The Committee on Community Affairs recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Secretary of Community Affairs Appointee: Buzzett, William A.	Pleasure of Governor

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Secretary of Environmental Protection Appointee: Vinyard, Herschel T., Jr.	Pleasure of Governor

The Committee on Health Regulation recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Secretary of Health Care Administration Appointee: Dudek, Elizabeth	Pleasure of Governor

<i>Office and Appointment</i>	<i>For Term Ending</i>
State Surgeon General Appointee: Farmer, Harry Frank, Jr.	Pleasure of Governor

The Committee on Higher Education recommends that the Senate confirm the following appointments made by the Board of Governors:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, Florida A & M University Appointees: Dent, Richard A. III McWilliams, Spurgeon W. White, Karl E.	01/06/2016 01/06/2016 01/06/2016
Board of Trustees, Florida Atlantic University Appointees: Stilly, Robert J. Tanner, Paul C.	01/06/2016 01/06/2016
Board of Trustees, Florida State University Appointee: Burr, Edward E.	01/06/2016
Board of Trustees, Florida Gulf Coast University Appointees: Catti, Joseph R.	01/06/2016

<i>Office and Appointment</i>	<i>For Term Ending</i>
Wells, Robert A. III	01/06/2016
Board of Trustees, Florida International University Appointee: Maury, Albert R.	01/06/2016
Board of Trustees, New College of Florida Appointees: Coleman, Audrey R. Ruiz, Mary	01/06/2016 01/06/2016
Board of Trustees, University of South Florida Appointees: Goforth, Stephanie E. Saco, Louis S.	01/06/2016 01/06/2016
Board of Trustees, University of West Florida Appointee: O'Sullivan, John Mortimer III	01/06/2015

The Committee on Higher Education recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, Florida A & M University Appointee: Alston, Torey L.	01/06/2015

The appointments were referred to the Rules Subcommittee on Ethics and Elections under the original reference.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Haridopolos—

SCR 4—A concurrent resolution urging Congress to call a convention for the purpose of proposing amendments to the Constitution of the United States to achieve and maintain a balanced federal budget.

—was referred to the Committee on Budget.

Senate Bills 6-10—Not used.

Senate Bills 12-2172—Previously referenced.

By the Committee on Governmental Oversight and Accountability—

SB 2174—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; transferring, renumbering, and amending s. 215.44(8), F.S., which provides exemptions from public-records requirements for the State Board of Administration; creating s. 215.440, F.S.; specifying information that does not constitute proprietary confidential business information held by the State Board of Administration; requiring the State Board of Administration to maintain a written list of records covered under a verified, written declaration; conforming cross-references; making editorial changes; removing the scheduled repeal of the exemptions; amending s. 215.47, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committee on Governmental Oversight and Accountability.

ADDITIONAL REFERENCES

By Senator Jones—

SB 18—A bill to be entitled An act for the relief of Daniel and Amara Estrada; providing an appropriation to compensate Daniel and Amara Estrada, parents and guardians of Caleb Estrada, for the wrongful birth of Caleb Estrada and for damages sustained by Daniel and Amara Es-

trada as a result of negligence by employees of the University of South Florida Board of Trustees; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Rules.

By Senator Storms—

SB 54—A bill to be entitled An act for the relief of Melvin and Alma Colindres by the City of Miami; providing for an appropriation to compensate them for the wrongful death of their son, Kevin Colindres, sustained as a result of the negligence of police officers of the City of Miami; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Rules.

By Senator Siplin—

SB 64—A bill to be entitled An act for the relief of Ronald Miller by the City of Hollywood; providing for an appropriation to compensate him for injuries sustained as a result of the negligence of the City of Hollywood; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Rules.

By Senator Flores—

SB 322—A bill to be entitled An act for the relief of Aaron Edwards, a minor, and his parents, Mitzi Roden and Mark Edwards, by Lee Memorial Health System of Lee County; providing for an appropriation to compensate Aaron Edwards and his parents for damages sustained as a result of the medical negligence by employees of Lee Memorial Health System of Lee County; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Rules.

BILLS REFERRED TO SUBCOMMITTEE

April 8, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Health and Human Services Appropriations which will report to this standing committee within 60 days: CS for SB 314, CS for SB 398, SB 446, CS for SB 556, CS for SB 584, and CS for SB 1410.

Senator JD Alexander, Chair
Committee on Budget

April 8, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Criminal and Civil Justice Appropriations which will report to this standing committee within 60 days: CS for SB 490, CS for SB 524, SB 608, CS for SB 664, CS for SB 734, SB 1390, and SB 1494.

Senator JD Alexander, Chair
Committee on Budget

April 8, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Education Pre-K - 12 Appropriations which will report to this standing committee within 60 days: CS for SB 90, CS for SB 1254, and CS for SB 1696.

Senator JD Alexander, Chair
Committee on Budget

Senator JD Alexander, Chair
Committee on Budget

April 8, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Higher Education Appropriations which will report to this standing committee within 60 days: CS for SB 480, CS for SB 430, CS for CS for SB 1194, and CS for SB 1732.

Senator JD Alexander, Chair
Committee on Budget

April 8, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations which will report to this standing committee within 60 days: SB 510, CS for SB 1180, CS for SB 1318, and SB 1792.

Senator JD Alexander, Chair
Committee on Budget

April 8, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on Finance and Tax which will report to this standing committee within 60 days: SB 942, CS for SB 976, CS for SB 1198, and CS for SB 2050.

Senator JD Alexander, Chair
Committee on Budget

April 8, 2011

Pursuant to Senate Rule 4.6(4), the following have been referred to the Budget Subcommittee on General Government Appropriations which will report to this standing committee within 60 days: CS for SB 1312, CS for SB 236, SB 762, SB 850, CS for SB 1072, CS for CS for SB 1290, CS for SB 1316, CS for SB 1332, CS for SB 1428, CS for SB 1588, CS for SB 1622, SB 1826, CS for SB 1916, CS for SB 2076, and CS for SB 1836.

Senator JD Alexander, Chair
Committee on Budget

April 12, 2011

Pursuant to Senate Rule 4.6(4), the following has been referred to the Budget Subcommittee on General Government Appropriations which will report to this standing committee within 60 days: CS for SB 546.

Senator JD Alexander, Chair
Committee on Budget

BILLS RECALLED FROM SUBCOMMITTEE

April 15, 2011

Pursuant to Senate Rule 4.6(4), the following which was referred to the Budget Subcommittee on Finance and Tax has been recalled to this standing committee: CS for SB 1198.

Senator JD Alexander, Chair
Committee on Budget

April 20, 2011

Pursuant to Senate Rule 4.6(4), the following which was referred to the Budget Subcommittee on Criminal and Civil Justice Appropriations has been recalled to this standing committee: CS for SB 822.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Budget; and Senator Haridopolos—

CS for SCR 4—A concurrent resolution urging Congress to call a convention for the purpose of proposing amendments to the Constitution of the United States to achieve and maintain a balanced federal budget.

By the Committees on Governmental Oversight and Accountability; Judiciary; and Community Affairs; and Senators Gaetz and Storms—

CS for CS for CS for SB 88—A bill to be entitled An act relating to public employee compensation; amending s. 215.425, F.S.; revising provisions relating to the prohibition against the payment of extra compensation; providing for bonuses; specifying the conditions for paying bonuses; prohibiting provisions in contracts that provide for severance pay; allowing for severance pay under specified circumstances; defining the term “severance pay”; prohibiting a contract provision that provides for extra compensation to limit the ability to discuss the contract; amending s. 166.021, F.S.; deleting a provision that allows a municipality to pay extra compensation; amending s. 112.061, F.S.; conforming cross-references; repealing s. 125.01(1)(bb), F.S., relating to the power of a local government to pay extra compensation; repealing s. 373.0795, F.S., relating to a prohibition against severance pay for officers or employees of water management districts; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Smith—

CS for SB 150—A bill to be entitled An act relating to career and education planning; amending s. 1003.4156, F.S.; revising the general requirements for middle grades promotion to require that a course in career and education planning explore the Florida Career Clusters; providing an effective date.

By the Committees on Budget; and Community Affairs; and Senators Fasano and Evers—

CS for CS for SB 196—A bill to be entitled An act relating to Choose Life license plates; amending s. 320.08058, F.S.; providing for the annual use fees to be distributed to Choose Life, Inc., rather than the counties; providing for Choose Life, Inc., to redistribute a portion of such funds to nongovernmental, not-for-profit agencies that assist certain pregnant women; authorizing Choose Life, Inc., to use a portion of the funds to administer and promote the Choose Life license plate program; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Dean—

CS for SB 224—A bill to be entitled An act relating to local government accountability; amending s. 11.40, F.S., relating to the Legislative Auditing Committee; clarifying when the Department of Community Affairs may institute procedures for declaring that a special district is inactive; amending s. 30.49, F.S.; specifying the level of detail required for each fund in the sheriff’s proposed budget; revising the categories for expenditures; amending s. 112.63, F.S., relating to the review of the actuarial reports and statements of retirement plans of governmental entities by the Department of Management Services; providing that the failure of a special district to make appropriate adjustments or provide additional information authorizes the department to seek a writ of certiorari; amending s. 129.01, F.S.; revising provisions relating to the preparation of county budgets; specifying the level of detail required for each fund in the budget; amending s. 129.02, F.S.; revising provisions relating to the preparation of special district budgets; specifying the level of detail required for each fund in the budget; amending s. 129.021, F.S.; conforming cross-references; amending s. 129.03, F.S.; deleting a time restriction on preparing and presenting a tentative county budget; requiring tentative county budgets to be posted on the county’s website;

amending s. 129.06, F.S.; revising provisions relating to the execution and amendment of county budgets; requiring revised budgets to be posted on the county's website; amending s. 129.07, F.S.; revising provisions relating to the prohibition against exceeding the county budget; amending s. 129.201, F.S.; conforming and revising provisions relating to the budget of the supervisor of elections; specifying the level of detail required for each fund in the proposed budget; revising expenditure categories; amending s. 166.241, F.S.; revising provisions relating to the preparation or amendment of municipal budgets; specifying the level of detail for each fund in the budget; requiring such budgets and amendments to such budgets to be posted on the website of the municipality or related county; amending s. 189.4044, F.S.; adding failure to file a registered office or agent with the department for 1 or more years as a criteria for declaring a special district inactive; amending s. 189.412, F.S.; adding the Legislative Auditing Committee to the list of entities that obtain special district noncompliance status reports; amending s. 189.418, F.S.; revising provisions relating to the preparation or amendment of special district budgets; specifying the level of detail for each fund in the budget; requiring such budgets to be posted on the website of the special district or related local general-purpose government or governing authority; specifying how the budget may be amended under certain circumstances; requiring special districts to comply with certain reporting requirements; authorizing a local governing authority to request certain financial information from special districts located solely within the boundaries of the authority; requiring special districts to cooperate with such requests; amending s. 189.419, F.S.; revising procedures relating to a special district's failure to file certain reports or information; amending s. 189.421, F.S.; revising procedures relating to the failure of a special district to disclose financial reports; authorizing the Department of Community Affairs to seek a writ of certiorari; amending s. 195.087, F.S.; requiring the final approved budget of the property appraiser and tax collector to be posted on their respective website or, if not available, the county's website; amending s. 218.32, F.S.; revising the schedule for submitting a local governmental entity's audit and annual financial reports to the Department of Financial Services; requiring the department to notify the Special District Information Program if it does not receive a financial report from a local governmental entity; requiring a local governmental entity to provide a link to the entity's financial report on the department's website; amending s. 218.35, F.S.; requiring the budget for certain county-related duties to be itemized in accordance with the uniform accounting system of the Department of Financial Services; specifying the level of detail for each fund in the clerk of the court's budget; requiring the court clerk's approved budget to be posted on the county's website; amending s. 218.39, F.S.; revising the timeframe for completing a local governmental entity's annual financial audit; requiring that an auditor prepare an audit report; requiring that such report be filed with the Auditor General within a specified time; requiring that the Auditor General notify the Legislative Auditing Committee of any audit report indicating that an audited entity has failed to take corrective action; requiring that the chair of a local governmental entity appear before the committee under certain circumstances; amending s. 218.503, F.S.; revising provisions relating to oversight by the Governor when an entity's financial statements show it cannot cover a deficit of funds; amending s. 373.536, F.S.; requiring that water management district budgets be posted on the district website; amending s. 1011.03, F.S.; requiring the summary of the tentative budget, the tentative budget, and the budget of a district school board to be posted on the district's official website; amending s. 1011.051, F.S.; revising provisions relating to the guidelines for district school boards to maintain an ending fund balance for the general fund; amending s. 1011.64, F.S.; updating obsolete accounting terminology for school districts; providing an effective date.

By the Committees on Rules; and Criminal Justice; and Senators Evers, Dockery, Lynn, Hays, Norman, Negron, Garcia, and Altman—

CS for CS for SB 234—A bill to be entitled An act relating to firearms; amending s. 790.06, F.S.; providing that a person in compliance with the terms of a concealed carry license may openly carry a handgun notwithstanding specified provisions; allowing the Division of Licensing of the Department of Agriculture and Consumer Services to take fingerprints from concealed carry license applicants; providing that a person may not openly carry a weapon or firearm or carry a concealed weapon or firearm into specified locations; providing that concealed carry licensees shall not be prohibited from carrying or storing a firearm in a vehicle for lawful purposes; providing that a provision limiting the

scope of a license to carry a concealed weapon or firearm does not modify certain exceptions to prohibited acts with respect to a person's right to keep and bear arms in motor vehicles for certain purposes; repealing s. 790.28, F.S., relating to the purchase of rifles and shotguns in contiguous states; amending s. 790.065, F.S.; providing that specified provisions do not apply to certain firearms transactions by a resident of this state; providing an effective date.

By the Committees on Budget Subcommittee on General Government Appropriations; and Environmental Preservation and Conservation; and Senators Hays, Detert, Jones, and Altman—

CS for CS for SB 236—A bill to be entitled An act relating to state parks; amending s. 258.0145, F.S.; providing for the parents of certain deceased veterans and the spouse and parents of law enforcement officers and firefighters who die in the line of duty to receive annual entrance passes to state parks at no charge; designating the Jack Mashburn Marina at St. Andrews State Park in Bay County; directing the Department of Environmental Protection to erect suitable markers; exempting parks within the state park system which have free-roaming animal populations from the liability provisions in s. 588.15, F.S.; amending s. 380.0685, F.S., relating to a surcharge imposed on admission fees to state parks in areas of critical state concern located in certain counties; providing for certain municipalities to use the proceeds of the surcharge for land acquisition or beach renourishment or restoration; providing limitations for purposes of determining state matching funds; providing an effective date.

By the Committees on Budget; and Transportation; and Senator Lynn—

CS for CS for SB 274—A bill to be entitled An act relating to road and bridge designations; designating Veterans Memorial Highway in Putnam County; designating the Duval County Law Enforcement Memorial Overpass in Duval County; designating SP4 Thomas Berry Corbin Memorial Highway and U.S. Navy BMC Samuel Calhoun Chavous, Jr., Memorial Highway in Dixie County; designating Marine Lance Corporal Brian R. Buesing Memorial Highway, United States Army Sergeant Karl A. Campbell Memorial Highway, and U.S. Army SPC James A. Page Memorial Highway in Levy County; designating Mardi Gras Way, West Park Boulevard, and Pembroke Park Boulevard in Broward County; designating Deputy Hal P. Croft and Deputy Ronald Jackson Memorial Highway in Union County; designating Deputy Jack A. Romeis Road in Alachua County; designating Senator Javier D. Souto Way in Miami-Dade County; designating Nona and Papa Road in St. Johns County; designating Walter Francis Spence Parkway in Okaloosa County; designating Beaches and Rivers Parkway in Santa Rosa County; amending ss. 24 and 45 of chapter 2010-230, Laws of Florida; revising the designations for Miss Lillie Williams Boulevard and Father Gerard Jean-Juste Street in Miami-Dade County; designating Corporal Michael J. Roberts Parkway in Hillsborough County; designating the Florida Highway Patrol Trooper Sgt. Nicholas G. Sottile Memorial in Highlands County; designating Hugh Anderson Boulevard, Reverend Max Salvadore Avenue, BRIGADA 2506 STREET, Carlos Rodriguez Santana, and Reverend Jorge Comesanas Way in Miami-Dade County; designating Coach Jimmy Carnes Boulevard in Alachua County; designating Harry T. and Harriette V. Moore Memorial Highway in Brevard County; designating Elizabeth G. Means Memorial Boulevard, Louise Steward Memorial Boulevard, and Isaiah J. Williams, III, Memorial Boulevard in Duval County; directing the Department of Transportation to erect suitable markers; providing an effective date.

By the Committee on Community Affairs; and Senator Dean—

CS for SB 292—A bill to be entitled An act relating to mobile home and recreational vehicle parks; amending s. 513.01, F.S.; providing and revising definitions; amending s. 513.012, F.S.; specifying laws and rules to be enforced by the Department of Health; providing for the adoption of rules; amending s. 513.014, F.S.; revising applicability of recreational vehicle park requirements to mobile home parks; amending s. 513.02, F.S.; revising permit requirements; providing requirements for construction review and approval for private parks and camps; requiring the department to adopt rules; amending s. 513.03, F.S.; revising requirements for permit applications; amending s. 513.045, F.S.; providing for an annual operating permit fee to be charged to operators of certain

parcs or camps; amending s. 513.05, F.S.; providing the department with additional rulemaking authority; amending s. 513.054, F.S.; providing that an operator of a mobile home park, lodging park, recreational vehicle park, or recreational camp who refuses to pay the operating permit fee required by law or who fails, neglects, or refuses to obtain an operating permit for the park commits a misdemeanor of the second degree; amending s. 513.055, F.S.; conforming terminology; amending s. 513.10, F.S.; providing that a person who operates a mobile home park, lodging park, recreational vehicle park, or recreational camp without an operating permit commits a misdemeanor of the second degree; repealing s. 513.111, F.S., relating to the posting and advertising of certain site rates; creating s. 513.1115, F.S.; providing requirements for the establishment of separation and setback distances; amending s. 513.112, F.S.; deleting a provision requiring guest registers to be made available for inspection by the department at any time; amending s. 513.115, F.S.; revising requirements for the handling of unclaimed property; amending s. 513.13, F.S.; providing a penalty for failure to depart from a park under certain circumstances; barring an operator from certain liability; providing an effective date.

By the Committees on Community Affairs; and Commerce and Tourism; and Senator Wise—

CS for CS for SB 296—A bill to be entitled An act relating to household moving services; amending s. 507.01, F.S.; redefining the term “storage”; amending s. 507.03, F.S.; providing for the biennial renewal of mover and moving broker registrations; authorizing the Department of Agriculture and Consumer Services to extend registration expiration dates in order to establish staggered dates; requiring the calculation of biennial registration fees based on an annual rate; deleting a provision requiring certain movers and moving brokers to obtain a local license or registration and pay the state registration fee; amending s. 507.07, F.S.; prohibiting a mover or moving broker from conducting business without being registered with the department; providing penalties; amending s. 507.13, F.S.; preempting local ordinances and regulations except in certain counties; restricting the levy or collection of local registration fees and taxes of movers and moving brokers; providing for local registration and bonding; exempting local business taxes from preemption; providing for retroactive application; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Fasano and Gaetz—

CS for SB 332—A bill to be entitled An act relating to sovereignty submerged lands; creating s. 253.0347, F.S.; providing for the lease of sovereignty submerged lands for private residential single-family docks and piers, private residential multifamily docks and piers, and private residential multislip docks; providing for the term of the lease and lease fees; providing for inspection of such docks, piers, and related structures by the Department of Environmental Protection; clarifying the authority of the Board of Trustees of the Internal Improvement Trust Fund and the department to impose additional fees and requirements; providing an appropriation; providing an effective date.

By the Committees on Community Affairs; and Governmental Oversight and Accountability; and Senators Bogdanoff, Fasano, and Gaetz—

CS for CS for SB 386—A bill to be entitled An act relating to preference to Florida businesses in procurement of personal property and services; providing a short title; amending s. 283.35, F.S.; requiring an agency, county, municipality, school district, or other political subdivision of the state to grant a specified preference to a vendor located within the state when awarding a contract for printing under certain circumstances; specifying the percentage of preference to be granted; amending s. 287.084, F.S.; requiring, rather than authorizing, an agency, county, municipality, school district, or other political subdivision of the state in making purchases of personal property through competitive solicitation to award a preference to a responsible and responsive vendor having a principal place of business within this state under specified circumstances; specifying the percentage of preference to be granted; deleting a provision to conform to changes made by the act; expressing legislative intent; requiring state agencies to develop and adopt assessment protocols to evaluate and determine whether equipment, machinery, or other inventory can be repaired or restored prior to a request to purchase

replacement machinery, equipment, or inventory under certain circumstances; providing an effective date.

By the Committees on Budget Subcommittee on Health and Human Services Appropriations; and Health Regulation; and Senator Jones—

CS for CS for SB 398—A bill to be entitled An act relating to chiropractic medicine; amending s. 460.4062, F.S.; revising the requirements for obtaining a chiropractic medicine faculty certificate; amending s. 460.408, F.S.; authorizing the Board of Chiropractic Medicine to approve continuing education courses sponsored by chiropractic colleges under certain circumstances; prohibiting the board from approving the use of certain courses in continuing chiropractic education; amending s. 460.413, F.S.; requiring that a chiropractic physician preserve the identity of funds or property of a patient in excess of a specified amount; limiting the amount that may be advanced to a chiropractic physician for certain costs and expenses; amending s. 460.4165, F.S.; providing that services rendered by a certified chiropractic physician’s assistant under indirect supervision may occur only at the supervising chiropractic physician’s address of record; deleting the length of time specified for the basic program of education and training for certified chiropractic physician’s assistants; amending s. 460.4166, F.S.; authorizing a registered chiropractic assistant to operate therapeutic office equipment; requiring a registered chiropractic assistant to register with the board effective April 1, 2012, and pay a fee for registration; requiring a registered chiropractic assistant to submit an initial application by March 31, 2012, or within 30 days after becoming employed, whichever is later; requiring an applicant to specify place of employment and supervising chiropractic physicians; requiring an application to be signed by a chiropractic physician who is an owner of the applicant’s place of employment; providing an effective date of a registered chiropractic assistant’s registration; authorizing who may supervise a registered chiropractic assistant; requiring a registered chiropractic assistant to notify to the board of his or her change of employment; requiring a chiropractic physician to sign the registered chiropractic assistant’s notification of change in employment; requiring a registered chiropractic assistant’s employer to notify the board when a registered chiropractic assistant is no longer employed by that employer; providing eligibility conditions for registering as a registered chiropractic assistant; requiring the biennial renewal of a registered chiropractic assistant’s registration and payment of a renewal fee; requiring the board to adopt by rule forms for certain statutorily required applications and notifications; authorizing the board to require and accept electronically submitted applications, notifications, signatures, or attestations in lieu of paper applications and actual signatures; providing for the signature of certain forms and notices by specified owners and supervisors under certain conditions; amending s. 460.4167, F.S.; authorizing certain sole proprietorships, group practices, partnerships, corporations, limited liability companies, limited partnerships, professional associations, other entities, health care clinics licensed under part X of ch. 400, F.S., health maintenance organizations, or prepaid health clinics to employ a chiropractic physician or engage a chiropractic physician as an independent contractor to provide services authorized by ch. 460, F.S.; authorizing the spouse or adult children of a deceased chiropractic physician to hold, operate, pledge, sell, mortgage, assign, transfer, own, or control the deceased chiropractic physician’s ownership interests under certain conditions; authorizing an employer that employs a chiropractic physician to exercise control over the patient records of the employed chiropractor, policies and decisions relating to pricing, credit, refunds, warranties, and advertising, and decisions relating to office personnel and hours of practice; deleting an obsolete provision; providing an effective date.

By the Committees on Rules; Community Affairs; and Criminal Justice; and Senators Negron and Evers—

CS for CS for CS for SB 402—A bill to be entitled An act relating to the regulation of firearms and ammunition; amending s. 790.33, F.S.; clarifying and reorganizing provisions that preempt to the state the entire field of regulation of firearms; prohibiting the violation of the Legislature’s occupation of the whole field of regulation of firearms and ammunition by the enactment or causation of enforcement of any local ordinance or administrative rule or regulation; providing additional intent of the act; eliminating provisions authorizing counties to adopt an ordinance requiring a waiting period between the purchase and delivery of a handgun; providing injunctive relief from the enforcement of an

invalid ordinance, regulation, or rule; providing a civil penalty for knowing and willful violation of prohibitions; providing that public funds may not be used to defend or reimburse the unlawful conduct of any person charged with a knowing and willful violation of the act; providing for termination of employment or contract or removal from office of a person acting in an official capacity who knowingly and willfully violates any provision of the act; providing for declaratory and injunctive relief for specified persons or organizations; providing for specified damages and interest; providing exceptions to prohibitions of the act; providing an effective date.

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

CS for CS for SB 416—A bill to be entitled An act relating to public records; providing a definition; providing an exemption from public-records requirements for photographs and video and audio recordings that depict or record the killing of a person; authorizing access to such photographs or video or audio recordings by specified members of the immediate family of the deceased subject of the photographs or video or audio recordings; providing for access to such records by local governmental entities or state or federal agencies in furtherance of official duties; providing for access pursuant to court order; providing guidelines for the court in issuing an order authorizing such photographs or video or audio recordings to be viewed, copied, or heard; requiring specified notice of a court petition to view or copy such records; providing penalties; exempting criminal or administrative proceedings from the act; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a finding of public necessity; providing an effective date.

By the Committees on Budget Subcommittee on Higher Education Appropriations; and Higher Education; and Senator Altman—

CS for CS for SB 430—A bill to be entitled An act relating to veterans' affairs; amending s. 1.01, F.S.; expanding the definition of the term "veteran" for purposes of construction of the Florida Statutes; amending s. 295.0185, F.S.; providing educational opportunity at state expense for dependent children of military personnel who die or suffer certain disability in specified military operations; providing an effective date.

By the Committees on Judiciary; Health Regulation; and Criminal Justice; and Senator Evers—

CS for CS for CS for SB 432—A bill to be entitled An act relating to the privacy of firearm owners; creating s. 790.338, F.S.; providing that a licensed medical care practitioner or health care facility may not record information regarding firearm ownership in a patient's medical record; providing an exception for relevance of the information to the patient's medical care or safety or the safety of others; providing that unless the information is relevant to the patient's medical care or safety or the safety of others, inquiries regarding firearm ownership or possession should not be made by licensed health care practitioners or health care facilities; providing an exception for emergency medical technicians and paramedics; providing that a patient may decline to provide information regarding the ownership or possession of firearms; clarifying that a physician's authorization to choose his or her patients is not altered by the act; prohibiting discrimination by licensed health care practitioners or facilities based solely upon a patient's firearm ownership or possession; prohibiting harassment of a patient regarding firearm ownership by a licensed health care practitioner or facility during an examination; prohibiting denial of insurance coverage, increased premiums, or any other form of discrimination by insurance companies issuing policies on the basis of an insured's or applicant's ownership, possession, or storage of firearms or ammunition; clarifying that an insurer is not prohibited from considering the fair market value of firearms or ammunition in setting personal property coverage premiums; providing for disciplinary action; amending s. 381.026, F.S.; providing that unless the information is relevant to the patient's medical care or safety, or the safety of others, inquiries regarding firearm ownership or possession should not be made by licensed health care providers or health care facilities; providing that a patient may decline to provide information regarding the ownership or possession of firearms; clarifying that a physician's authorization to choose his or her patients is not altered by the act; prohibiting dis-

crimination by licensed health care providers or facilities based solely upon a patient's firearm ownership or possession; prohibiting harassment of a patient regarding firearm ownership during an examination by a licensed health care provider or facility; amending s. 456.072, F.S.; including the violation of the provisions of s. 790.338, F.S., as grounds for disciplinary action; providing an effective date.

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

CS for CS for SB 488—A bill to be entitled An act relating to sexual offenses; providing a short title; amending s. 90.404, F.S.; revising offenses that are considered "child molestation" for purposes of admitting evidence of other crimes, wrongs, or acts in a criminal case involving child molestation; providing for admission of evidence of other crimes, wrongs, or acts in cases involving a sexual offense; defining the term "sexual offense"; requiring certain property or material that is used in a criminal proceeding to remain in the care, custody, and control of the law enforcement agency, the state attorney, or the court; prohibiting the reproduction of such property or material by the defendant when specified criteria are met by the state attorney; permitting access to the materials by the defendant; amending s. 395.1021, F.S.; requiring a licensed facility that provides emergency room services to arrange for the gathering of forensic medical evidence required for investigation and prosecution from a victim who has reported a sexual battery to a law enforcement agency or who requests that such evidence be gathered for a possible future report; amending s. 775.15, F.S.; providing that a prosecution for video voyeurism in violation of specified provisions may, in addition to existing time periods, be commenced within 1 year after the victim of video voyeurism obtains actual knowledge of the existence of such a recording or the recording is confiscated by a law enforcement agency, whichever occurs first; providing that dissemination of a recording before such knowledge or confiscation does not affect such a time period; amending s. 794.052, F.S.; requiring a law enforcement officer to provide or arrange for transportation of a victim of sexual battery to an appropriate facility for medical treatment or forensic examination; providing for a review of a police officer's final report by a victim and an opportunity for a statement by a victim; amending ss. 794.056 and 938.085, F.S.; requiring that an additional court cost or surcharge be assessed against a defendant who pleads guilty or nolo contendere to, or is found guilty of, regardless of adjudication, certain criminal offenses; providing for proceeds of the additional court cost or surcharge to be deposited into the Rape Crisis Program Trust Fund; reenacting s. 20.435(21)(a), F.S., relating to the Rape Crisis Program Trust Fund, to incorporate the amendment made to s. 794.056, F.S., in a reference thereto; reenacting s. 794.055(3)(b), F.S., relating to access to services for victims of sexual battery, to incorporate the amendment made to s. 938.085, F.S., in a reference thereto; amending s. 960.003, F.S.; providing for hepatitis testing of persons charged with certain offenses; amending s. 960.198, F.S.; authorizing relocation assistance awards to certain victims of sexual violence; amending s. 1003.42, F.S.; requiring that public schools provide comprehensive health education that addresses concepts of Internet safety; amending s. 92.55, F.S.; authorizing a court to use registered service or therapy animals to aid children in giving testimony in judicial or other proceedings involving a sexual offense when appropriate; requiring the court to consider certain factors before permitting such testimony; requiring that such registered service or therapy animals be evaluated and registered according to national standards; providing an effective date.

By the Committees on Budget Subcommittee on Criminal and Civil Justice Appropriations; and Health Regulation; and Senator Jones—

CS for CS for SB 490—A bill to be entitled An act relating to financial responsibility for medical expenses of pretrial detainees or sentenced inmates; amending s. 901.35, F.S.; providing that the responsibility for paying the expenses of medical care, treatment, hospitalization, and transportation for a person who is ill, wounded, or otherwise injured during or as a result of an arrest for a violation of a state law or a county or municipal ordinance is the responsibility of the person receiving the medical care, treatment, hospitalization, or transportation; removing provisions establishing the order by which medical providers receive reimbursement for the expenses incurred in providing the medical services or transportation; amending s. 951.032, F.S.; setting forth the order by which a county or municipal detention facility may

seek reimbursement for the expenses incurred during the course of treating or transporting in-custody pretrial detainees or sentenced inmates; requiring each in-custody pretrial detainee or sentenced inmate who receives medical care or other services to cooperate with the county or municipal detention facility in seeking reimbursement for the expenses incurred by the facility; setting forth the order of fiscal resources from which a third-party provider of medical services may seek reimbursement for the expenses the provider incurred in providing medical care; providing that, absent a written agreement between a third-party provider and a governmental body, the remuneration be billed by the third-party provider and paid by the governmental body at a rate not to exceed a specified percent of the Medicare allowable rate for the service rendered; requiring each in-custody pretrial detainee or sentenced inmate who has health insurance, subscribes to a health care corporation, or receives health care benefits from any other source to assign such benefits to the health care provider; defining the term "in-custody pretrial detainee or sentenced inmate"; providing that law enforcement personnel or county or municipal detention facility personnel are responsible for restricting the personal freedom of certain in-custody pretrial detainees or sentenced inmates; providing that the act does not apply to certain counties; providing that certain charter counties are not obligated to reimburse any third-party provider of medical care, treatment, hospitalization, or transportation for an in-custody pretrial detainee or sentenced inmate of a county detention facility at a rate exceeding a particular rate for certain transportation or medical costs; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Bogdanoff and Negron—

CS for SB 508—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during this year when the sale of clothing, wallets, bags, and school supplies are exempt from the tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; providing an effective date.

By the Committees on Budget; and Environmental Preservation and Conservation; and Senator Negron—

CS for CS for SB 512—A bill to be entitled An act relating to vessels; amending s. 327.33, F.S.; revising penalty provisions for the violation of navigation rules; providing that a violation resulting in serious bodily injury or death is a second-degree misdemeanor; providing that a violation that does not constitute reckless operation of a vessel is a non-criminal violation; amending s. 327.395, F.S.; providing an additional exemption from the requirement that certain persons possess a boating safety identification card while operating a motor vessel of a specified horsepower; amending s. 327.54, F.S.; prohibiting a livery from leasing, hiring, or renting a motor vessel of certain horsepower to a person unless the person presents photographic identification and a valid boater safety identification card or provides proof that the person has successfully completed the boater education course; amending s. 327.73, F.S.; providing for increased penalties for certain noncriminal violations of navigation rules; deleting a duplicate provision; reenacting and amending s. 327.72, F.S., relating to penalties, to incorporate the amendment made to s. 327.73, in a reference thereto; correcting a cross-reference; reenacting s. 327.731(1), F.S., relating to mandatory education for violators, to incorporate the amendment made to s. 327.73, F.S., in a reference thereto; providing an effective date.

By the Committees on Budget; and Criminal Justice; and Senators Oelrich, Dockery, Garcia, and Gaetz—

CS for CS for SB 556—A bill to be entitled An act relating to the Temporary Assistance for Needy Families Program; creating s. 414.145, F.S.; requiring the Department of Children and Family Services to perform a drug test on individuals who apply for benefits funded by the Temporary Assistance for Needy Families Program; making individuals responsible for bearing the cost of drug testing; requiring certain notice; providing procedures for testing and retesting; providing for notice of local substance abuse programs; providing conditions for an individual to reapply for temporary assistance for needy families benefits; provid-

ing that, if a parent is deemed ineligible due to failing a drug test, the eligibility of the children is not affected; providing an effective date.

By the Committees on Education Pre-K - 12; and Children, Families, and Elder Affairs; and Senators Ring, Norman, Braynon, Garcia, and Sobel—

CS for CS for SB 578—A bill to be entitled An act relating to disability awareness; amending s. 1003.4205, F.S.; requiring district school boards to provide disability history and awareness instruction in all K-12 public schools during the first week in October; providing for individual presenters who have disabilities or teachers who specialize in exceptional student education and who are currently employed at the school to provide the disability history and awareness instruction; providing an effective date.

By the Committee on Budget; and Senators Bennett, Sachs, Altman, and Richter—

CS for SJR 592—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of Section 32 of Article XII of the State Constitution to expand the availability of the property tax discount on the homesteads of veterans who became disabled as the result of a combat injury to veterans who were not Florida residents when they entered the military and to provide an effective date.

By the Committees on Community Affairs; and Judiciary; and Senator Hays—

CS for CS for SB 594—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; requiring that a claim in a wrongful death case be presented to the Department of Financial Services within 2 years after the claim accrues; providing that failure of the Department of Financial Services or the appropriate agency to make final disposition of a claim for wrongful death within 90 days after it is filed is deemed to be a final denial of the claim; tolling the statute of limitations for the period of time taken by the Department of Financial Services or other agency to deny a medical malpractice or wrongful death claim; providing that actions for wrongful death against the state or one of its agencies or subdivisions must be brought within the period applicable to actions brought against other defendants; specifying applicability to workers' compensation claims; providing for the application of the act to causes of action accruing on or after the effective date; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Hays—

CS for SB 622—A bill to be entitled An act relating to secondhand dealers and secondary metals recyclers; amending ss. 538.03 and 538.18, F.S.; defining the term "appropriate law enforcement official"; amending s. 538.04, F.S.; clarifying a provision requiring that the secondhand dealers transaction form be delivered to the appropriate law enforcement official; amending s. 538.19, F.S.; requiring that a secondary metals recycler complete a transaction form and transmit it to the appropriate law enforcement official within 24 hours after the acquisition of regulated metals; authorizing such recyclers to use an electronic database and transmit transaction forms electronically; providing for appropriate law enforcement officials to provide software and computer equipment to recyclers; requiring that a recycler produce an original form in certain situations; providing an effective date.

By the Committees on Community Affairs; and Higher Education; and Senator Oelrich—

CS for CS for SB 632—A bill to be entitled An act relating to post-secondary education; amending s. 705.18, F.S.; revising provisions relating to the disposal of personal property lost or abandoned on a university or Florida College System institution campus and the disposition of proceeds from the sale of such property; requiring that the university or Florida College System institution president, or his or her designee, dispose of or make use of unclaimed property in accordance with university or Florida College System institution policies and procedures; amending ss. 267.062, 1004.23, 1010.03, 1010.04, 1010.07, 1011.48,

1012.91, and 1013.171, F.S.; revising provisions to replace references to “rules” with “regulations”; repealing s. 1007.27(10), F.S., relating to an exemption for students who earn 9 or more credits from one or more of the articulated acceleration mechanisms from any requirement of a public postsecondary educational institution which mandates enrollment during a summer term; amending s. 1013.33, F.S.; conforming a cross-reference; repealing s. 1013.63, F.S., relating to the University Concurrency Trust Fund; providing an effective date.

By the Committees on Judiciary; and Community Affairs; and Senator Fasano—

CS for CS for SJR 658—A joint resolution proposing amendments to Sections 4 and 6 of Article VII and Section 27 of Article XII and the creation of Sections 32 and 33 of Article XII of the State Constitution to allow the Legislature by general law to prohibit increases in the assessed value of homestead and specified nonhomestead property if the just value of the property decreases, reduce the limitation on annual assessment increases applicable to nonhomestead real property, provide an additional homestead exemption for owners of homestead property who have not owned homestead property for a specified time before purchase of the current homestead property, and application and limitations with respect thereto, delete a future repeal of provisions limiting annual assessment increases for specified nonhomestead real property, and provide effective dates.

By the Committees on Budget; Transportation; and Commerce and Tourism; and Senator Ring—

CS for CS for CS for SB 768—A bill to be entitled An act relating to seaports; amending s. 373.406, F.S.; exempting overwater piers, docks, and structures located in deepwater ports from stormwater management system requirements under specified conditions; amending s. 373.4133, F.S.; providing exceptions to time limitations for the Department of Environmental Protection to issue a notice of intent to issue a port conceptual permit; providing that a third party who challenges the issuance of a port conceptual permit has the ultimate burden of proof and the burden of going forward with the evidence in the first instance; deleting the requirement to publish notice of the department’s intent to issue or deny a port conceptual permit; amending s. 403.813, F.S.; exempting specified seaports and inland navigation districts from requirements to conduct maintenance dredging under certain circumstances; providing that ditches, pipes, and similar linear conveyances are not receiving waters; authorizing public ports and inland navigation districts to use sovereignty submerged lands in connection with maintenance dredging; providing an additional exemption from permitting requirements to allow the disposal of spoil material on a self-contained, upland spoil site if certain conditions are met; requiring notice to the department of intent to use the exemption; providing conditions; amending s. 310.002, F.S.; redefining the term “port” to include Port Citrus; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; amending s. 374.976, F.S.; conforming provisions to include Port Citrus in provisions relating to the authority of inland navigation districts; amending s. 403.021, F.S.; conforming provisions to include Port Citrus in legislative declarations relating to environmental control; amending s. 403.061, F.S.; conforming provisions to include Port Citrus in provisions relating to powers of the Department of Environmental Protection; amending s. 403.813, F.S.; conforming provisions to include Port Citrus in provisions relating to permits issued at Department of Environmental Protection district centers; amending s. 403.816, F.S.; conforming provisions to include Port Citrus in provisions relating to certain maintenance projects at deepwater ports and beach restoration projects; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Siplin—

CS for SB 770—A bill to be entitled An act relating to unclaimed deposits held by utilities; amending s. 717.108, F.S.; requiring that any unclaimed deposits held by a utility be deposited annually into the Ecosystem Management and Restoration Trust Fund in the Department of Environmental Protection to improve the water quality in Silver Springs and into the Grants and Donations Trust Fund in the Department of Community Affairs, or its successor agency, to supplement the

Low-Income Home Energy Assistance Program; providing appropriations; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Diaz de la Portilla—

CS for SB 778—A bill to be entitled An act relating to district school board membership; creating s. 1001.3615, F.S.; requiring that district school boards consist of nine members in counties where the population exceeds a certain number; providing for single-member and at-large districts; requiring nonpartisan elections; providing for the election of a chair and vice chair of the school board; providing for 4-year terms of office and staggered terms of members; permitting changes in the boundaries of school board member residence areas and providing the procedure for publication of those changes; providing an effective date.

By the Committees on Criminal Justice; and Judiciary; and Senators Diaz de la Portilla and Lynn—

CS for CS for SB 786—A bill to be entitled An act relating to landlord and tenant; amending ss. 810.08 and 810.09, F.S.; allowing a law enforcement officer to remove persons who trespass in a structure or conveyance or on property if the law enforcement officer receives an affidavit from an owner or mortgagee of the property; providing an effective date.

By the Committees on Criminal Justice; and Transportation; and Senator Diaz de la Portilla—

CS for CS for SB 792—A bill to be entitled An act relating to driving without a valid driver’s license; amending s. 318.18, F.S.; providing an additional fine for a violation of specified provisions relating to driving with a canceled, suspended, or revoked driver’s license or driving privilege; providing increased fine amounts for second or subsequent violations; amending s. 318.21, F.S.; providing for distribution of such fines collected; amending s. 322.34, F.S.; revising provisions relating to a conviction of the offense of driving while a person’s driver’s license or driving privilege is canceled, suspended, or revoked; requiring immediate impoundment of the motor vehicle; conforming provisions; revising penalties for knowingly driving while the driver’s license or driving privilege is canceled, suspended, or revoked; revising procedures for impoundment of the vehicle; providing an effective date.

By the Committees on Community Affairs; and Environmental Preservation and Conservation; and Senators Diaz de la Portilla and Sobel—

CS for CS for SB 796—A bill to be entitled An act relating to domestic wastewater discharged through ocean outfalls; amending s. 403.086, F.S.; postponing the dates by which domestic wastewater facilities must meet more stringent treatment and management requirements; providing exceptions; revising the definition of the term “functioning reuse system”; changing the term “facility’s actual flow on an annual basis” to “baseline flow”; revising plan requirements for the elimination of ocean outfalls; providing that certain utilities that shared a common ocean outfall on a specified date are individually responsible for meeting the reuse requirement; authorizing those utilities to enter into binding agreements to share or transfer responsibility for meeting reuse requirements; revising provisions on the discharge of domestic wastewater through ocean outfalls; requiring a holder of a department permit authorizing the discharge of domestic wastewater through an ocean outfall to submit certain information; requiring the Department of Environmental Protection, the South Florida Water Management District, and affected utilities to consider certain information for the purpose of adjusting reuse requirements; requiring the department to submit a report to the Legislature; providing an effective date.

By the Committees on Rules; and Community Affairs; and Senators Thrasher and Gaetz—

CS for CS for SB 830—A bill to be entitled An act relating to labor and employment; amending s. 110.114, F.S.; prohibiting a state agency from deducting from employee wages funds for political activity;

amending s. 112.171, F.S.; prohibiting a county, municipality, or other local governmental entity from deducting from employee wages funds for political activity; creating s. 447.18, F.S.; prohibiting labor organizations from collecting dues, assessments, fines, or penalties for the purposes of political activity without written authorization; requiring that the labor organization provide notice of such contributions and expenditures; prohibiting a labor organization from requiring an employee to authorize the collection of funds for political contributions and expenditures as a condition of membership in the organization; amending s. 447.303, F.S.; prohibiting a public employer from deducting or collecting from employee wages the dues, uniform assessments, fines, penalties, or special assessments of an employee organization for the purposes of political activity; providing for severability; providing for prospective application; providing an effective date.

By the Committee on Budget; and Senators Benacquisto, Richter, Gaetz, Fasano, Norman, Diaz de la Portilla, Hays, Lynn, Altman, Bennett, Montford, Bogdanoff, Thrasher, Detert, Latvala, Bullard, and Storms—

CS for SB 844—A bill to be entitled An act relating to violations of probation or community control; creating the “Officer Andrew Widman Act”; amending s. 948.06, F.S.; authorizing a circuit court judge, after making a certain finding, to issue a warrant for the arrest of a probationer or offender who has violated the terms of probation or community control; requiring that the court inform the probationer or offender of the violation; authorizing the court to order the person taken before the court that granted the probation or community control; authorizing the court to commit or release the probationer or offender under certain circumstances; authorizing the court, in determining whether to require or set the amount of bail, to consider the likelihood that the person will be imprisoned for the violation of probation or community control; providing an effective date.

By the Committees on Judiciary; and Criminal Justice; and Senators Benacquisto and Gaetz—

CS for CS for SB 846—A bill to be entitled An act relating to sexual performance by a child; amending s. 827.071, F.S.; defining the term “intentionally view”; prohibiting controlling or intentionally viewing any photograph, motion picture, exhibition, show, image, data, computer depiction, representation, or other presentation that includes sexual conduct by a child; providing an exception; providing penalties; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart of the Criminal Punishment Code to changes made by the act; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Negron—

CS for SB 854—A bill to be entitled An act relating to the production and shipment of wine; creating s. 561.222, F.S.; authorizing the direct shipment of wine into and within this state for personal consumption only; providing legislative intent; requiring licensure of winery shippers by the Division of Alcoholic Beverages and Tobacco; providing license requirements; requiring recipients of a direct shipment of wine to be at least 21 years of age; requiring proof of age of a recipient; providing for the payment of taxes, a monthly report, and recordkeeping by winery shippers; providing requirements for common carriers that make deliveries of wine; providing administrative and criminal penalties for violations of the act; authorizing the division and the Department of Revenue to adopt rules; amending ss. 561.24, 561.54, 561.545, and 564.045, F.S.; conforming provisions to changes made by the act; amending s. 599.004, F.S.; revising requirements for qualifying as a certified Florida Farm Winery; providing for severability; providing an effective date.

By the Committee on Budget; and Senator Garcia—

CS for SB 880—A bill to be entitled An act relating to value adjustment boards; creating s. 194.014, F.S.; requiring a petitioner challenging the assessed value of property before the value adjustment board to pay a specified percentage of the taxes by a certain date; requiring a petitioner challenging the denial of a classification or exemption, or the assessment on specified grounds, before the value adjustment board to

pay the amount of tax which the taxpayer admits in good faith to be owing by a certain date; providing for a penalty if the taxpayer’s payment is grossly disproportionate to the amount of tax found to be due and the taxpayer’s admission was not made in good faith; requiring the board to deny the petition in writing by a certain date if the required amount of taxes is not timely paid; requiring the payment of interest on certain unpaid taxes; requiring the payment of interest on certain overpayments of taxes; providing that s. 194.014, F.S., does not apply to petitions for ad valorem deferrals pursuant to ch. 197, F.S.; amending s. 194.034, F.S.; conforming provisions to changes made by the act; amending s. 197.162, F.S.; revising a provision providing for a discount for ad valorem taxes paid within 30 days after the mailing of a corrected tax notice resulting from the action of a value adjustment if the corrected tax notice is issued before the taxes become delinquent; providing for application of the act; providing an effective date.

By the Committees on Criminal Justice; and Community Affairs; and Senator Dean—

CS for CS for SB 890—A bill to be entitled An act relating to public safety telecommunicators; amending s. 401.465, F.S.; providing for sworn state-certified law enforcement officers to serve as temporary 911 public safety telecommunicators; providing training requirements; providing an effective date.

By the Committees on Communications, Energy, and Public Utilities; and Environmental Preservation and Conservation; and Senator Bennett—

CS for CS for SB 950—A bill to be entitled An act relating to water and wastewater utilities; creating s. 367.0819, F.S.; providing for the recovery of costs through a surcharge for certain water and wastewater system improvement projects; defining the term “nonrevenue-producing project”; requiring utilities to submit surcharge tariffs reflecting the surcharge calculation for recovery of such costs to the Florida Public Service Commission for approval and to provide specified notice of such surcharge tariff filings; requiring the utility to file a sworn affirmation as to the accuracy of the figures and calculations; providing for penalties; requiring the utility to submit an annual report regarding the rate of return to the commission; allowing the commission to order the utility to make refunds, with interest, under certain circumstances; requiring that the surcharge notice be presented as a separate line item on the customer’s bill; specifying a limitation on the surcharge amount; providing requirements for billing, reconciliation, and quarterly adjustment of the surcharge; specifying a limitation on the recovery of project costs; providing project eligibility criteria; specifying water and wastewater treatment criteria; providing requirements for notice, maintenance, and availability of certain records; authorizing the commission to review specified projects; providing that the surcharge is subject to refund under certain conditions; amending s. 180.191, F.S.; providing an exemption from the rate-setting methodology used to set water and wastewater utility rates for consumers outside the boundaries of a municipality supplying the water or wastewater services; providing an effective date.

By the Committee on Criminal Justice; and Senator Hays—

CS for SB 956—A bill to be entitled An act relating to firearms transactions; amending s. 790.065, F.S.; providing that certain laws of this state regulating firearms transactions do not apply to transactions by a resident of this state which take place in another state; repealing s. 790.28, F.S., relating to the purchase of rifles and shotguns in contiguous states by a Florida resident; providing an effective date.

By the Committee on Judiciary; and Senator Simmons—

CS for SB 1010—A bill to be entitled An act relating to neighborhood improvement districts; amending s. 163.501, F.S.; revising the short title to become the “Neighborhoods Improvement Act”; amending s. 163.502, F.S.; revising legislative findings and purpose; amending s. 163.503, F.S.; revising a definition and removing definitions for “environmental security,” “crime prevention,” “defensible space,” “enterprise zone,” and “community policing innovation”; amending s. 163.5035, F.S.; conforming provisions to changes made by the act; amending s. 163.504, F.S.;

authorizing the governing body of any municipality or county to form a neighborhood improvement district through the adoption of an ordinance rather than by a planning ordinance; removing provisions pertaining to the creation and funding of safe neighborhood districts; amending s. 163.5055, F.S.; requiring each neighborhood improvement district authorized under law to notify the Department of Community Affairs and the Department of Legal Affairs of their existence rather than to register with them; amending s. 163.506, F.S.; revising provisions authorizing a local governing body to create a local government neighborhood improvement district; specifying that the ordinance may authorize the improvement district to borrow money, issue bonds, and collect special assessments; authorizing the governing body of the improvement district to levy ad valorem taxes upon real and tangible personal property within the district which the governing body deems necessary for payment on the general obligation bonds; authorizing the district to make and collect special assessments; conditioning the exercise of power by the local government neighborhood improvement district to borrow money, issue bonds, collect special assessments, and to levy ad valorem taxes upon real and tangible personal property within the district upon the approval of a referendum by the freeholders of the district; removing provisions allowing an alternative organization for the board of directors; amending s. 163.508, F.S., relating to property owners' association neighborhood improvement districts; revising the requirements for creating a property owners' association neighborhood improvement district by the enactment of a separate ordinance for each district; authorizing the governing body to request grants from the state; amending s. 163.511, F.S., relating to special neighborhood improvement districts; revising provisions to conform to changes made by the act; revising the method of appointing and removing directors of the district; amending s. 163.512, F.S.; revising provisions authorizing a municipality or county to create a community redevelopment neighborhood improvement district; authorizing the district to receive grants and other funding; providing that the local governing body may dissolve the district under certain circumstances; repealing s. 163.513, F.S., relating to crime prevention through community policing innovations; amending s. 163.514, F.S.; specifying the powers of neighborhood improvement districts; allowing the district to contract with legal counsel and other needed professionals; authorizing the districts to collect special assessments under certain circumstances and following designated procedures; amending s. 163.5151, F.S.; requiring a local government to prepare its budget in a specified manner if levying an ad valorem tax on real or personal property; amending s. 163.516, F.S.; requiring neighborhood improvement plans to be created for each improvement district; specifying the contents of the neighborhood improvement district's plan; repealing s. 163.517, F.S., relating to the safe neighborhoods program; repealing s. 163.519, F.S., relating to the duties of the Department of Legal Affairs; repealing s. 163.521, F.S., relating to the neighborhood improvement district inside an enterprise zone; repealing s. 163.5215, F.S., relating to the effect and construction of the existing laws; repealing s. 163.522, F.S., relating to state redevelopment programs; repealing s. 163.523, F.S., relating to safe neighborhood districts; repealing s. 163.524, F.S., relating to the Neighborhood Preservation and Enhancement Program; repealing s. 163.526, F.S., relating to Neighborhood Councils and the local government designated agency; providing an effective date.

By the Committee on Judiciary; and Senator Wise—

CS for SB 1092—A bill to be entitled An act relating to state attorneys; amending s. 27.366, F.S.; deleting a provision that requires each state attorney to quarterly submit deviation memoranda relating to offenders who are not sentenced to the mandatory minimum prison sentence in cases involving the possession or use of a weapon; amending s. 775.082, F.S.; deleting a provision that requires each state attorney to quarterly submit deviation memoranda relating to why a defendant did not receive the mandatory minimum prison sentence in cases involving certain specified offenses; repealing s. 775.08401, F.S., relating to criteria to be used when state attorneys decide to pursue habitual felony offenders or habitual violent felony offenders; repealing s. 775.087(5), F.S., relating to a provision that requires each state attorney to report why a case-qualified defendant did not receive the mandatory minimum prison sentence in cases involving certain specified offenses; repealing s. 985.557(4), F.S., relating to direct-file policies and guidelines for juveniles; amending s. 775.0843, F.S.; conforming a cross-reference; providing an effective date.

By the Committees on Environmental Preservation and Conservation; and Community Affairs; and Senator Bennett—

CS for CS for SB 1122—A bill to be entitled An act relating to growth management; amending s. 163.3161, F.S.; redesignating the "Local Government Comprehensive Planning and Land Development Regulation Act" as the "Community Planning Act"; revising and providing intent and purpose of act; amending 163.3162, F.S.; revising provisions related to agricultural enclaves; amending s. 163.3164, F.S.; revising definitions; amending s. 163.3167, F.S.; revising the scope of the act; revising and providing duties of local governments and municipalities relating to comprehensive plans; removing regional planning agencies from the responsibility of preparing comprehensive plans; prohibiting initiative or referendum processes in regard to development orders, local comprehensive plan amendments, and map amendments; prohibiting local governments from requiring a super majority vote on comprehensive plan amendments; deleting retroactive effect; creating s. 163.3168, F.S.; encouraging local governments to apply for certain innovative planning tools; authorizing the state land planning agency and other appropriate state and regional agencies to use direct and indirect technical assistance; amending s. 163.3171, F.S.; providing legislative intent; amending s. 163.3174, F.S.; deleting certain notice requirements relating to the establishment of local planning agencies by a governing body; amending s. 163.3175, F.S.; providing additional factors for local government consideration in impacts to military installations; clarifying requirements for adopting criteria to address compatibility of lands relating to military installations; amending s. 163.3177, F.S.; revising and providing duties of local governments; revising and providing required and optional elements of comprehensive plans; revising requirements of schedules of capital improvements; revising and providing provisions relating to capital improvements elements; revising and providing required sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge elements; revising and providing required conservation elements; revising and providing required housing elements; revising and providing required coastal management elements; revising major objectives of, and procedures relating to, the local comprehensive planning process; revising and providing required and optional elements of future land use plans; providing required transportation elements; revising and providing required conservation elements; revising and providing required housing elements; revising and providing required coastal management elements; revising and providing required intergovernmental coordination elements; amending s. 163.31777, F.S.; revising requirements relating to public schools' inter-local agreements; deleting duties of the Office of Educational Facilities, the state land planning agency, and local governments relating to such agreements; deleting an exemption; amending s. 163.3178, F.S.; deleting a deadline for local governments to amend coastal management elements and future land use maps; amending s. 163.3180, F.S.; revising and providing provisions relating to concurrency; revising concurrency requirements; revising application and findings; revising local government requirements; revising and providing requirements relating to transportation concurrency, transportation concurrency exception areas, urban infill, urban redevelopment, urban service, downtown revitalization areas, transportation concurrency management areas, long-term transportation and school concurrency management systems, development of regional impact, school concurrency, service areas, financial feasibility, interlocal agreements, and multimodal transportation districts; revising duties of the Office of Program Policy Analysis and Government Accountability and the state land planning agency; providing requirements for local plans; providing for the limiting the liability of local governments under certain conditions; reenacting s. 163.31801(5), F.S., and amending s. 163.31801, F.S.; prohibiting new impact fees by local governments for a specified period of time; amending s. 163.3182, F.S.; revising definitions; revising provisions relating to transportation sufficiency plans and projects; amending s. 163.3184, F.S.; providing a definition for "reviewing agencies"; amending the definition of "in compliance"; removing references to procedural rules established by the state land planning agency; deleting provisions relating to community vision and urban boundary plan amendments, urban infill and redevelopment plan amendments, and housing incentive strategy plan amendments; amending s. 163.3187, F.S.; deleting provisions relating to the amendment of adopted comprehensive plan and providing the process for adoption of small-scale comprehensive plan amendments; amending s. 163.3191, F.S., relating to the evaluation and appraisal of comprehensive plans; providing and revising local government requirements including notice, amendments, compliance, mediation, reports, and scoping meetings; amending s. 163.3194, F.S.; regulating develop-

ment orders for signs authorized by s. 479.07, F.S.; providing definitions; amending s. 163.3235, F.S.; revising requirements for periodic reviews of a development agreements; amending s. 163.3239, F.S.; revising recording requirements; amending s. 163.3243, F.S.; revising parties who may file an action for injunctive relief; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; authorizing the adoption of sector plans under certain circumstances; amending s. 163.3247, F.S.; revising provisions relating to the Century Commission for a Sustainable Florida; revising the findings and intent to include the necessity for a specific strategic plan addressing the state's growth management system; revising the planning timeframes to include a 10-year horizon; revising membership of the commission; deleting obsolete provisions regarding initial appointments; providing for the election of a chair and excluding certain members from serving as chair during a specified period; requiring that the commission meet at least six times per fiscal year; deleting a provision that requires the commission to meet in different regions in the state; requiring that the executive director establish a meeting calendar with the commission's approval; authorizing the commission to form subcommittees by vote; providing for a majority vote of members on commission actions; providing for reimbursement for per diem and travel expenses; revising provisions relating to the commission's powers and duties; requiring that the commission, in cooperation with interested state agencies, local governments, and nongovernmental stakeholders, develop a strategic plan and submit the plan to the Governor and the Legislature by a specified date; requiring that the commission also submit progress reports by specified dates; requiring that the commission make presentations to the Governor and the Legislature; providing that an executive director be appointed by the Secretary of Community Affairs and ratified by the commission; requiring that the Department of Community Affairs provide a specific line item in its annual legislative budget request to fund the commission during a specified period; authorizing the department to obtain additional funding through external grants; requiring that the department provide sufficient funding and staff support to assist the commission in its duties; providing for future expiration and the abolishment of the commission; creating s. 163.3248, F.S.; providing for the designation of rural land stewardship areas; providing purposes and requirements for the establishment of such areas; providing for the creation of rural land stewardship overlay zoning district and transferable rural land use credits; providing certain limitations relating to such credits; providing for incentives; providing legislative intent; amending s. 163.32465, F.S.; revising legislative findings related to local government comprehensive planning; revising the process for amending a comprehensive plan; making the expedited review process applicable statewide and removing its status as a pilot program; revising the process and requirements for expedited review of plan amendments; amending s. 186.504, F.S.; revising membership requirements of regional planning councils; amending s. 367.021, F.S.; providing definitions for the terms "large landowner" and "need"; amending s. 380.06, F.S.; revising exemptions; revising provisions to conform to changes made by this act; repealing rules 9J-5 and 9J-11.023, Florida Administrative Code, relating to minimum criteria for review of local government comprehensive plans and plan amendments, evaluation and appraisal reports, land development regulations, and determinations of compliance; amending s. 380.0685, F.S.; revising the uses of the park admission surcharge; amending ss. 70.51, 163.06, 163.2517, 163.3217, 163.3220, 163.3221, 163.3229, 163.360, 163.516, 171.203, 186.513, 186.515, 189.415, 190.004, 190.005, 193.501, 287.042, 288.063, 288.975, 290.0475, 311.07, 331.319, 339.155, 339.2819, 369.303, 369.321, 378.021, 380.031, 380.061, 380.065, 380.115, 403.50665, 420.9071, 403.973, 420.5095, 420.615, 420.9071, 420.9076, 720.403, 1013.30, and 1013.33, F.S.; making conforming changes; repealing administrative rules; expanding a permit extension; providing a finding of important state interest; requiring the state land planning agency to review certain administrative and judicial proceedings; providing procedures for such review; affirming statutory construction with respect to other legislation passed at the same session; providing a directive of the Division of Statutory Revision; providing effective dates.

By the Committees on Transportation; and Education Pre-K - 12; and Senators Montford, Lynn, and Wise—

CS for CS for SB 1124—A bill to be entitled An act relating to public school buses; amending s. 1006.25, F.S.; providing for district school board policies that authorize commercial advertisements on school buses; providing policy requirements relating to reimbursement to the school district, prohibited advertisements, and signage and equipment

standards; requiring a school bus to be withdrawn from use under certain circumstances; providing for the remittance and allocation of revenue; providing an effective date.

By the Committees on Budget; and Governmental Oversight and Accountability; and Senators Ring, Lynn, and Flores—

CS for CS for SB 1128—A bill to be entitled An act relating to public retirement plans; amending s. 112.63, F.S.; requiring plans to regularly disclose the plan's accrued benefits; amending s. 112.66, F.S.; providing for the calculation of local government retirement benefits after a certain date; providing a prohibition on the use of certain compensation; prohibiting the use of surpluses for expenses outside the plan; prohibiting a reduction in certain contributions to a plan; amending s. 112.665, F.S.; requiring the Department of Management Services to provide a fact sheet on each local plan; amending s. 121.051, F.S.; providing that a local government employer is eligible for participation in the Florida Retirement System if it has no unfunded actuarial liabilities; amending s. 175.032, F.S.; revising the definition of the term "compensation" or "salary" for purposes of firefighters' pensions; amending s. 175.061, F.S.; authorizing a municipality to change the municipality's membership on the board of trustees operating its firefighters' pension plan under certain circumstances; amending s. 175.351, F.S.; revising provisions relating to benefits paid from the premium tax by a municipality or special fire control district that has its own pension plan; providing for the use of accumulated additional premium tax revenues; requiring such revenues to be used to fund a defined contribution supplemental plan under certain circumstances; conforming a cross-reference; amending s. 185.02, F.S.; revising the definition of the terms "compensation" and "salary" for purposes of police officers' pensions; amending s. 185.05, F.S.; authorizing a municipality to change the municipality's membership on the board of trustees operating its police officers' pension plan under certain circumstances; amending s. 185.35, F.S.; revising provisions relating to benefits paid by a municipality that has its own pension plan; providing for the use of accumulated additional premium tax revenues; requiring such revenues to be used to fund a defined contribution supplemental plan under certain circumstances; directing the Department of Financial Services to rate the financial strength of local government defined benefit plans; specifying the factors for assigning the ratings; requiring local pension boards, local governments, the Division of Retirement, and all relevant entities to cooperate in providing data for the ratings; requiring the ratings to be posted on the department's website; creating the Task Force on Public Employee Disability Presumptions; providing for appointment and membership; specifying the issues for the task force to address; providing for a report to be submitted to the Governor, Chief Financial Officer, and Legislature by a certain date; providing for future expiration; directing the Department of Financial Services to submit a report on the financial health of local government pension plans to the Governor and Legislature by a certain date; specifying the issues the report must address; providing a declaration of important state interest; providing an effective date.

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

CS for SB 1152—A bill to be entitled An act relating to limited liability companies; amending s. 608.433, F.S.; providing that a charging order against a member's limited liability company interest is the sole and exclusive remedy available to enforce a judgment creditor's unsatisfied judgment against a member or member's assignee; providing an exception for enforcing a judgment creditor's unsatisfied judgment against a judgment debtor or assignee of the judgment debtor of a single-member limited liability company under certain circumstances; providing that, in the case of a multimember limited liability company, certain remedies are unavailable to a judgment creditor attempting to satisfy a judgment; prohibiting a court from ordering such remedies; providing for construction relating to secured creditor rights, specified principles of law and equity, and continuing enforcement jurisdiction of the court; providing legislative intent; providing for retroactive application; providing an effective date.

By the Committee on Judiciary; and Senator Ring—

CS for SB 1176—A bill to be entitled An act relating to high school athletic trainers; amending s. 468.701, F.S.; providing a definition;

amending s. 468.703, F.S.; revising membership requirements for the Board of Athletic Training; amending s. 468.707, F.S.; revising requirements for licensure by examination for athletic trainers; amending s. 468.711, F.S.; requiring certification requirements for license renewal; revising continuing education requirements for licensure renewal; amending s. 1012.46, F.S.; encouraging school districts to employ or contract with certified athletic trainers at certain high schools in this state; requiring athletic trainers to be certified by the Board of Certification of the National Athletic Trainers' Association; providing a rebuttable presumption that a school district is not negligent in employing an athletic trainer for purposes of a civil action for negligence against the athletic trainer if the school district made a good faith effort to comply with the act; providing legislative intent; providing an effective date.

By the Committees on Budget; and Transportation; and Senator Latvala—

CS for CS for SB 1180—A bill to be entitled An act relating to transportation; amending s. 20.23, F.S.; providing that the Florida Statewide Passenger Rail Commission has the primary and exclusive authority to monitor certain designated functions related to passenger rail systems; removing from the Florida Transportation Commission the responsibility and duty to monitor the efficiency, productivity, and management of all publicly funded passenger rail systems in the state; amending s. 212.055, F.S.; requiring counties to revise, as necessary, any interlocal agreements entered into with municipalities for the distribution of proceeds of the discretionary sales surcharge in order that newly participating municipalities may receive a share of the distribution; specifying conditions by which a municipality may receive a distribution of the sales surcharge; amending s. 286.011, F.S.; providing for the conduct of transportation agency public meetings through the use of communications media technology; amending s. 316.091, F.S.; requiring the Department of Transportation to establish a pilot program to open certain limited access highways and bridges to bicycles and other human-powered vehicles; providing requirements for the pilot program; amending s. 334.03, F.S.; revising and repealing obsolete definitions in the Florida Transportation Code; defining the term “launch support facilities”; amending s. 334.044, F.S.; revising the duties and powers of the Department of Transportation; amending s. 334.047, F.S.; repealing an obsolete provision prohibiting the department from establishing a maximum number of miles of urban principal arterial roads within a district or county; amending s. 336.021, F.S.; revising the date when imposition of the ninth-cent fuel tax will be levied; amending s. 336.025, F.S.; revising the date when imposition or rate charges of the local option fuel tax shall be levied; revising the definition of the term “transportation expenditures” for purposes of specified provisions that restrict the use of local option fuel tax funds by counties and municipalities; amending s. 337.111, F.S.; providing additional forms of security for the cost of removal of monuments or memorials or modifications to an installation site at highway rest areas; amending s. 337.403, F.S.; specifying a utility owner must initiate work necessary to alleviate unreasonable interference under certain circumstances; amending s. 337.404, F.S.; revising notice and order requirements relating to utility work; repealing s. 338.001, F.S., relating to the Florida Interstate Highway System Plan; amending s. 338.01, F.S.; clarifying provisions governing the designation and function of limited access facilities; amending s. 338.227, F.S.; replacing a reference to the Florida Intrastate Highway System Plan with a reference to the Strategic Intermodal System Plan to provide for the participation of minority businesses in certain contracts related to the plan; amending ss. 338.2275 and 338.228, F.S., relating to turnpike projects; revising cross-references; amending s. 338.234, F.S.; replacing a reference to the Florida Intrastate Highway System with a reference to the Strategic Intermodal System to exempt certain lessees from payment of commercial rental tax; amending s. 339.175, F.S.; providing that representatives of the Department of Transportation shall serve as nonvoting advisers to a metropolitan planning organization; authorizing the appointment of additional nonvoting advisers; amending s. 339.62, F.S.; replacing a reference to the Florida Intrastate Highway System with a reference to highway corridors to clarify the components of the Strategic Intermodal System; amending s. 339.63, F.S.; adding military access facilities to the types of facilities included in the Strategic Intermodal System and the Emerging Strategic Intermodal System; amending s. 339.64, F.S.; deleting provisions creating the Statewide Intermodal Transportation Advisory Council; creating s. 339.65, F.S.; requiring the department to plan and develop for Strategic Intermodal System highway corridors to aid traffic

movement around the state; requiring the department to follow specified policy guidelines when developing the corridors; directing the department to establish standards and criteria for functional designs of the highway system; providing for an appropriation for developing the corridor; requiring strategic highway projects to be a part of the department's adopted work program; amending s. 339.155, F.S.; providing a reference to federally required transportation planning factors; clarifying provisions relating to the Florida Transportation Plan; deleting certain duplicative performance reporting requirements; amending s. 341.840, F.S.; replacing references to the “Florida High Speed Rail Authority” with references to the “Florida Rail Enterprise” for purposes of a tax exemption; amending ss. 163.3180, 288.063, 311.07, 311.09, 316.2122, 316.515, 336.01, 338.222, 341.8225, 479.07, and 479.261, F.S.; conforming cross-references to changes made by the act; amending s. 479.01, F.S.; redefining the terms “commercial or industrial zone” and “unzoned commercial or industrial area”; correcting a cross-reference; amending s. 479.02, F.S.; deleting obsolete provisions; amending s. 310.002, F.S.; redefining the term “port” to include Port Citrus; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; amending s. 316.075, F.S.; providing for minimum yellow light change interval times for traffic control devices; amending s. 316.0083, F.S.; requiring an affirmation of compliance to accompany a traffic citation which meets specified requirements; repealing s. 316.2045, F.S., relating to obstruction of public streets, highways, and roads; creating s. 316.2046, F.S., relating to obstruction of public streets, highways, and roads; providing legislative findings; defining the term “solicit”; requiring a permit in order to obstruct the use of any public street, highway, or road when that obstruction may endanger the safe movement of vehicles or pedestrians; requiring each county or municipality to adopt a permitting process that protects public safety but does not impair the rights of free speech; providing criteria for the permitting process; limiting the cost of the permit to the amount required to administer the permitting process; prohibiting the denial of a permit due to lack of funds, as attested to by a signed affidavit; providing for jurisdiction over non-limited access state roads, and local roads, streets, and highways for counties and municipalities; providing exceptions; providing that a violation of the act is a pedestrian violation, punishable under ch. 318, F.S.; providing for an additional fine; providing for the disposition of moneys collected; providing for enforcement by the Department of Highway Safety and Motor Vehicles and other law enforcement agencies; creating s. 316.2047, F.S., relating to panhandling; providing legislative findings; defining terms; prohibiting aggressive panhandling, panhandling under certain circumstances, and fraudulent panhandling; authorizing counties and municipalities to increase the restrictions on panhandling under certain conditions; providing that a violation of the act is a pedestrian violation, punishable under ch. 318, F.S.; providing for an additional fine; providing for the disposition of moneys collected; providing for enforcement by the Department of Highway Safety and Motor Vehicles and other law enforcement agencies; amending s. 316.2068, F.S.; authorizing local governments to prohibit the operation of electric personal assistive mobility devices on sidewalks; amending s. 316.302, F.S.; providing that certain restrictions on the number of consecutive hours that a commercial motor vehicle may operate do not apply to a farm labor vehicle operated during a state of emergency or during an emergency pertaining to agriculture; amending s. 334.044, F.S.; revising the types of transportation projects for which landscaping materials must be purchased; amending s. 337.406, F.S.; removing the Department of Transportation's authority to provide exceptions to the unlawful use of the right-of-way of any state transportation facility; broadening provisions to prohibit the unlawful use of any limited access highway; removing an exception to prohibited uses provided for art festivals, parades, fairs, or other special events; removing a local government's authority to issue certain permits; authorizing counties and municipalities to regulate the use of transportation facilities within their respective jurisdictions, with the exception of limited access highways; authorizing the Department of Transportation to regulate the use of welcome centers and rest stops; removing provisions authorizing valid peddler licensees to make sales from vehicles standing on the rights-of-way of welcome centers and rest stops; amending s. 337.408, F.S.; revising requirements for the installation of bus stop benches, transit shelters, street light poles, waste disposal receptacles, and modular news racks within the public rights-of-way; requiring compliance with the Americans With Disabilities Act; providing responsibilities for removal of noncompliant installations; amending s. 373.413, F.S.; providing legislative intent regarding flexibility in the permitting of stormwater management systems; requiring the cost of

stormwater treatment for a transportation project to be balanced with benefits to the public; absolving the Department of Transportation of responsibility for the abatement of pollutants entering its stormwater facilities from offsite sources and from updating permits for adjacent lands impacted by right-of-way acquisition; authorizing the water management districts and the department to adopt rules; amending s. 373.4137, F.S.; revising mitigation requirements for transportation projects to include other nonspecified mitigation options; providing for the release of escrowed mitigation funds under certain circumstances; providing for the exclusion of projects from a mitigation plan upon the election of one or more agencies rather than the agreement of all parties; amending s. 374.976, F.S.; conforming provisions to include Port Citrus in provisions relating to the authority of inland navigation districts; amending s. 403.021, F.S.; conforming provisions to include Port Citrus in legislative declarations relating to environmental control; amending s. 403.061, F.S.; conforming provisions to include Port Citrus in provisions relating to powers of the Department of Environmental Protection; amending s. 403.813, F.S.; conforming provisions to include Port Citrus in provisions relating to permits issued at Department of Environmental Protection district centers; amending s. 403.816, F.S.; conforming provisions to include Port Citrus in provisions relating to certain maintenance projects at deepwater ports and beach restoration projects; amending s. 479.106, F.S.; revising requirements for an application for a permit to remove, cut, or trim trees or vegetation around a sign; requiring that the application include a vegetation management plan, a mitigation contribution to a trust fund, or a combination of both; providing certain evaluation criteria; providing criteria for the use of herbicides; providing a time limit within which the Department of Transportation must act; providing that the permit is valid for 5 years; providing for an extension of the permit; reducing the number of non-conforming signs that must be removed before a permit may be issued for certain signs; providing criteria for view zones; requiring the department to provide notice to the sign owner of beautification projects or vegetation planting; amending s. 479.16, F.S.; exempting signs erected under the local tourist-oriented commerce signs pilot program from certain permit requirements; exempting certain temporary signs for farm operations from permit requirements; exempting certain signs promoting sponsors of events at certain professional sport and entertainment venues from permit requirements; creating s. 479.263, F.S.; creating the tourist-oriented commerce signs pilot program; exempting commercial signs that meet certain criteria from permit requirements; providing for future expiration of the pilot program; providing definitions; authorizing governmental units that regulate the operation of vehicles for public hire to create a private property right in the license to operate a vehicle for public hire; providing for the transfer of such property right; authorizing governmental units that regulate the operation of vehicles for public hire to request and receive criminal history record information for the purpose of screening applicants; providing applicability; providing legislative findings and intent relating to high-speed rail; requiring each entity intending to bid or submit a proposal to contract with the Florida Rail Enterprise or a fixed-guideway transportation system for goods or services related to high-speed or other rail systems to certify whether the entity had any direct involvement in the deportation of any individual to an extermination camp, work camp, concentration camp, prisoner-of-war camp, or any similar camp by whatever name located in Europe during the period from January 1, 1942, through December 31, 1944, and if so, whether the entity has physical possession of records related to the deportations and has provided restitution to identifiable victims; authorizing the entity to offer proof of mitigating circumstances related to acts committed during the wartime period; requiring that the Florida Rail Enterprise and other fixed-guideway transportation system acknowledge receipt of the information when awarding contracts; providing definitions; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senators Rich and Flores—

CS for SB 1192—A bill to be entitled An act relating to public records; amending s. 1004.55, F.S.; providing an exemption from public-records requirements for all records that relate to a client of a regional autism center who receives the services of a center or participates in center activities and the client's family; providing for the release of specified confidential and exempt information by a center under certain circumstances; providing an exemption from public-records requirements for personal identifying information of a donor or prospective donor to a

regional autism center if the donor or prospective donor wishes to remain anonymous; providing for review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

By the Committees on Commerce and Tourism; and Regulated Industries; and Senator Bogdanoff—

CS for CS for SB 1196—A bill to be entitled An act relating to construction liens; amending s. 713.10, F.S.; specifying that a lessor's interest in property is not subject to a construction lien for improvements made by a lessee if certain documents containing specific information and meeting certain criteria are recorded in the official records of the county before the recording of a notice of commencement; authorizing certain contractors and lienors to demand that a lessor serve verified copies of a lease prohibiting liability for improvements made by a lessee; subjecting the interest of a lessor to a specified lien for failing to serve such verified copies or serving a false or fraudulent copy; requiring that the demand include a specified warning; amending s. 713.13, F.S.; revising the form for notice of commencement to include information relating to the obligations of a lessee who contracts for improvements to property; providing an effective date.

By the Committees on Budget; and Communications, Energy, and Public Utilities; and Senator Bogdanoff—

CS for CS for SB 1198—A bill to be entitled An act relating to communications services tax; amending s. 202.16, F.S.; requiring that a dealer compute the communications services tax based on a rounding algorithm; providing criteria; providing for application of the tax; providing options to the dealer for applying the rounding algorithm; providing that a dealer may apply the rounding algorithm to the aggregate tax amount under certain conditions; providing that a dealer is not required to collect the tax based on a bracket system; removing the provision requiring the Department of Revenue to make available tax amounts and applicable brackets; providing that the provisions of the act are remedial in nature and apply retroactively; providing that the act does not provide a basis for assessment of any tax not paid or create a right to certain refunds or credits; providing an effective date.

By the Committee on Budget; and Senator Smith—

CS for SB 1252—A bill to be entitled An act relating to insurance; amending s. 120.80, F.S.; allowing the Division of Administrative Hearings to have final order authority with respect to certain license applicants; amending ss. 440.12 and 440.20, F.S.; authorizing the payment of workers' compensation benefits through the use of a prepaid card; providing requirements; amending s. 624.402, F.S.; revising provisions relating to certain insurers serving nonresidents domiciled outside the United States who are exempt from requirements to obtain a certificate of authority; amending s. 626.207, F.S., relating to penalties; providing definitions; barring persons convicted of certain crimes from licensure as an insurance agent; revising provisions relating to disqualifying periods for persons convicted of other crimes; providing an exemption from the limitation against state employment for persons convicted of certain crimes; amending s. 627.4133, F.S.; changing the designated person or persons who must be notified by an insurer from the "insured" to the "first-named insured" in situations involving the nonrenewal, renewal premium, cancellation, or termination of workers' compensation, employer liability, or certain property and casualty insurance coverage; specifying the effective date for the cancellation of a policy requested in writing by the insured; amending s. 627.4137, F.S.; requiring a claimant's request about insurance coverage to be appropriately served upon the disclosing entity; amending s. 627.442, F.S.; providing that premium audits for workers' compensation or property and casualty coverages are not required; providing exceptions; amending s. 627.7277, F.S.; making a conforming change that specifies the "first-named insured" as the person who is to receive notification of a renewal premium; amending s. 627.728, F.S.; changing the designated person or persons who must be notified by an insurer from the "insured" to the "first-named insured" in certain situations involving the cancellation or nonrenewal of motor vehicle insurance coverage; making a conforming change that specifies the "first-named insured's insurance agent" as a person who is to receive certain notifications relating to motor vehicle insurance coverage; amending s. 627.7281, F.S.; making a conforming change that specifies the "first-named insured" as the person who is to

receive notification of cancellation of motor vehicle insurance coverage; creating s. 634.1711, F.S.; allowing a consumer to purchase a service agreement for a premium negotiated with the salesperson; authorizing the service agreement company to establish the premium rate; amending s. 634.403, F.S.; exempting certain persons from service warranty licensure requirements under certain circumstances; providing effective dates.

By the Committees on Budget Subcommittee on Education Pre-K - 12 Appropriations; and Education Pre-K - 12; and Senators Wise and Richter—

CS for CS for SB 1254—A bill to be entitled An act relating to auditory-oral education programs; providing a short title; amending s. 1002.20, F.S.; revising provisions relating to public school choice options for parents of public school students to include auditory-oral education programs; creating s. 1002.391, F.S.; providing definitions; providing that a parent of a child who is deaf or hard of hearing may enroll the child in an auditory-oral education program at a school accredited by OPTION Schools, Inc., or at a school in which the supervisor and the majority of faculty are certified as Listening and Spoken Language Specialists by the AG Bell Academy for Listening and Spoken Language; providing that the child may continue attending the school and complete the development of listening and spoken language skills if specified criteria are met; requiring that the level of services be determined by the individual educational plan team or individualized family support plan team; providing that a child is no longer eligible under certain circumstances; amending s. 1002.66, F.S.; adding Listening and Spoken Language specialists and an appropriate acoustical environment to the list of specialized instructional services from which a parent with an eligible child may choose; amending s. 1003.01, F.S.; adding services provided by a certified Listening and Spoken Language specialist to the definition of the term “special education services”; amending s. 1011.62, F.S.; revising provisions relating to the funding model for exceptional student education programs to require the Department of Education to review and revise the descriptions of services and supports in the matrix of services used to determine exceptional education cost factors; providing an effective date.

By the Committees on Commerce and Tourism; and Agriculture; and Senator Bennett—

CS for CS for SB 1284—A bill to be entitled An act relating to biodiesel; amending s. 206.01, F.S.; defining the term “renewable feedstocks”; amending s. 206.02, F.S.; exempting certain biodiesel manufacturers from bonding requirements; amending s. 206.874, F.S.; exempting certain biodiesel manufacturers from specific taxes on diesel fuel; amending s. 206.9925, F.S.; redefining the term “pollutants” to exclude certain biodiesel; authorizing the Department of Revenue to adopt emergency rules to implement the provisions of the act; providing an effective date.

By the Committees on Budget; and Banking and Insurance; and Senator Bennett—

CS for CS for SB 1286—A bill to be entitled An act relating to state reciprocity in workers’ compensation claims; creating s. 440.094, F.S.; providing extraterritorial coverage for employees of this state who temporarily leave this state incidental to his or her employment; exempting certain employees from another state working in this state and the employers of such employees from the workers’ compensation law of this state under certain conditions; providing that the benefits under the workers’ compensation insurance or similar laws of the other state are the exclusive remedy against the employer for any injury received by an employee working temporarily in this state; providing requirements for the establishment of prima facie evidence that the employer carries certain workers’ compensation insurance; requiring courts to take judicial notice of the construction of certain laws; requiring an employee having a claim under the workers’ compensation law of another state, territory, province, or country for the same injury as the claim filed in this state to have the total amount of compensation paid under another workers’ compensation law credited against the compensation due under the state workers’ compensation law; providing criteria for employees to

be considered temporarily in a state; providing for the application of the act to a claim; providing an effective date.

By the Committees on Budget Subcommittee on General Government Appropriations; Environmental Preservation and Conservation; and Agriculture; and Senator Dean—

CS for CS for CS for SB 1290—A bill to be entitled An act relating to pest control; amending s. 482.051, F.S.; providing for rule changes that allow operators to provide certain emergency notice to the Department of Agriculture and Consumer Services by facsimile or electronic means; amending s. 482.071, F.S.; increasing the minimum bodily injury and property damage insurance coverage required for pest control businesses; creating s. 482.072, F.S.; providing for licensure by the department of pest control customer contact centers; providing application requirements; providing for fees, licensure renewal, penalties, licensure expiration, and transfer of licenses; creating s. 482.157, F.S.; providing for the certification of commercial wildlife trappers; providing certification requirements, examination requirements, and fees; limiting the scope of work permitted by certificateholders; clarifying that licensees and certificateholders who practice accepted pest control methods are immune from liability for violating laws prohibiting cruelty to animals; amending s. 482.226, F.S.; increasing the minimum financial responsibility requirements for licensees that perform certain inspections; providing an effective date.

By the Committees on Budget; and Agriculture; and Senators Siplin and Gaetz—

CS for CS for SB 1312—A bill to be entitled An act relating to school nutrition programs; providing a short title; transferring and reassigning functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources for the administration of the school food and nutrition programs from the Department of Education to the Department of Agriculture and Consumer Services; creating s. 570.98, F.S.; requiring the Department of Agriculture and Consumer Services to conduct, supervise, and administer all school food and nutrition programs; requiring the department to cooperate fully with the United States Government; authorizing the department to act as agent of, or contract with, the Federal Government, other state agencies, or any county or municipal government for the administration of the school food and nutrition programs; transferring, renumbering, and amending s. 1006.06, F.S., relating to school food service programs; conforming provisions to changes made by the act; deleting obsolete provisions; transferring, renumbering, and amending ss. 1006.0606 and 1010.77, F.S., relating to the children’s summer nutrition program and the Food and Nutrition Services Trust Fund, respectively; conforming provisions to changes made by the act; deleting obsolete provisions; amending s. 1003.453, F.S.; requiring each school district to send an updated copy of its wellness policy and physical education policy to the Department of Education and the Department of Agriculture and Consumer Services; deleting obsolete provisions; requiring certain information to be accessible from the website of the Department of Agriculture and Consumer Services; creating the Healthy Schools for Healthy Lives Council within the Department of Agriculture and Consumer Services; requiring the Commissioner of Agriculture to appoint members of the council; providing duties of the council; providing requirements for the meetings, powers, duties, procedures, and recordkeeping of the council; requiring the Department of Education, in consultation with the Department of Agriculture and Consumer Services, to develop and submit a request for a waiver to the United States Department of Agriculture to transfer administration of the school food service and nutrition programs; requiring the Department of Education to notify the Governor and the Legislature regarding the decision of the United States Department of Agriculture; providing for contingent effect based upon federal approval of a request for a waiver; providing effective dates.

By the Committees on Budget Subcommittee on General Government Appropriations; and Banking and Insurance; and Senator Detert—

CS for CS for SB 1316—A bill to be entitled An act relating to loan processing; amending s. 494.001, F.S.; creating and revising definitions; deleting a redundant definition; amending s. 494.0011, F.S.; specifying rulemaking powers of the Financial Services Commission; amending s.

494.00255, F.S.; including in-house loan processors in disciplinary provisions; amending s. 494.00331, F.S.; providing that specified provisions do not apply to a licensed contract loan processor who has on file with the office a declaration of intent to act solely as a contract loan processor; deleting a definition; providing restrictions on employment of persons licensed as in-house loan processors; amending s. 494.0035, F.S.; clarifying provisions concerning the operation of mortgage brokers; amending s. 494.0038, F.S.; revising provisions relating to disclosure of settlement charges and loan terms; amending s. 494.00421, F.S.; revising an agency reference in the mortgage broker agreement; providing that a borrower may contact the Office of Financial Regulation rather than the Department of Financial Services regarding any complaints against a loan originator; amending s. 494.00612, F.S.; requiring that in order to renew a mortgage lender license a mortgage lender must authorize the Nationwide Mortgage Licensing System and Registry to obtain an independent credit report on each of the mortgage lender's control persons; amending s. 494.0067, F.S.; requiring each mortgage lender to submit certain reports to the registry as may be required; providing an effective date.

By the Committees on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Commerce and Tourism; and Senator Benacquisto—

CS for CS for SB 1318—A bill to be entitled An act relating to the tax refund program for qualified target industry businesses; amending s. 288.106, F.S.; revising the criteria for the determination of target industry businesses by the Office of Tourism, Trade, and Economic Development; providing for notification by the local governing body recommending the project of the private-sector wage calculation; providing an effective date.

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

CS for SB 1340—A bill to be entitled An act relating to continuing care retirement communities; providing for the provision of continuing care at-home; amending s. 651.011, F.S.; revising definitions; defining “continuing care at-home,” “nursing care,” “personal services,” and “shelter”; amending s. 651.012, F.S.; conforming a cross-reference; amending s. 651.013, F.S.; conforming provisions to changes made by the act; amending s. 651.021, F.S., relating to the requirement for certificates of authority; requiring that a person in the business of issuing continuing care at-home contracts obtain a certificate of authority from the Office of Insurance Regulation; requiring written approval from the Office of Insurance Regulation for a 20 percent or more expansion in the number of continuing care at-home contracts; providing that an actuarial study may be substituted for a feasibility study in specified circumstances; amending s. 651.022, F.S., relating to provisional certificates of authority; conforming provisions to changes made by the act; amending s. 651.023, F.S., relating to an application for a certificate of authority; specifying the content of the feasibility study that is included in the application for a certificate; requiring the same minimum reservation requirements for continuing care at-home contracts as continuing care contracts; requiring that a certain amount of the entrance fee collected for contracts resulting from an expansion be placed in an escrow account or on deposit with the department; amending ss. 651.033, 651.035, and 651.055, F.S.; requiring a facility to provide proof of compliance with a residency contract; conforming provisions to changes made by the act; creating s. 651.057, F.S.; providing additional requirements for continuing care at-home contracts; requiring that a provider who wishes to offer continuing care at-home contracts submit certain additional documents to the office; requiring that the provider comply with certain requirements; limiting the number of continuing care and continuing care at-home contracts at a facility based on the types of units at the facility; amending ss. 651.071, 651.091, 651.106, 651.114, 651.118, 651.121, and 651.125, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Altman—

CS for SB 1384—A bill to be entitled An act relating to the transfer of tax liability; amending s. 213.758, F.S.; providing definitions; revising provisions relating to tax liability when a person transfers or quits a business; providing that the transfer of the assets of a business or stock

of goods of a business under certain circumstances is considered a transfer of the business; requiring the Department of Revenue to provide certain notification to a business before a circuit court shall temporarily enjoin business activity by that business; providing that transferees of the business are liable for certain taxes unless specified conditions are met; requiring the department to conduct certain audits relating to the tax liability of transferors and transferees of a business within a specified time period; requiring certain notification by the Department of Revenue to a transferee before a circuit court shall enjoin business activity in an action brought by the Department of Legal Affairs seeking an injunction; specifying a transferor and transferee of the assets of a business are jointly and severally liable for certain tax payments up to a specified maximum amount; specifying the maximum liability of a transferee; providing methods for calculating the fair market value or total purchase price of specified business transfers to determine maximum tax liability of transferees; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain tax information to a transferee against whom tax liability is being asserted pursuant to s. 213.758, F.S.; repealing s. 202.31, F.S., relating to the tax liability and criminal liability of dealers of communications services who make certain transfers related to a communications services business; repealing s. 212.10, F.S., relating to a dealer's tax liability and criminal liability for sales tax when certain transfers of a business occur; providing an effective date.

By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations; and Senators Dockery, Joyner, and Smith—

CS for SB 1390—A bill to be entitled An act relating to supervised reentry programs for inmates; amending s. 945.091, F.S.; providing legislative intent to encourage the Department of Corrections, to the extent possible, to place inmates in the community to perform paid employment for community work; providing that an inmate may leave the confinement of prison to participate in a supervised reentry program in which the inmate is housed in the community while working at paid employment or participating in other programs that are approved by the department; requiring the inmate to live at a department-approved residence while participating in the supervised reentry program; specifying the conditions for participating in the supervised reentry program; requiring that the department adopt rules to operate the supervised reentry program; providing an effective date.

By the Committee on Health Regulation; and Senator Bogdanoff—

CS for SB 1396—A bill to be entitled An act relating to nursing homes; amending s. 400.023, F.S.; requiring the trial judge to conduct an evidentiary hearing to determine the sufficiency of evidence for claims against certain persons relating to a nursing home; limiting noneconomic damages in a wrongful death action against the nursing home; amending s. 400.0237, F.S.; revising provisions relating to punitive damages against a nursing home; authorizing a defendant to proffer admissible evidence to refute a claimant's proffer of evidence for punitive damages; requiring the trial judge to conduct an evidentiary hearing and the plaintiff to demonstrate that a reasonable basis exists for the recovery of punitive damages; prohibiting discovery of the defendant's financial worth until the judge approves the pleading on punitive damages; revising definitions; providing an effective date.

By the Committee on Criminal Justice; and Senator Smith—

CS for SB 1402—A bill to be entitled An act relating to criminal history records; providing a short title; amending s. 943.0585, F.S.; authorizing a court to expunge a criminal history record of a person who had a prior criminal history record sealed or expunged in certain circumstances; authorizing a person to lawfully deny or fail to acknowledge the arrests and subsequent dispositions of an expunged record under certain circumstances; providing that a person may fail to recite or acknowledge an expunged criminal history record on an employment application without committing certain violations; authorizing the Department of Law Enforcement to disclose the contents of an expunged record to the subject of the record upon the subject's request; providing requirements for a second expunction; requiring the website of a clerk of court to include information relating to sealing and expunction procedures and a link to related information on the department's website; amending s. 943.059, F.S.; authorizing a court to seal a criminal history

record of a person who had a prior criminal history record sealed or expunged in certain circumstances; authorizing a person to lawfully deny or fail to acknowledge the arrests and subsequent dispositions of a sealed record under certain circumstances; providing that a person may fail to recite or acknowledge a sealed criminal history record on an employment application without committing certain violations; providing requirements for a second sealing; providing an effective date.

By the Committees on Budget; and Banking and Insurance; and Senator Wise—

CS for CS for SB 1414—A bill to be entitled An act relating to health insurance; creating ss. 627.64995, 627.66995, and 641.31099, F.S.; prohibiting certain health insurance policies and health maintenance contracts from providing coverage for abortions; providing exceptions; defining the term “state”; amending s. 627.6515, F.S.; providing that certain restrictions on coverage for abortions apply to certain group health insurance policies issued or delivered outside the state which provide coverage to residents of the state; amending s. 627.6699, F.S.; providing that certain restrictions on coverage for abortions apply to plans under the Employee Health Care Access Act; providing an effective date.

By the Committees on Education Pre-K - 12; and Regulated Industries; and Senator Altman—

CS for CS for SB 1430—A bill to be entitled An act relating to the regulation of smoking; amending s. 386.209, F.S.; authorizing school districts to restrict smoking on school district property; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Children, Families, and Elder Affairs; and Senator Garcia—

CS for CS for SB 1456—A bill to be entitled An act relating to public records; amending s. 408.910, F.S.; providing definitions; providing exemptions from public-records requirements for personal identifying information of an enrollee or participant in the Florida Health Choices Program, client and customer lists of buyers’ representatives which are held by Florida Health Choices, Inc., and proprietary confidential business information of vendors which is held by Florida Health Choices, Inc.; providing for disclosure of such confidential and exempt information to certain persons and entities upon written request; providing that the guardian of a participant in the program is not prohibited from obtaining certain information; providing a criminal penalty; providing for future legislative review and repeal of the exemptions; providing findings of public necessity; providing an effective date.

By the Committees on Communications, Energy, and Public Utilities; and Commerce and Tourism; and Senator Bennett—

CS for CS for SB 1460—A bill to be entitled An act relating to energy economic zones; amending s. 377.809, F.S.; deleting an obsolete provision; revising the date by which the Department of Community Affairs, with the assistance of the Office of Tourism, Trade, and Economic Development, must submit a report to the Governor and Legislature evaluating whether the Energy Economic Zone Pilot Program has demonstrated success; requiring that all incentives and benefits provided to enterprise zones be made available to energy economic zones by a specified date; requiring each local governing body having jurisdiction over an energy economic zone to establish boundaries of the energy economic zone, specify applicable energy-efficiency standards, and determine eligibility criteria for application of state and local incentives and benefits; requiring that a business be a qualified target industry business for state purposes; providing that boundaries may be revised by local ordinance; specifying the incentives and benefits; requiring that applicable requirements for employee residency for higher refund or credit thresholds be based on employee residency in the energy economic zone or an enterprise zone; providing that certain businesses are eligible for funding and other businesses have priority for funding; providing a cap on the total amount of state credits, refunds, and exemptions that may be provided to eligible businesses for energy-economic-zone incentives; authorizing the unused amount of a credit to be carried forward for a limited period; providing that the local governing body having

jurisdiction over the energy economic zone is responsible for allocating the incentives and verifying eligibility of businesses to receive incentives; requiring the governing body to provide the taxpayer with a certificate indicating eligibility; requiring the local governing body to certify to the Department of Revenue or the Office of Tourism, Trade, and Economic Development which businesses or properties are eligible to receive state incentives; requiring the Department of Revenue to send written instructions to the eligible businesses on claiming the credit on a sales and use tax return initiated through an electronic data interchange; authorizing the Office of Tourism, Trade, and Economic Development and the Department of Revenue to adopt emergency rules; providing for renewal of the rules; amending s. 380.06, F.S.; providing that certain developments in an energy economic zone are exempt from review as a development of regional impact; providing an effective date.

By the Committee on Budget; and Senator Simmons—

CS for SB 1466—A bill to be entitled An act relating to class size requirements; amending s. 1003.01, F.S.; redefining the terms “core-curricula courses” and “extracurricular courses”; amending s. 1003.03, F.S.; deleting a reference to the State Constitution regarding class size maximums; requiring that class size maximums be satisfied on or before the October student membership survey each year; requiring that the class size maximums be maintained after the October student membership survey unless certain conditions occur; providing that a student who enrolls in a school after the October student membership survey may be assigned to classes that temporarily exceed class size maximums if the school board determines that not assigning the student would be impractical, educationally unsound, or disruptive to student learning; providing for a specified number of students to be assigned above the maximum if the district school board makes this determination; requiring that the district school board develop a plan providing that the school will be in full compliance with the maximum class size requirements by the next October student membership survey; requiring that the Department of Education identify from the Course Code Directory the core-curricula courses for the purpose of satisfying the maximum class size requirement; authorizing the department to adopt rules; amending s. 1011.685, F.S.; revising provisions relating to class size reduction operational categorical funds; authorizing a school district that meets the maximum class size requirement to use the funds for any lawful operating expenditure; providing an effective date.

By the Committee on Health Regulation; and Senator Evers—

CS for SB 1480—A bill to be entitled An act relating to swimming pools and spas; creating s. 514.0315, F.S.; extending the deadline for public swimming pools and spas to install a gravity drainage system; providing an effective date.

By the Committees on Budget; and Military Affairs, Space, and Domestic Security; and Senators Simmons, Dean, and Altman—

CS for CS for SB 1502—A bill to be entitled An act relating to an ad valorem tax exemption for deployed servicemembers; creating s. 196.173, F.S.; providing for certain servicemembers who receive a homestead exemption and who are deployed in certain military operations to receive an additional ad valorem tax exemption; designating qualifying military operations; requiring the Department of Revenue to notify property appraisers and tax collectors of the designated military operations; requiring the Department of Military Affairs to submit a report annually of military operations to the President of the Senate, the Speaker of the House of Representatives, and the tax committees of each house of the Legislature; specifying the calculation to be used in determining the exemption amount; requiring that a servicemember apply to the property appraiser to receive the exemption in the year following the year of a qualifying deployment; providing for the application forms to be prescribed by the Department of Revenue and furnished to an applicant by the property appraiser; requiring that a property appraiser consider applications for an exemption within a certain time; providing a definition; amending s. 194.011, F.S.; requiring a person appealing the denial of a deployed servicemember exemption to the value adjustment board to file the appeal within a certain time; amending s. 196.011, F.S.; providing requirements for the forms used for claims for the exemption for deployed servicemembers; authorizing the Department of Revenue to adopt emergency rules; providing for application of the act to qualifying

deployments in the 2010 calendar year; providing for the act to apply to tax rolls beginning in 2011; providing an effective date.

By the Committees on Transportation; and Community Affairs; and Senator Bennett—

CS for CS for SB 1512—A bill to be entitled An act relating to growth management; amending s. 163.3164, F.S.; revising and providing definitions relating to the Local Government Comprehensive Planning and Land Development Regulation Act; amending s. 163.3177, F.S.; revising requirements for comprehensive plans relating to capital improvements and future land use plan elements; amending s. 163.3180, F.S.; revising transportation concurrency requirements relating to transportation planning and proportionate share; amending s. 163.3182, F.S.; revising the definition of the term “transportation concurrency backlog” to “transportation deficiency”; revising other definitions and provisions to conform; revising provisions relating to transportation deficiency plans and projects; amending s. 163.3191, F.S.; revising and simplifying provisions relating to a local government’s review of its comprehensive plan; amending s. 380.06, F.S.; exempting transit-oriented developments from review of transportation impacts in the developments-of-regional-impact process; providing a finding of important state interest; providing an effective date.

By the Committees on Agriculture; and Environmental Preservation and Conservation; and Senator Latvala—

CS for CS for SB 1514—A bill to be entitled An act relating to environmental regulation; amending s. 373.019, F.S.; redefining the term “alternative water supplies” to exclude the development of nonbrackish groundwater supplies; amending s. 373.236, F.S.; requiring the Department of Environmental Protection or governing board of a water management district to limit its review following issuance of a consumptive use permit and make only one request for additional information; providing for the governing board rather than the district to grant permits for certain projects; extending the term to 10 years from 5 years for submitting compliance reports; allowing a permit to be issued for a shorter period if requested by the applicant; providing for the modification of existing consumptive use permits under certain conditions; amending s. 373.250, F.S.; providing requirements for water management districts in evaluating applications for the consumptive use of water in mandatory reuse zones; providing applicability; amending ss. 373.2234 and 373.243, F.S.; conforming cross-references; amending s. 373.41492, F.S.; authorizing the use of proceeds from the water treatment plant upgrade fee to pay for specified mitigation projects; requiring proceeds from the water treatment plant upgrade fee to be transferred by the Department of Revenue to the South Florida Water Management District and deposited into the Lake Belt Mitigation Trust Fund for a specified period of time; providing, after that period, for the proceeds of the water treatment plant upgrade fee to return to being transferred by the Department of Revenue to a trust fund established by Miami-Dade County for specified purposes; conforming a term; amending s. 373.707, F.S.; providing an additional weighting factor that the governing board may consider when determining which alternative water supply projects to select for financial assistance; directing each water management district to consult with the Department of Environmental Protection to examine options for improving the coordination between the consumptive use permitting process and the water supply planning process by extending and reconciling certain permitting provisions; requiring each water management district to provide a report to the Governor and the Legislature; providing an effective date.

By the Committees on Banking and Insurance; and Health Regulation; and Senator Gaetz—

CS for CS for SB 1522—A bill to be entitled An act relating to wellness or health improvement programs; amending ss. 626.9541 and 641.3903, F.S.; authorizing insurers and health maintenance organizations to offer a voluntary wellness or health improvement program and to encourage or reward participation in the program by offering rewards or incentives to members; authorizing insurers and health maintenance organizations to require plan members not participating in the wellness or health improvement programs to provide verification that their medical condition warrants nonparticipation in order for the non-participants to receive rewards or incentives; requiring that the reward

or incentive be disclosed in the policy or certificate; providing that the act does not prohibit insurers or health maintenance organizations from offering other incentives or rewards for adherence to a wellness or health improvement program; providing an effective date.

By the Committees on Community Affairs; and Commerce and Tourism; and Senator Altman—

CS for CS for SB 1528—A bill to be entitled An act relating to secondary metals recyclers; amending s. 319.30, F.S.; conforming a cross-reference; amending s. 538.03, F.S.; defining the term “appropriate law enforcement official”; amending s. 538.04, F.S.; clarifying a provision requiring that a secondhand dealer deliver a transaction form to the appropriate law enforcement official; amending s. 538.18, F.S.; revising and providing definitions; amending s. 538.19, F.S.; requiring that a secondary metals recycler complete a transaction form and transmit it to the appropriate law enforcement official within 24 hours after the acquisition of regulated metals; authorizing such recyclers to use an electronic database and transmit transaction forms electronically under certain circumstances; authorizing appropriate law enforcement officials to provide software and computer equipment to recyclers; requiring that a recycler produce an original form in certain situations; revising the period required for secondary metals recyclers to maintain certain information regarding purchase transactions involving regulated metals property; revising requirements for the types of information that secondary metals recyclers must obtain and maintain regarding purchase transactions; limiting the liability of secondary metals recyclers for the conversion of motor vehicles to scrap metal under certain circumstances; amending s. 538.235, F.S.; revising requirements for payments made by secondary metals recyclers to sellers of regulated metals property, to which penalties apply; providing methods of payment for restricted regulated metals property; requiring that purchases of certain property be made by check or by electronic payment; amending s. 538.26, F.S.; prohibiting secondary metals recyclers from purchasing regulated metals property without maintaining certain records; deleting provisions prohibiting the purchase of regulated metals property from certain persons or at certain locations; prohibiting the purchase of specified restricted regulated metals property without obtaining certain proof of the seller’s ownership or authorization to sell the property; creating s. 538.27, F.S.; establishing an inference that secondary metals recyclers do not commit theft or deal in stolen property under certain circumstances; creating s. 538.28, F.S.; preempting to the state the regulation of secondary metals recyclers and purchase transactions involving regulated metals property; exempting certain ordinances and regulations from preemption; amending s. 812.022, F.S.; establishing an inference that secondary metals recyclers do not commit theft or deal in stolen property under certain circumstances; providing an effective date.

By the Committees on Rules; and Judiciary; and Senator Flores—

CS for CS for SJR 1538—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution to generally prohibit public funding of abortions and prohibit the State Constitution from being interpreted to create broader rights to an abortion than those contained in the United States Constitution.

By the Committees on Budget; Higher Education; and Education Pre-K - 12; and Senator Thrasher—

CS for CS for CS for SB 1546—A bill to be entitled An act relating to charter schools; amending ss. 163.3180 and 1002.32, F.S.; conforming cross-references; amending s. 1002.33, F.S.; requiring that the Department of Education provide or arrange for training and technical assistance for charter schools; providing for the designation of charter schools as high-performing if certain requirements are met; providing definitions relating to the high-performing charter school system; revising provisions to conform to changes made by the act; amending ss. 1002.34, 1011.68, 1012.32, and 1013.62, F.S.; conforming cross-references; requiring that the Office of Program Policy Analysis and Government Accountability conduct a study comparing the funding of charter schools to the funding of public schools; providing requirements for the study; requiring that the office submit its recommendations and findings to the Governor and Legislature by a specified date; providing for severability; providing an effective date.

By the Committees on Budget; and Banking and Insurance; and Senator Montford—

CS for CS for SB 1568—A bill to be entitled An act relating to insurer insolvency; amending s. 215.5595, F.S.; authorizing a residential property insurer to renegotiate a note issued by the Insurance Capital Build-Up Incentive Program under certain circumstances; amending s. 624.424, F.S.; revising the time limitations on an insurer's use of the same accountant for preparing its annual statement; amending s. 624.610, F.S.; specifying the rating organizations that are deemed acceptable by the Financial Services Commission to assess certain insurers providing reinsurance; amending s. 631.152, F.S.; authorizing the Department of Financial Services to request appointment as ancillary receiver if necessary in order to obtain records to adjudicate covered claims; providing for the reimbursement of specified costs associated with ancillary delinquency proceedings; creating s. 631.2715, F.S.; providing for the State Risk Management Trust Fund to cover specified officers, employees, agents, and other representatives of the Department of Financial Services for liability under specified federal laws relating to receiverships; amending s. 631.391, F.S.; imposing penalties on persons who fail to cooperate in providing records; amending s. 631.54, F.S.; revising the definition of the term "covered claim" to exclude a claim rejected or denied by another state's guaranty fund based upon that state's statutory exclusions; amending s. 631.56, F.S.; providing that a board member of the Florida Insurance Guaranty Association representing an insurer in receivership shall be terminated as a board member; specifying a termination date; amending s. 631.904, F.S.; revising the definition of the term "covered claim" to exclude a claim rejected or denied by another state's guaranty fund based upon that state's statutory exclusions; amending s. 631.912, F.S.; providing that any board member of the Florida Workers' Compensation Insurance Guaranty Association who is employed by, or has a material relationship with, an insurer in receivership shall be terminated as a board member; specifying a termination date; providing an effective date.

By the Committee on Communications, Energy, and Public Utilities; and Senators Siplin and Smith—

CS for SB 1572—A bill to be entitled An act relating to the termination of gas or electric service; prohibiting any utility from terminating a senior citizen's or low-income family's gas or electric service for nonpayment on any day, or on the following 2 calendar days, during which the National Weather Service forecasts extreme temperatures in the area of the utility in which the senior citizen or low-income family resides; prohibiting any utility from terminating a senior citizen's or low-income family's gas or electric service for nonpayment on any day preceding a holiday or weekend during which the National Weather Service forecasts extreme temperatures in the area of the utility in which the senior citizen or low-income family resides; providing an effective date.

By the Committees on Budget Subcommittee on General Government Appropriations; and Criminal Justice; and Senator Latvala—

CS for CS for SB 1588—A bill to be entitled An act relating to licensed security officers; amending s. 493.6120, F.S.; providing that a person who engages in any activity for which ch. 493, F.S., requires a license, but acts without having a license, commits a misdemeanor of the first degree; providing that a person commits a felony of the third degree for a second or subsequent offense of engaging in activities without a license; authorizing the Department of Agriculture and Consumer Services to impose a civil penalty not to exceed a specified amount; providing that penalties do not apply if the person engaged in unlicensed activity within 90 days after the expiration date of the person's license; providing that a person who, while impersonating a security officer, private investigator, recovery agent, or other person required to have a license under ch. 493, F.S., knowingly and intentionally forces another person to assist the impersonator in an activity within the scope of duty of a professional licensed under ch. 493, F.S., commits a felony of the third degree; providing that a person who impersonates a security officer or other designated officer during the commission of a felony commits a felony of the second degree; providing that a person who impersonates a security officer or other designated officer during the commission a felony that results in death or serious bodily injury to another human being commits a felony of the first degree; authorizing a licensed security officer or a licensed security agency manager to detain a person on the premises of a critical infrastructure facility if the security officer has

probable cause to believe that the person has committed or is committing a crime and for the purpose of ascertaining the person's identity and the circumstances of the activity that is the basis for the temporary detention; providing that the person may be detained until a responding law enforcement officer arrives at the critical infrastructure facility; requiring the security officer to notify the law enforcement agency as soon as possible; requiring that custody of any person temporarily detained be immediately transferred to the responding law enforcement officer; prohibiting a licensed security officer or security agency manager from detaining a person after the arrival of a law enforcement officer unless the law enforcement officer requests the security officer to assist in detaining the person; authorizing the security officer to search the person detained if the security officer observes that the person temporarily detained is armed with a firearm, concealed weapon, or any destructive device that poses a threat to the safety of the security officer, or the detainee admits to the security officer that he or she is armed with a weapon; requiring the security officer to seize any weapon discovered and transfer the weapon to the responding law enforcement officer; defining the term "critical infrastructure facility"; providing identification requirements for licensed security officers; providing an effective date.

By the Committee on Banking and Insurance; and Senators Hays and Gaetz—

CS for SB 1590—A bill to be entitled An act relating to medical malpractice; creating ss. 458.3175, 459.0066, and 466.005, F.S.; requiring the Department of Health to issue expert witness certificates to certain physicians and dentists licensed outside the state; providing application and certification requirements; establishing application fees; providing for the validity and use of certifications; exempting physicians and dentists issued certifications from certain licensure and fee requirements; amending ss. 458.331, 459.015, and 466.028, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; providing construction with respect to the doctrine of incorporation by reference; amending ss. 458.351 and 459.026, F.S.; requiring the Board of Medicine and the Board of Osteopathic Medicine to adopt within a specified period certain patient forms specifying cataract surgery risks; specifying that an incident resulting from risks disclosed in the patient form is not an adverse incident; providing for the execution and admissibility of the patient forms in civil and administrative proceedings; creating a rebuttable presumption that a physician disclosed cataract surgery risks if the patient form is executed; amending s. 627.4147, F.S.; deleting a requirement that medical malpractice insurance contracts contain a clause authorizing the insurer to make and conclude certain offers within policy limits over the insured's veto; amending s. 766.102, F.S.; defining terms; providing that certain insurance information is not admissible as evidence in medical negligence actions; establishing the burden of proof that a claimant must meet in certain damage claims against health care providers based on death or personal injury; requiring that certain expert witnesses who provide certain expert testimony meet certain licensure or certification requirements; excluding a health care provider's failure to comply with or breach of federal requirements from evidence in medical negligence cases in the state; amending s. 766.106, F.S.; requiring claimants for medical malpractice to execute an authorization form; allowing prospective medical malpractice defendants to interview a claimant's treating health care provider without notice to or the presence of the claimant or the claimant's legal representative; authorizing prospective defendants to take unsworn statements of a claimant's health care provider; creating s. 766.1065, F.S.; requiring that presuit notice for medical negligence claims be accompanied by an authorization for release of protected health information; providing requirements for the form of such authorization; amending s. 766.206, F.S.; requiring dismissal of a medical malpractice claim if such authorization is not completed in good faith; amending s. 768.0981, F.S.; limiting the liability of hospitals related to certain medical negligence claims; providing an effective date.

By the Committees on Budget Subcommittee on Finance and Tax; and Regulated Industries; and Senators Sachs and Sobel—

CS for CS for SB 1594—A bill to be entitled An act relating to pari-mutuel permitholders; amending s. 550.002, F.S., which defines the term "full schedule of live racing or games"; providing that a greyhound permitholder is not required to conduct a minimum number of live perfor-

mances; amending s. 550.01215, F.S.; revising requirements for an application for a license to conduct performances; providing an extended period to amend certain applications; amending s. 550.054, F.S.; removing a requirement for holders of certain converted permits to conduct a full schedule of live racing to qualify for certain tax credits; amending s. 550.0951, F.S.; revising provisions for transfer by a permitholder of a tax exemption or license fee credit to a greyhound permitholder; amending s. 550.09514, F.S.; revising purse requirements for greyhound racing and provisions for payment of purses; amending s. 550.615, F.S.; revising provisions for intertrack wagering; amending s. 550.105, F.S.; limiting the taxes that may be imposed on a person who conducts simulcasts, intertrack wagering, or cardroom games if the facility does not have an existing agreement with the municipality; amending ss. 550.26165 and 550.6305, F.S.; conforming cross-references to changes made by the act; amending s. 551.104, F.S.; revising a condition of licensure for the conduct of slot machine gaming; amending s. 551.114, F.S.; revising requirements for designated slot machine gaming areas; amending s. 849.086, F.S.; revising requirements for initial and renewal issuance of a cardroom license; providing that neither a corresponding pari-mutuel license application nor a minimum number of live performances is required for a greyhound permitholder to maintain or renew a cardroom license; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Siplin—

CS for SM 1598—A memorial to the Congress of the United States, urging Congress to support repeal of Section 511 of the Tax Increase Prevention and Reconciliation Act, which requires governments that annually spend more than \$100 million to withhold a 3 percent federal tax on payments made for certain goods and services.

By the Committee on Commerce and Tourism; and Senator Detert—

CS for SB 1610—A bill to be entitled An act relating to the state minimum wage; amending s. 448.109, F.S.; conforming a provision to changes made by the act; amending s. 448.110, F.S.; providing for calculating the adjusted real wage rate and its application as the Florida minimum wage when both the previous year's Florida minimum wage and the federal minimum wage are lower; providing definitions; conforming a cross-reference; providing an effective date.

By the Committees on Judiciary; and Rules Subcommittee on Ethics and Elections; and Senator Diaz de la Portilla—

CS for CS for SB 1618—A bill to be entitled An act relating to elections; amending s. 106.25, F.S.; allowing a respondent who is alleged by the Elections Commission to have violated the election code or campaign financing laws to elect as a matter of right a formal hearing before the Division of Administrative Hearings; authorizing an administrative law judge to assess civil penalties upon the finding of a violation; amending s. 106.265, F.S.; authorizing an administrative law judge to assess civil penalties upon a finding of a violation of the election code or campaign financing laws; providing for civil penalties to be assessed against an electioneering communications organization; removing reference to the expired Election Campaign Financing Trust Fund; directing that moneys from penalties and fines be deposited into the General Revenue Fund; providing an effective date.

By the Committee on Community Affairs; and Senator Lynn—

CS for SB 1634—A bill to be entitled An act relating to water vending machines; amending s. 500.459, F.S., relating to the regulation of water vending machines and the permitting of water vending machine operators; deleting provisions requiring the permitting of water vending machines by the Department of Agriculture and Consumer Services; authorizing counties and municipalities to regulate the operation of water vending machines; amending s. 500.511, F.S.; deleting provisions for the deposit of operator permitting fees, the enforcement of the state's water vending machine regulations, penalties, and the preemption of county and municipal water vending machine regulations, to conform; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Wise—

CS for SB 1656—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; making scholarships available to students with disabilities who have a 504 accommodation plan issued under s. 504 of the federal Rehabilitation Act; allowing a parent to request and receive a scholarship for a student to enroll in and attend a private school if the student has a 504 accommodation plan; providing that students with certain temporary 504 accommodation plans are ineligible for a scholarship; requiring that the school district notify a parent of available options within 10 days after a 504 accommodation plan is issued; providing that a parent may choose to enroll the student in a public school in an adjacent district under certain conditions; providing for scholarship amounts; providing an effective date.

By the Committee on Judiciary; and Senator Thrasher—

CS for SB 1676—A bill to be entitled An act relating to sovereign immunity; providing legislative findings and intent; amending s. 766.1115, F.S.; providing that specified provisions relating to sovereign immunity for health care providers do not apply to certain affiliation agreements or contracts to provide certain comprehensive health care services; amending s. 768.28, F.S.; expanding the definition of the term "officer, employee, or agent" for purposes of sovereign immunity to include certain health care providers; providing that certain colleges and universities that own or operate a medical school or any of its employees or agents that have agreed in an affiliation agreement to provide patient services as agents of a teaching hospital that is owned or operated by a governmental entity having health care responsibilities, or a not-for-profit entity that operates such facilities as an agent of that governmental entity under a lease, are agents of the state and are immune from certain liability for torts; requiring the contract to provide for indemnification; providing that the portion of the not-for-profit entity deemed to be an agent of the state for purpose of indemnity is also an agency of the state for purpose of public-records laws; providing definitions; requiring that each patient, or the patient's legal representative, receive written notice regarding the patient's exclusive remedy for injury or damage suffered; providing that an employee providing patient services is not an employee or agent of the state for purposes of workers' compensation; providing for application; providing an effective date.

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

CS for SB 1694—A bill to be entitled An act relating to motor vehicle personal injury protection insurance; amending s. 627.736, F.S.; limiting attorney's fees based on the disputed amount; limiting attorney's fees in class actions; providing that attorney's fees are calculated without regard to a contingency risk multiplier; providing an effective date.

By the Committees on Budget Subcommittee on Education Pre-K - 12 Appropriations; and Education Pre-K - 12; and Senator Wise—

CS for CS for SB 1696—A bill to be entitled An act relating to education accountability; amending s. 1001.20, F.S.; deleting a provision that requires the Florida Virtual School to be administratively housed within the Office of Technology and Information Services within the Office of the Commissioner of Education; amending s. 1001.42, F.S.; revising the powers and duties of district school boards relating to student access to Florida Virtual School courses; creating s. 1001.421, F.S.; prohibiting district school board members and their relatives from soliciting or accepting certain gifts; amending s. 1002.37, F.S.; conforming provisions to changes made by the act; amending s. 1002.38, F.S.; requiring that a school's grade be based on statewide assessments for purposes of the Opportunity Scholarship Program; amending s. 1002.39, F.S.; providing requirements for determining the end of the term of a John M. McKay Scholarship; amending s. 1002.45, F.S.; revising provisions relating to virtual instruction program provider qualifications; amending s. 1002.66, F.S.; providing an additional instructional service for children with disabilities in the Voluntary Prekindergarten Education Program; amending s. 1002.67, F.S.; requiring that the State Board of Education periodically review and revise the performance standards for the statewide kindergarten screening; amending s. 1002.69, F.S.; authorizing nonpublic schools to administer the statewide kindergarten screening to kindergarten students who were enrolled in the Voluntary

Prekindergarten Education Program; revising provisions relating to the minimum kindergarten readiness rate and criteria for good cause exemptions from meeting the requirement; requiring prekindergarten enrollment screening and post-assessment under certain circumstances; amending s. 1002.71, F.S.; providing that a child may reenroll more than once in a prekindergarten program if granted a good cause exemption; amending s. 1002.73, F.S.; requiring the Department of Education to adopt procedures relating to prekindergarten enrollment screening, the standardized post-assessment, and reporting of the results of readiness measures; amending s. 1003.01, F.S.; providing an additional special education service; amending s. 1003.4156, F.S.; revising the general requirements for middle grades promotion; providing that a student with a disability may have end-of-course assessment results waived under certain circumstances; providing that a middle grades student may be exempt from reading remediation requirements under certain circumstances; creating s. 1003.4203, F.S.; authorizing each district school board to develop and implement a digital curriculum for students in grades 6 through 12; requiring the Department of Education to develop a model digital curriculum; authorizing partnerships with private businesses and consultants; amending s. 1003.428, F.S.; revising provisions relating to the general requirements for high school graduation; providing that a high school student may be exempt from reading remediation requirements under certain circumstances; amending s. 1003.491, F.S.; revising provisions relating to the development, contents, and approval of the strategic plan to address workforce needs; amending s. 1003.493, F.S.; revising requirements for career and professional academies and enrollment of students; creating s. 1003.4935, F.S.; requiring each district school board to develop a plan to implement a career and professional academy in at least one middle school; providing requirements for middle school career and professional academies and academy courses; amending s. 1003.573, F.S.; revising provisions relating to the use of restraint and seclusion on students with disabilities; requiring that certain information be included in incident reports; removing an obsolete date; requiring that the Department of Education maintain certain data of incidents of manual or physical restraint and seclusion and establish standards for documenting, reporting, and monitoring the use of restraint and seclusion; requiring that the department provide these standards to school districts by a specified date; revising provisions relating to school district policies and procedures to include monitoring, training, selecting personnel to be trained, and planning for reducing the use of restraint and seclusion; extending the date that such policies and procedures must be revised and filed with the bureau chief of the Bureau of Exceptional Education and Student Services within the Department of Education; amending s. 1003.575, F.S.; providing requirements for completion of an assistive technology assessment; amending s. 1008.22, F.S.; revising provisions relating to the student assessment program for public schools; requiring that the Commissioner of Education direct school districts to participate in certain international assessment programs; authorizing a school principal to exempt certain students from the end-of-course assessment in civics education; revising provisions relating to administration and reporting of results of assessments; amending s. 1008.30, F.S.; revising provisions relating to evaluation of college readiness and providing for post-secondary preparatory instruction; requiring the State Board of Education to adopt certain rules; amending s. 1008.33, F.S.; revising provisions relating to public school improvement; requiring the Department of Education to categorize public schools based on a school's grade that relies on statewide assessments; amending s. 1008.331, F.S., relating to supplemental educational services in Title I schools; providing that a school board may include in its district contract with a provider a requirement to use a uniform standardized assessment if the Department of Education is notified of such intent before services are provided to the student; amending s. 1008.34, F.S.; revising the basis for the designation of school grades; including achievement scores and learning gains for students who are hospital or homebound; amending s. 1011.01, F.S.; revising provisions relating to the annual operating budgets of district school boards and Florida College System institution boards of trustees; amending s. 1011.03, F.S.; revising provisions relating to adopted district school board budgets; creating s. 1011.035, F.S.; requiring each school district to post budgetary information on its website; amending s. 1011.62, F.S.; revising provisions relating to the funding model for exceptional student education programs; requiring the Department of Education to revise the descriptions of services and to implement the revisions; amending s. 1012.39, F.S.; revising provisions relating to the qualifications for nondegreed teachers of career education; providing effective dates.

By the Committees on Community Affairs; Environmental Preservation and Conservation; and Health Regulation; and Senator Dean—

CS for CS for CS for SB 1698—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; deleting legislative intent; defining the term “bedroom”; providing for any permit issued and approved by the Department of Health for the installation, modification, or repair of an onsite sewage treatment and disposal system to transfer with the title of the property; providing circumstances in which an onsite sewage treatment and disposal system is not considered abandoned; providing for the validity of an onsite sewage treatment and disposal system permit if rules change before final approval of the constructed system; providing that a system modification, replacement, or upgrade is not required unless a bedroom is added to a single-family home; deleting provisions requiring the Department of Health to administer an evaluation and assessment program of onsite sewage treatment and disposal systems and requiring property owners to have such systems evaluated at least once every 5 years; creating s. 381.00651, F.S.; requiring a county or municipality to adopt by ordinance under certain circumstances the program for the periodic evaluation and assessment of onsite sewage treatment and disposal systems; requiring the county or municipality to notify the Secretary of State of the ordinance; authorizing a county or municipality, in specified circumstances, to opt out of certain requirements by a specified date; prohibiting a county having a first magnitude spring from opting out of the provisions of the act; authorizing a county or municipality to adopt or repeal, after a specified date, an ordinance creating an evaluation and assessment program; providing criteria for evaluations, qualified contractors, repair of systems, exemptions, and notifications; requiring that certain procedures be used for conducting tank and drainfield evaluations; providing for certain procedures in special circumstances; providing for assessment procedures; requiring the county or municipality to develop a system for tracking the evaluations; providing criteria; requiring counties and municipalities to notify the Secretary of Environmental Protection that an evaluation program ordinance is adopted; requiring the department to notify those counties or municipalities of the use of, and access to, certain state and federal program funds; requiring that the department provide certain guidance and technical assistance to a county or municipality upon request; repealing s. 381.00656, F.S., relating to a grant program for the repair of onsite sewage treatment disposal systems; amending s. 381.0066, F.S.; lowering the fees imposed by the department for evaluation reports; providing an effective date.

By the Committee on Judiciary; and Senator Fasano—

CS for SB 1722—A bill to be entitled An act relating to ad valorem taxation; amending ss. 193.1554 and 193.1555, F.S.; reducing the amount that any change in the value of certain real property resulting from an annual reassessment may exceed the assessed value of the property for the prior year under specified circumstances; providing exceptions; creating s. 196.078, F.S.; providing a definition; providing a first-time Florida homesteader with an additional homestead exemption; providing for calculation of the exemption; providing for the applicability period of the exemption; providing for an annual reduction in the exemption during the applicability period; providing application procedures; providing for applicability of specified provisions; providing for contingent effect of provisions and varying dates of application depending on the adoption and adoption date of specified joint resolutions; authorizing the Department of Revenue to adopt emergency rules; providing for application and renewal of emergency rules; amending s. 218.12, F.S.; requiring the Legislature to appropriate funds to fiscally constrained counties to offset reductions in ad valorem tax revenue as the result of the implementation of certain proposed revisions to the State Constitution; providing for certain contingent effect and retroactive application; providing an effective date.

By the Committees on Budget Subcommittee on Higher Education Appropriations; and Higher Education; and Senator Lynn—

CS for CS for SB 1732—A bill to be entitled An act relating to postsecondary education; amending s. 1004.015, F.S.; requiring the Higher Education Coordinating Council to recommend plans and submit a report to the Governor and the Legislature relating to core responsibilities of postsecondary education institutions, performance outputs and outcomes, articulation policies, workforce development education, and baccalaureate degree authorization; requiring the council to submit

a report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the State Board of Education, and the Board of Governors of the State University System by a date certain which includes certain recommendations; amending s. 1007.27, F.S.; requiring the Department of Education to use student performance data to determine appropriate credit-by-examination scores and courses; requiring the Department of Education to review performance data for students who take Advanced Placement Examinations and to set minimum scores based on the review; deleting an exemption from summer-term enrollment in a public postsecondary education institution for students earning accelerated credit; amending s. 1007.33, F.S.; deleting an exemption from provisions governing the approval process for baccalaureate degrees; amending s. 1001.64, F.S.; requiring a community college board of trustees to ask the Commissioner of Education to authorize an investigation of a college president by the Department of Education's inspector general in specified circumstances; requiring the inspector general to report on the investigation and make recommendations; requiring the inspector general to refer any potential legal violation to the Commission on Ethics, the Department of Law Enforcement, the Attorney General, or other appropriate authority; repealing s. 1000.07, F.S., relating to the Florida Business and Education Collaborative; providing an effective date.

By the Committee on Health Regulation; and Senator Flores—

CS for SB 1748—A bill to be entitled An act relating to abortions; amending s. 390.011, F.S.; defining the term “viability” as it relates to the termination of a pregnancy; amending s. 390.0111, F.S.; restricting the circumstances in which an abortion may be performed in the third trimester or after viability; requiring an abortion clinic to provide conspicuous notice on any form or medium of advertisement that the abortion clinic is prohibited from performing abortions in the third trimester or after viability; providing certain physician, location, and clinic licensure and ownership requirements; requiring a physician who offers to perform or who performs terminations of pregnancy to complete continuing education related to ethics; prohibiting a termination of pregnancy from being performed in a location other than a validly licensed hospital, abortion clinic, or physician's office; prohibiting a person from establishing, conducting, managing, or operating an abortion clinic without a valid, current license; prohibiting a person from performing or assisting in performing an abortion on a person in the third trimester or after viability in a location other than a hospital; requiring an abortion clinic to be owned and operated by a physician who has received training during residency in performing a dilation-and-curettage procedure or a dilation-and-evacuation procedure; providing a penalty; deleting the definition of the term “viability”; providing that failure to dispose of fetal remains in accordance with rules of the Department of Health is a misdemeanor of the first degree rather than a misdemeanor of the second degree; clarifying provisions providing that it is a first-degree misdemeanor to unlawfully advertise how to obtain a miscarriage of a woman pregnant with a child; requiring the Department of Health to permanently revoke the license of any health care practitioner who is convicted or found guilty of, or enters a plea of guilty or nolo contendere to, regardless of adjudication, certain felony criminal acts; requiring the Agency for Health Care Administration to submit to the Governor and Legislature an annual report of aggregate statistical data relating to abortions and provide such data on its website; amending s. 390.0112, F.S.; requiring the director of a medical facility or physician's office to submit a monthly report to the agency on a form developed by the agency which is consistent with the U.S. Standard Report of Induced Termination of Pregnancy from the Centers for Disease Control and Prevention; requiring that the submitted report not contain any personal identifying information; requiring the agency to submit reported data to the Division of Reproductive Health within the Centers for Disease Control and Prevention; amending s. 390.012, F.S.; requiring the agency to adopt rules that prescribe standards for placing conspicuous notice on any form or medium of advertisement of an abortion clinic which states that the abortion clinic is prohibited from performing abortions in the third trimester or after viability; amending s. 456.013, F.S.; requiring that each applicable board require a physician who offers to perform or performs terminations of pregnancy to annually complete a course relating to ethics as part of the licensure and renewal process; providing that the course counts toward the total number of continuing education hours required for the profession; requiring the applicable board to approve the course; repealing s. 797.02, F.S., relating to the advertising of drugs for abortions; repealing s. 797.03, F.S., relating to prohibited acts

related to abortions and their penalties; providing for severability; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Hays—

CS for SB 1772—A bill to be entitled An act relating to self-service storage facilities; amending s. 83.803, F.S.; redefining the term “last known address,” to conform to changes made by the act; amending s. 83.806, F.S.; revising notice requirements related to enforcing an owner's lien; allowing postal notice by first-class mail, along with a certificate of mailing; allowing electronic mail notice; amending s. 83.808, F.S.; clarifying provisions relating to the right to create contractual liens or limitations on liability; providing an effective date.

By the Committee on Criminal Justice; and Senator Diaz de la Portilla—

CS for SB 1808—A bill to be entitled An act relating to assault or battery of law enforcement officers or firefighters; amending s. 784.07, F.S.; increasing the mandatory minimum term of imprisonment for battery of a law enforcement officer or firefighter while possessing a firearm or destructive device; increasing the mandatory minimum term of imprisonment for such a battery while possessing a semiautomatic firearm and its high-capacity detachable box magazine or a machine gun; providing an effective date.

By the Committees on Budget Subcommittee on Finance and Tax; and Banking and Insurance; and Senators Fasano and Richter—

CS for CS for SB 1816—A bill to be entitled An act relating to surplus lines insurance; amending s. 626.931, F.S.; requiring a surplus lines agent to file quarterly on or before a specified time an affidavit stating that all surplus lines insurance transacted during the preceding quarter has been submitted to the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; requiring the premium tax due on a surplus lines policy to be computed on the gross premium under certain circumstances; amending s. 626.9325, F.S.; revising payment dates for the service fee; requiring the service fee on a surplus lines policy to be computed on the gross premium under certain circumstances; creating s. 626.9362, F.S.; authorizing the Department of Financial Services and the Office of Insurance Regulation to enter into a specified type of agreement with other states pursuant to federal law for the collection and allocation of certain nonadmitted insurance taxes; providing terms that may be included in the agreement; requiring the Florida Surplus Lines Service Office to implement an agreement entered into by the department and the Office of Insurance Regulation; providing for application; amending s. 626.938, F.S.; requiring certain insureds or self insurers engaging in specified insurance transactions with a foreign or alien insurer to compute the premium tax and service fees based on the gross premium under certain circumstances; requiring such insureds or self insurers to pay the applicable premium tax to the department and the service fee to the Florida Surplus Lines Service Office on or before a specified time; providing an effective date.

By the Committees on Budget; Budget Subcommittee on Finance and Tax; and Banking and Insurance; and Senators Fasano and Richter—

CS for CS for CS for SB 1816—A bill to be entitled An act relating to surplus lines insurance; amending s. 626.931, F.S.; requiring a surplus lines agent to file quarterly on or before a specified time an affidavit stating that all surplus lines insurance transacted during the preceding quarter has been submitted to the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; requiring the premium tax due on a surplus lines policy to be computed on the gross premium under certain circumstances; providing a limit on the tax; amending s. 626.9325, F.S.; revising payment dates for the service fee; requiring the service fee on a surplus lines policy to be computed on the gross premium under certain circumstances; creating s. 626.9362, F.S.; authorizing the Department of Financial Services and the Office of Insurance Regulation to enter into a specified type of agreement with other states pursuant to federal law for the collection and allocation of certain nonadmitted insurance taxes; providing terms that may be included in the agreement; requiring the Florida Surplus Lines Service Office to implement an agreement entered into by the department and the Office of Insurance Regulation; providing

for application; providing for legislative review of any cooperative reciprocal agreement entered into by the Chief Financial Officer and the office with another state or group of states; authorizing the Legislature to instruct the Chief Financial Officer and the office to withdraw from the cooperative reciprocal agreement if it determines that the agreement is not in the best interest of the state; providing for notice; requiring that the department submit a report to the Legislature; amending s. 626.938, F.S.; requiring certain insureds or self insurers engaging in specified insurance transactions with a foreign or alien insurer to compute the premium tax and service fees based on the gross premium under certain circumstances; providing a limit on the tax; requiring such insureds or self insurers to pay the applicable premium tax to the department and the service fee to the Florida Surplus Lines Service Office on or before a specified time; providing an effective date.

By the Committees on Budget Subcommittee on General Government Appropriations; and Banking and Insurance; and Senator Diaz de la Portilla—

CS for CS for SB 1836—A bill to be entitled An act relating to insurance; amending s. 624.402, F.S.; revising provisions relating to certain insurers serving nonresidents domiciled outside the United States who are exempt from requirements to obtain a certificate of authority; amending s. 628.901, F.S.; providing definitions; repealing s. 628.903, F.S., relating to the definition of the term “industrial insured captive insurer”; amending s. 628.905, F.S.; requiring a captive insurer to obtain a license and to file evidence that a person or firm with whom it intends to conduct business is reputable; providing that a certificate of insurance for an association captive insurer does not exceed the total funds of the association members; creating s. 628.908, F.S.; requiring a licensed captive insurer to maintain its principal place of business in this state and hold an annual meeting in this state; amending s. 628.909, F.S.; applying additional provisions of the insurance code to captive insurers; providing an effective date.

By the Committee on Health Regulation; and Senator Wise—

CS for SB 1838—A bill to be entitled An act relating to assisted living facilities; creating the Florida Assisted Living Quality Improvement Initiative Pilot Project; providing a purpose; providing definitions; creating the pilot project in area offices of the Agency for Health Care Administration; providing an expiration date for the pilot project; providing requirements for facilities to be eligible to participate in the pilot project; authorizing the Department of Elderly Affairs to adopt rules; providing duties of the department with regard to the pilot project; requiring the administrator of a facility that is eligible to participate in the pilot project to notify the Agency for Health Care Administration when the facility agrees to enroll; providing that enrollment in the pilot project is voluntary; requiring each facility to execute an agreement that includes a provision authorizing the agency to terminate the facility's participation in the pilot project; providing for open enrollment each year; providing that a facility's enrollment in the pilot project does not prohibit the facility from seeking alternative accreditation; requiring the owner or administrator of a facility that is enrolled in the pilot project to enter into a contract with a quality improvement team; providing for the composition and duties of a quality improvement team; providing for termination of the contract with a quality improvement team; providing for the resumption of inspections by the agency if a facility terminates enrollment in the pilot project; authorizing a facility to terminate its contract with a quality improvement team and execute a contract with another team; requiring the agency to approve or reject the request for another team; requiring the agency to refer certain complaints regarding a facility to the quality improvement team; authorizing the agency to investigate repeated complaints and refer them to the appropriate law enforcement agency; authorizing the agency to investigate and conduct periodic appraisal visits of a facility; authorizing the agency to terminate a facility from the pilot project and require that the facility be subject to survey, inspection, and monitoring visits by the agency; requiring each quality improvement team to make available to the agency certain reports; authorizing a quality improvement team to use electronic means of capturing data and generating reports; providing that reports and documents of the quality improvement team may not be used in certain tort actions; providing an effective date.

By the Committee on Transportation; and Senator Altman—

CS for SB 1840—A bill to be entitled An act relating to motor vehicles; providing a short title; creating s. 316.3035, F.S.; prohibiting a person younger than 18 years of age from operating a motor vehicle while using a wireless communications device or telephone; providing exceptions; providing for enforcement as a secondary action; providing a penalty; amending s. 318.14, F.S.; providing procedures for a citation issued following a violation of certain restrictions, to conform to changes made by the act; amending s. 318.1451, F.S.; requiring that the course content of driver improvement schools include awareness training about using certain electronic devices while driving; authorizing the Department of Highway Safety and Motor Vehicles to update course content requirements; amending s. 320.02, F.S.; providing for a voluntary check-off on motor vehicle registration forms to make a contribution to the Auto Club South Traffic Safety Foundation; amending s. 322.0261, F.S.; requiring course content of driver improvement schools to include awareness training about using certain electronic devices while driving; authorizing the department to update course content requirements; amending s. 322.08, F.S.; providing for a voluntary check-off on driver's license application forms to make a contribution to the Auto Club South Traffic Safety Foundation; amending s. 322.095, F.S.; requiring traffic law and substance abuse education program content to include awareness of using certain electronic devices while driving; authorizing the department to update course content requirements; amending s. 322.16, F.S.; restricting the number of passengers under the age of 18 permitted in a vehicle operated by a person under the age of 18 unless accompanied by a driver at least 21 years of age; providing exceptions; providing for secondary enforcement; providing penalties; providing for applicability; providing an effective date.

By the Committee on Budget; and Senator Evers—

CS for SB 1850—A bill to be entitled An act relating to juvenile justice; amending s. 394.492, F.S.; including children 9 years of age or younger at the time of referral for a delinquent act within the definition of those children who are eligible to receive comprehensive mental health services; amending s. 985.02, F.S.; revising legislative intent for the juvenile justice system; amending s. 985.125, F.S.; encouraging law enforcement agencies, school districts, counties, municipalities, and the Department of Juvenile Justice to establish prearrest or postarrest diversion programs and to give first-time misdemeanor offenders and offenders who are 9 years of age or younger an opportunity to participate in the programs; amending s. 985.145, F.S.; requiring a juvenile probation officer to make a referral to the appropriate shelter if the completed risk assessment instrument shows that the child is ineligible for secure detention; amending s. 985.24, F.S.; prohibiting a child alleged to have committed a delinquent act or violation of law from being placed into secure, nonsecure, or home detention care because of a misdemeanor charge of domestic violence if the child lives in a family that has a history of family violence or if the child is a victim of abuse or neglect unless the child would otherwise be subject to secure detention based on prior history; prohibiting a child 9 years of age or younger from being placed into secure detention care unless the child is charged with a capital felony, a life felony, or a felony of the first degree; amending s. 985.245, F.S.; revising the development process for the risk assessment instrument; revising factors to be considered in assessing a child's risk of re-arrest or failure to appear; amending s. 985.255, F.S.; providing that a child may be placed in home detention care or detained in secure detention care under certain circumstances; providing that a child who is charged with committing a felony offense of domestic violence and who does not meet detention criteria may nevertheless be held in secure detention care if the court makes certain specific written findings; amending s. 985.441, F.S.; removing obsolete provisions relating to committing a child to a program or facility for serious or habitual juvenile offenders; authorizing a court to commit a female child adjudicated as delinquent to the department for placement in a mother-infant program designed to serve the needs of juvenile mothers or expectant juvenile mothers who are committed as delinquents; amending s. 985.45, F.S.; providing that whenever a child is required by the court to participate in any juvenile justice work program, the child is considered an employee of the state for the purpose of workers' compensation; amending s. 985.632, F.S.; establishing legislative intent that the Department of Juvenile Justice collect and analyze available statistical data for the purpose of ongoing evaluation of all juvenile justice programs; redefining terms; requiring the department to use a standard

methodology to annually measure, evaluate, and report program outputs and youth outcomes for each program and program group; requiring that the department submit an annual report to the appropriate committees of the Legislature and the Governor; requiring that the department notify specified parties of substantive changes to the standard methodology used in its evaluation; requiring that the department apply a program accountability measures analysis to each commitment program; deleting obsolete provisions; amending s. 985.652, F.S.; removing a private corporation operating a state-owned training school under a contract with the Department of Juvenile Justice from insurance coverage provided by the Division of Risk Management of the Department of Financial Services; repealing ss. 985.03(48), 985.03(56), 985.47, 985.483, 985.486, and 985.636, F.S., relating to, respectively, legislative intent for serious or habitual juvenile offenders in the juvenile justice system, definitions of terms for a training school and the serious or habitual juvenile offender program, the serious or habitual juvenile offender program in the juvenile justice system, the intensive residential treatment program for offenders less than 13 years of age, and the designation of persons holding law enforcement certification within the Office of the Inspector General to act as law enforcement officers; amending s. 985.494, F.S.; requiring a child who is adjudicated delinquent, or for whom adjudication is withheld, to be committed to a maximum-risk residential program for an act that would be a felony if committed by an adult if the child has completed two different high-risk residential commitment programs; repealing s. 985.445, F.S., relating to cases involving grand theft of a motor vehicle committed by a child; amending ss. 985.0301 and 985.565, F.S.; conforming references to changes made by the act; amending s. 985.66, F.S.; removing all references to the Juvenile Justice Standards and Training Commission; requiring the Department of Juvenile Justice to be responsible for staff development and training; specifying the duties and responsibilities of the department for staff development; removing obsolete provisions to conform to changes made by the act; repealing s. 985.48(8), F.S., relating to activities of the Juvenile Justice Standards and Training Commission with respect to training and treatment services for juvenile sexual offenders; amending ss. 984.14 and 985.14, F.S.; revising provisions to conform to changes made by the act; reenacting s. 914.13(3), F.S., relating to taking a child into custody allegedly from a family or a child in need of services, to incorporate the amendment made to s. 984.14, F.S., in a reference thereto; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Gaetz—

CS for SB 1884—A bill to be entitled An act relating to consumer protection; providing definitions; prohibiting a post-transaction third-party seller from charging a consumer for a good or service sold over the Internet unless certain disclosures are made and the seller receives the informed consent of the consumer; requiring a post-transaction third-party seller to provide a simple mechanism for a consumer to cancel a purchase of a good or service and stop any recurring charges; prohibiting an initial merchant from disclosing certain account numbers of a consumer to a post-transaction third-party seller under certain circumstances; providing that a person who violates the act commits an unfair and deceptive trade practice under the Florida Deceptive and Unfair Trade Practices Act; providing an effective date.

By the Committee on Criminal Justice; and Senator Storms—

CS for SB 1890—A bill to be entitled An act relating to sexual offenders and predators; amending s. 775.21, F.S.; replacing the definition of the term “instant message name” with the definition of the term “Internet identifier”; providing that voluntary disclosure of specified information waives a disclosure exemption for such information; conforming provisions; requiring disclosure of passport and immigration status information; requiring that a sexual predator who is unable to secure or update a driver’s license or identification card within a specified period must report specified information to the local sheriff’s office within a specified period after such change with confirmation that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; revising reporting requirements if a sexual predator plans to leave the United States for more than a specified period; amending s. 943.0435, F.S.; replacing the definition of the term “instant message name” with the definition of the term “Internet identifier”; conforming provisions; requiring disclosure of passport and immigration status information; requiring that a sexual predator who is unable to

secure or update a driver’s license or identification card within a specified period must report specified information to the local sheriff’s office within a specified period of such change with confirmation that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; providing additional requirements for sexual offenders intending to reside outside of the United States; amending s. 943.04351, F.S.; requiring a specified national search of registration information regarding sexual predators and sexual offenders prior to appointment or employment of persons by state agencies and governmental subdivisions; amending s. 943.04354, F.S.; revising the age range applicable to provisions allowing removal of the requirement to register as a sexual offender or sexual predator in certain circumstances; amending s. 943.0437, F.S.; replacing the definition of the term “instant message name” with the definition of the term “Internet identifier”; conforming provisions; amending ss. 944.606 and 944.607, F.S.; replacing the definition of the term “instant message name” with the definition of the term “Internet identifier”; conforming provisions; requiring disclosure of passport and immigration status information; amending s. 947.005, F.S.; revising the definition of the term “risk assessment”; amending s. 948.31, F.S.; providing that conditions imposed under that section do not require oral pronouncement at the time of sentencing and shall be considered standard conditions of probation or community control for certain offenders; removing a provision prohibiting contact with minors if sexual offender treatment is recommended; amending ss. 985.481 and 985.4815, F.S.; requiring disclosure of passport and immigration status information by certain sexual offenders adjudicated delinquent and certain juvenile sexual offenders; providing severability; providing an effective date.

By the Committees on Environmental Preservation and Conservation; and Community Affairs; and Senator Altman—

CS for CS for SB 1904—A bill to be entitled An act relating to growth management; amending s. 163.3164, F.S.; making conforming amendments; amending s. 163.3177, F.S.; making conforming amendments; amending s. 163.3180, F.S.; making conforming amendments; amending s. 163.3245, F.S.; renaming optional sector plans as “sector plans”; increasing the minimum size of geographic areas that qualify for the use of sector plans; revising terminology relating to such plans; deleting obsolete provisions; renaming long-term conceptual buildout overlays as “long-term master plans”; revising the content required to be included in long-term master plans and detailed specified area plans; requiring identification of water development projects and transportation facilities to serve future development needs; exempting certain developments from the requirement to develop a detailed specific area plan; providing that detailed specific area plans shall be adopted by local development orders; requiring that detailed specific area plans include a buildout date and precluding certain changes in the development until after that date; authorizing certain development agreements between the developer and the local government; authorizing the state land planning agency to enter into an agreement with a specific local government; providing for continuation of certain existing land uses; amending ss. 163.3246, 380.06, and 380.115, F.S.; making conforming amendments; providing an effective date.

By the Committees on Budget Subcommittee on General Government Appropriations; and Commerce and Tourism; and Senator Detert—

CS for CS for SB 1916—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending ss. 14.26, 20.14, 213.053, 320.275, and 366.85, F.S.; renaming the Division of Consumer Services within the department as the “Division of Consumer Protection”; amending s. 320.90, F.S.; deleting a reference to the Department of Agriculture and Consumer Services; amending s. 493.6105, F.S.; revising the information that a person must supply in an application for licensure as a private investigator, private security service, or repossession service; deleting a requirement that certain applicants supply photographs along with an application; revising the certificates that a person applying for a class “K” firearms instructor’s license must supply along with an application for the license; making technical and grammatical changes; amending s. 493.6106, F.S.; providing that applicants for certain licenses as a private investigator, private security service or repossession service must meet certain citizenship or immigration requirements and not be prohibited by law from purchasing a firearm; making grammatical and technical changes; amending s.

493.6107, F.S.; authorizing a Class "M," Class "G," and Class "K" licensee or applicant to pay examination fees and license fees by personal check or, if authorized by the department, by electronic funds transfer; amending s. 493.6108, F.S.; requiring the department to investigate the mental fitness of an applicant of a Class "K" firearms instructor license; amending s. 493.6111, F.S.; providing that Class "K" firearms instructor licenses are valid for 3 years; requiring an applicant for a recovery school or security officer school to receive approval from the department before operating under a fictitious name; making technical and grammatical changes; amending s. 493.6113, F.S.; deleting a requirement that Class "A" private investigative agency licensees and Class "R" recovery agency licensees provide evidence of certain insurance coverage with an application to renew a license; requiring a Class "K" firearms instructor licensee to submit proof of certification to provide firearms instruction; amending s. 493.6115, F.S.; conforming cross-references to changes made by the act; making technical and grammatical changes; amending s. 493.6118, F.S.; authorizing the department to take disciplinary action against a Class "G" statewide firearms licensee or applicant or a Class "K" firearms instructor licensee or applicant if the person is prohibited from purchasing a firearm by law; amending s. 493.6121, F.S.; deleting a provision authorizing the department to have access to certain criminal history information of a purchaser of a firearm; amending s. 493.6202, F.S.; authorizing a Class "A," Class "AA," Class "MA," Class "C," or Class "CC" licensee or applicant to pay examination fees and license fees by personal check or, if authorized by the department, by electronic funds transfer; amending s. 493.6203, F.S.; providing that experience as a bodyguard does not qualify as experience or training for purposes of a Class "MA" or Class "C" license; requiring an initial applicant for a Class "CC" license to complete specified training courses; making technical and grammatical changes and conforming a cross-reference; amending s. 493.6302, F.S.; authorizing a Class "B," Class "BB," Class "MB," Class "D," Class "DS," or Class "DI" licensee or applicant to pay examination fees and license fees by personal check or, if authorized by the department, by electronic funds transfer; amending s. 493.6303, F.S.; requiring an applicant for an initial Class "D" license to complete specified training courses; making technical and grammatical changes; amending s. 493.6304, F.S.; requiring an application for a security officer school or training facility to be verified under oath; amending ss. 493.6401 and 493.6402, F.S.; renaming repossessors as "recovery agents"; authorizing a Class "R," Class "RR," Class "MR," Class "E," Class "EE," Class "RS," or Class "RI" licensee or applicant to pay examination fees and license fees by personal check or, if authorized by the department, by electronic funds transfer; amending s. 493.6406, F.S.; requiring recovery agent schools or instructors to be licensed by the department to offer training to Class "E" licensees and applicants; amending ss. 496.404, 496.411, and 496.412, F.S.; renaming the Division of Consumer Services as the "Division of Consumer Protection"; amending s. 496.419, F.S.; clarifying the powers of the department to enter an order; amending s. 501.015, F.S.; correcting a reference to a local business tax receipt; amending s. 501.017, F.S.; specifying the minimum type size for requiring certain disclosures in contracts between a consumer and a health studio; amending s. 501.145, F.S.; deleting a reference to the department as an enforcing authority in the Bedding Label Act; amending s. 501.160, F.S.; deleting authorization for the department to enforce certain prohibitions against unconscionable practices during a declared state of emergency; authorizing regional comparison with respect to market trends; amending s. 501.605, F.S.; deleting a requirement that a person supply his or her social security number on an application as a commercial telephone seller and adding a requirement for another valid form of identification; amending s. 501.607, F.S.; deleting a requirement that a person supply his or her social security number on an application as a salesperson; amending s. 525.01, F.S.; revising requirements for petroleum fuel affidavits; amending s. 526.06, F.S.; revising prohibited acts related to certain mixing, blending, compounding, or adulterating of liquid fuels; deleting certain provisions authorizing the sale of ethanol-blended fuels for use in motor vehicles; amending s. 539.001, F.S.; correcting a reference to a local business tax receipt; amending s. 559.805, F.S.; deleting a requirement that a seller of a business opportunity provide the social security numbers of the seller's agents to the department; amending s. 559.904, F.S.; correcting a reference to a local business tax receipt; amending s. 559.928, F.S.; correcting a reference to a local business tax receipt; amending s. 559.935, F.S.; correcting a reference to local business tax receipts; amending s. 570.29, F.S.; renaming the Division of Consumer Services as the "Division of Consumer Protection"; amending s. 570.544, F.S.; renaming the Division of Consumer Services as the "Division of Consumer Protection"; amending s. 681.102, F.S.; deleting a reference to the division in the Motor Vehicle Warranty

Enforcement Act; amending ss. 681.103, 681.108, and 681.109, F.S.; transferring certain responsibilities under the Lemon Law to the department from the Division of Consumer Services; amending s. 681.1095, F.S.; transferring certain responsibilities relating to the New Motor Vehicle Arbitration Board to the department from the Division of Consumer Services; authorizing the board to send its decisions by any method providing a delivery confirmation; authorizing the department to adopt rules; amending s. 681.1096, F.S.; conforming a cross-reference; amending s. 681.112, F.S.; transferring certain responsibilities relating to the Lemon Law to the department from the Division of Consumer Services; amending s. 681.117, F.S.; deleting a provision requiring the Department of Legal Affairs to contract with the Division of Consumer Services for services relating to dispute settlement procedures and the New Motor Vehicle Arbitration Board; amending s. 849.0915, F.S.; renaming the Division of Consumer Services as the "Division of Consumer Protection"; providing an effective date.

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

CS for SB 1922—A bill to be entitled An act relating to health and human services; amending s. 408.910, F.S.; providing and revising definitions; revising eligibility requirements for participation in the Florida Health Choices Program; providing that statutory rural hospitals are eligible as employers rather than participants under the program; permitting specified eligible vendors to sell health maintenance contracts or products and services; requiring certain risk-bearing products offered by insurers to be approved by the Office of Insurance Regulation; providing requirements for product certification; providing duties of the Florida Health Choices, Inc., including maintenance of a toll-free telephone hotline to respond to requests for assistance; providing for enrollment periods; providing for certain risk pooling data used by the corporation to be reported annually; amending s. 409.821, F.S.; authorizing personal identifying information of a Florida Kidcare program applicant to be disclosed to the Florida Health Choices, Inc., to administer the program; amending s. 409.912, F.S.; requiring the Agency for Health Care Administration to establish a demonstration project in Miami-Dade County of a long-term-care facility and a psychiatric facility to improve access to health care by medically underserved persons; providing an effective date.

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

CS for SB 1930—A bill to be entitled An act relating to motor vehicle personal injury protection insurance; amending s. 316.066, F.S.; revising provisions relating to the contents of written reports of motor vehicle crashes; requiring short-form crash reports by a law enforcement officer to be maintained by the officer's agency; authorizing the investigation officer to testify at trial or provide an affidavit concerning the content of the reports; amending s. 400.991, F.S.; requiring that an application for licensure as a mobile clinic include a statement regarding insurance fraud; creating s. 626.9894, F.S.; providing definitions; authorizing the Division of Insurance Fraud to establish a direct-support organization for the purpose of prosecuting, investigating, and preventing motor vehicle insurance fraud; providing requirements for the organization and the organization's contract with the division; providing for a board of directors; authorizing the organization to use the division's property and facilities subject to certain requirements; authorizing contributions from insurers; providing that any moneys received by the organization may be held in a separate depository account in the name of the organization; requiring the division to deposit certain proceeds into the Insurance Regulatory Trust Fund; amending s. 627.4137, F.S.; requiring a claimant's request about insurance coverage to be appropriately served upon the disclosing entity; amending s. 627.730, F.S.; conforming a cross-reference; amending s. 627.731, F.S.; providing legislative intent with respect to the Florida Motor Vehicle No-Fault Law; amending s. 627.732, F.S.; defining the terms "claimant," "entity wholly owned," and "no-fault law"; amending s. 627.736, F.S.; conforming a cross-reference; adding licensed acupuncturists to the list of practitioners authorized to provide, supervise, order, or prescribe services; requiring certain entities providing medical services to document that they meet required criteria; revising requirements relating to the form that must be submitted by providers; requiring an entity or clinic to file a new form within a specified period after the date of a change of ownership; revising provisions relating to when payment for a benefit is due; providing that an insurer's

failure to send certain specification or explanation does not waive other grounds for rejecting an invalid claim; authorizing an insurer to obtain evidence and assert any ground for adjusting or rejecting a claim; providing that the time period for paying a claim is tolled during the investigation of a fraudulent insurance act; specifying when benefits are not payable; preempting local lien laws with respect to payment of benefits to medical providers; providing that a claimant that violates certain provisions is not entitled to any payment, regardless of whether a portion of the claim may be legitimate; authorizing an insurer to recover payments and bring a cause of action to recover payments; providing that an insurer may deny any claim based on other evidence of fraud; forbidding a physician, hospital, clinic, or other medical institution that fails to comply with certain provisions from billing the injured person or the insured; providing that an insurer has a right to conduct reasonable investigations of claims; authorizing an insurer to require a claimant to provide certain records; requiring a records review to be conducted by the same type of practitioner as the medical provider whose records are being reviewed; specifying when the period for payment is tolled; authorizing an insurer to deny benefits if an insured, claimant, or medical provider fails to comply with certain provisions; revising the insurer's reimbursement limitation; providing a limit on the amount of reimbursement if the insurance policy includes a schedule of charges; creating a rebuttable presumption that the insured did not receive the alleged treatment if the insured does not countersign the patient log; authorizing the insurer to deny a claim if the provider does not submit a properly completed statement or bill within a certain time; specifying requirements for furnishing the insured with notice of the amount of covered loss; deleting an obsolete provision; requiring the provider to provide copies of the patient log within a certain time if requested by the insurer; providing that failure to maintain a patient log renders the treatment unlawful and noncompensable; revising requirements relating to discovery; authorizing the insurer to conduct a physical review of the treatment location; requiring the insured and assignee to comply with certain provisions to recover benefits; requiring the provider to produce persons having the most knowledge in specified circumstances; requiring the insurer to pay reasonable compensation to the provider for attending the examination; requiring the insurer to request certain information before requesting an assignee to participate in an examination under oath; providing that an insurer that requests an examination under oath without a reasonable basis is engaging in an unfair and deceptive trade practice; providing that failure to appear for scheduled examinations establishes a rebuttable presumption that such failure was unreasonable; authorizing an insurer to contract with a preferred provider network; authorizing an insurer to provide a premium discount to an insured who selects a preferred provider; authorizing an insurance policy to not pay for nonemergency services performed by a nonpreferred provider in specified circumstances; authorizing an insurer to use a preferred provider network; revising requirements relating to demand letters in an action for benefits; specifying when a demand letter is defective; requiring a second demand letter under certain circumstances; deleting obsolete provisions; providing that a demand letter may not be used to request the production of claim documents or records from the insurer; amending s. 817.234, F.S.; providing that persons and business entities found guilty of insurance fraud lose their occupational and practitioner licenses for a certain period; providing civil penalties for fraudulent insurance claims; amending ss. 324.021, 456.057, and 627.7401, F.S.; conforming cross-references; providing an effective date.

By the Committees on Budget; Budget Subcommittee on Health and Human Services Appropriations; and Health Regulation; and Senators Negron, Gaetz, Garcia, and Hays—

CS for CS for CS for SB 1972—A bill to be entitled An act relating to health and human services; amending s. 163.387, F.S.; exempting hospital districts from the requirement to provide funding to a community redevelopment agency; creating s. 200.186, F.S.; requiring hospital district ad valorem revenues dispersed to other entities to be spent only on health care services; amending s. 393.0661, F.S.; conforming provisions to changes made by the act; amending s. 409.016, F.S.; conforming provisions to changes made by the act; creating s. 409.16713, F.S.; providing for medical assistance for children in out-of-home care and adopted children; specifying how those services will be funded under certain circumstances; providing legislative intent; providing a directive to the Division of Statutory Revision; transferring, renumbering, and amending s. 624.91, F.S.; decreasing the administrative cost and raising the minimum loss ratio for health plans; increasing compensation to the

insurer or provider for dental contracts; requiring the Florida Healthy Kids Corporation to include use of the school breakfast and lunch application form in the corporation's plan for publicizing the program; conforming provisions to changes made by the act; amending ss. 409.813, 409.8132, 409.815, 409.818, 154.503, and 408.915, F.S.; conforming provisions to changes made by the act; amending s. 1006.06, F.S.; requiring school districts to collaborate with the Florida Kidcare program to use the application form for the school breakfast and lunch programs to provide information about the Florida Kidcare program and to authorize data on the application form be shared with state agencies and the Florida Healthy Kids Corporation and its agents; authorizing each school district the option to share the data electronically; requiring interagency agreements to ensure that the data exchanged is protected from unauthorized disclosure and is used only for enrollment in the Florida Kidcare program; amending s. 409.901, F.S.; revising definitions relating to Medicaid; amending s. 409.902, F.S.; revising provisions relating to the designation of the Agency for Health Care Administration as the state Medicaid agency; specifying that eligibility and state funds for medical services apply only to citizens and certain noncitizens; providing exceptions; providing a limitation on persons transferring assets in order to become eligible for certain services; amending s. 409.9021, F.S.; revising provisions relating to conditions for Medicaid eligibility; increasing the number of years a Medicaid applicant forfeits entitlements to the Medicaid program if he or she has committed fraud; providing for the payment of monthly premiums by Medicaid recipients; providing exemptions to the premium requirement; requiring applicants to agree to participate in certain health programs; prohibiting a recipient who has access to employer-sponsored health care from obtaining services reimbursed through the Medicaid fee-for-service system; requiring the agency to develop a process to allow the Medicaid premium that would have been received to be used to pay employer premiums; requiring that the agency allow opt-out opportunities for certain recipients; creating s. 409.9022, F.S.; specifying procedures to be implemented by a state agency if the Medicaid expenditures exceed appropriations; amending s. 409.903, F.S.; conforming provisions to changes made by the act; deleting obsolete provisions; amending s. 409.904, F.S.; conforming provisions to changes made by the act; renaming the "medically needy" program as the "Medicaid nonpoverty medical subsidy"; narrowing the subsidy to cover only certain services for a family, persons age 65 or older, or blind or disabled persons; revising the criteria for the agency's assessment of need for private duty nursing services; amending s. 409.905, F.S.; conforming provisions to changes made by the act; requiring prior authorization for home health services; amending s. 409.906, F.S.; providing for a parental fee based on family income to be assessed against the parents of children with developmental disabilities served by home and community-based waivers; prohibiting the agency from paying for certain psychotropic medications prescribed for a child; conforming provisions to changes made by the act; amending ss. 409.9062 and 409.907, F.S.; conforming provisions to changes made by the act; amending s. 409.908, F.S.; modifying the nursing home patient care per diem rate to include dental care, vision care, hearing care, and podiatric care; directing the agency to seek a waiver to treat a portion of the nursing home per diem as capital for self-insurance purposes; requiring primary physicians to be paid the Medicare fee-for-service rate by a certain date; deleting the requirement that the agency contract for transportation services with the community transportation system; authorizing qualified plans to contract for transportation services; deleting obsolete provisions; conforming provisions to changes made by the act; amending s. 409.9081, F.S.; revising copayments for physician visits; requiring the agency to seek a waiver to allow the increase of copayments for nonemergency services furnished in a hospital emergency department; amending s. 409.912, F.S.; providing for alternatives to the statewide inpatient psychiatric program; requiring Medicaid-eligible children who have open child welfare cases and who reside in AHCA area 10 to be enrolled in specified capitated managed care plans; expanding the number of children eligible to receive behavioral health care services through a specialty prepaid plan; repealing provisions relating to a provider lock-in program; eliminating obsolete provisions and updating provisions; conforming cross-references; amending s. 409.915, F.S.; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 409.9301, F.S.; conforming provisions to changes made by the act; amending s. 409.9126, F.S.; conforming a cross-reference; providing a directive to the Division of Statutory Revision; creating s. 409.961, F.S.; providing for statutory construction of provisions relating to Medicaid managed care; creating s. 409.962, F.S.; providing definitions; creating s. 409.963, F.S.; establishing the Medicaid managed care program as the statewide, in-

tegrated managed care program for medical assistance and long-term care services; directing the agency to apply for and implement waivers; providing for public notice and comment; providing for a limited managed care program if waivers are not approved; creating s. 409.964, F.S.; requiring all Medicaid recipients to be enrolled in Medicaid managed care; providing exemptions; prohibiting a recipient who has access to employer-sponsored health care from enrolling in Medicaid managed care; requiring the agency to develop a process to allow the Medicaid premium that would have been received to be used to pay employer premiums; requiring that the agency allow opt-out opportunities for certain recipients; providing for voluntary enrollment; creating s. 409.965, F.S.; providing requirements for qualified plans that provide services in the Medicaid managed care program; requiring the agency to issue an invitation to negotiate; requiring the agency to compile and publish certain information; establishing regions for separate procurement of plans; establishing selection criteria for plan selection; limiting the number of plans in a region; authorizing the agency to conduct negotiations if funding is insufficient; specifying circumstances under which the agency may issue a new invitation to negotiate; providing that the Children's Medical Service Network is a qualified plan; directing the agency to assign Medicaid provider agreements for a limited time to a provider services network participating in the managed care program in a rural area; creating s. 409.966, F.S.; providing managed care plan contract requirements; establishing contract terms; providing for annual rate setting; providing for contract extension under certain circumstances; establishing access requirements; requiring the agency to establish performance standards for plans; requiring each plan to publish specified measures on the plan's website; providing for program integrity; requiring plans to provide encounter data; providing penalties for failure to submit data; requiring plans to accept electronic claims and electronic prior authorization requests for medication exceptions; requiring plans to provide the criteria for approval and reasons for denial of prior authorization requests; providing for prompt payment; providing for payments to noncontract emergency providers; requiring a qualified plan to post a surety bond or establish a letter of credit or a deposit in a trust account; requiring plans to establish a grievance resolution process; requiring plan solvency; requiring guaranteed savings; providing costs and penalties for early termination of contracts or reduction in enrollment levels; requiring the agency to terminate qualified plans for noncompliance under certain circumstances; requiring plans to adopt and publish a preferred drug list; requiring plans that contract for fiscal intermediary services to contract only with registered fiscal intermediary services organizations; creating s. 409.967, F.S.; providing for managed care plan accountability; requiring plans to use a uniform method of accounting for medical costs; establishing a medical loss ratio; requiring that a plan pay back to the agency a specified amount in specified circumstances; authorizing plans to limit providers in networks; mandating that certain providers be offered contracts during the first year; authorizing plans to exclude certain providers in certain circumstances; requiring plans to include certain providers; requiring plans to monitor the quality and performance history of providers; requiring plans to hold primary care physicians responsible for certain activities; requiring plans to offer certain programs and procedures; requiring plans to pay primary care providers the same rate as Medicare by a certain date; providing for conflict resolution between plans and providers; creating s. 409.968, F.S.; providing for managed care plan payments on a per-member, per-month basis; requiring the agency to establish a methodology to ensure the availability of certain types of payments to specified providers; requiring the development of rate cells; requiring that the amount paid to the plans for supplemental payments or enhanced rates be reconciled to the amount required to pay providers; requiring that plans make certain payments to providers within a certain time; requiring the agency to develop a methodology and request a state plan amendment to ensure the availability of certified public expenditures in the Medicaid managed care program to support certain noninstitutional teaching faculty providers; creating s. 409.969, F.S.; authorizing Medicaid recipients to select any plan within a region; providing for automatic enrollment of recipients by the agency in specified circumstances; providing criteria for automatic enrollment; authorizing disenrollment under certain circumstances; providing for a grievance process; defining the term "good cause" for purposes of disenrollment; requiring recipients to stay in plans for a specified time; providing for reenrollment of recipients who move out of a region; creating s. 409.970, F.S.; requiring the agency to maintain an encounter data system; providing requirements for prepaid plans to submit data in a certain format; requiring the agency to analyze the data; requiring the agency to test the data for certain purposes by a certain date; creating s. 409.971, F.S.;

providing for managed care medical assistance; providing deadlines for beginning and finalizing implementation; creating s. 409.972, F.S.; establishing minimum services for the managed medical assistance; providing for optional services; authorizing plans to customize benefit packages; requiring the agency to provide certain services to hemophiliacs; creating s. 409.973, F.S.; providing for managed long-term care; providing deadlines for beginning and finalizing implementation; providing duties for the Department of Elderly Affairs relating to the program; creating s. 409.974, F.S.; providing recipient eligibility requirements for managed long-term care; listing programs for which certain recipients are eligible; specifying that an entitlement to home and community-based services is not created; creating s. 409.975, F.S.; establishing minimum services for managed long-term care; creating s. 409.976, F.S.; providing criteria for the selection of plans to provide managed long-term care; creating s. 409.977, F.S.; providing for managed long-term care plan accountability; requiring the agency to establish standards for specified providers; creating s. 409.978, F.S.; requiring that the agency operate the Comprehensive Assessment and Review for Long-Term Care Services program through an interagency agreement with the Department of Elderly Affairs; providing duties of the program; requiring the program to assign plan enrollees to a level of care; providing for the evaluation of dually eligible nursing home residents; creating s. 409.979, F.S.; providing minimum requirements for prescription drug benefits provided by a qualified plan; transferring, renumbering, and amending ss. 409.91207, 409.91211, and 409.9122, F.S.; conforming provisions to changes made by the act; updating provisions and deleting obsolete provisions; transferring and renumbering ss. 409.9123 and 409.9124, F.S.; amending s. 430.04, F.S.; eliminating outdated provisions; requiring the Department of Elderly Affairs to develop a transition plan for specified elders and disabled adults receiving long-term care Medicaid services if qualified plans become available; amending s. 430.2053, F.S.; eliminating outdated provisions; providing additional duties of aging resource centers; providing an additional exception to direct services that may not be provided by an aging resource center; providing for the cessation of specified payments by the department as qualified plans become available; eliminating provisions requiring reports; amending s. 641.316, F.S.; redefining the term "fiscal intermediary services organization" to include certain qualified plans that contract with health care professionals for fiscal intermediary services; amending s. 39.407, F.S.; requiring a motion by the Department of Children and Family Services to provide psychotropic medication to a child 10 years of age or younger to include a review by a child psychiatrist; providing that a court may not authorize the administration of such medication absent a finding of compelling state interest based on the review; amending s. 216.262, F.S.; providing that limitations on an agency's total number of positions does not apply to certain positions in the Department of Health; amending s. 381.06014, F.S.; redefining the term "blood establishment" and defining the term "volunteer donor"; requiring that blood establishments disclose specified information on their Internet website; providing an exception for certain hospitals; authorizing the Department of Legal Affairs to assess a civil penalty against a blood establishment that fails to disclose the information; providing that the civil penalty accrues to the state and requiring that it be deposited into the General Revenue Fund; prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as for-profit or not-for-profit organizations when determining service fees for blood or blood components; amending s. 395.4025, F.S.; providing additional time extensions to hospital applicants seeking to become trauma centers under certain circumstances; amending s. 400.023, F.S.; requiring the trial judge to conduct an evidentiary hearing to determine the sufficiency of evidence for claims against certain persons relating to a nursing home; limiting noneconomic damages in a wrongful death action against the nursing home; amending s. 400.0237, F.S.; revising provisions relating to punitive damages against a nursing home; authorizing a defendant to proffer admissible evidence to refute a claimant's proffer of evidence for punitive damages; requiring the trial judge to conduct an evidentiary hearing and the plaintiff to demonstrate that a reasonable basis exists for the recovery of punitive damages; prohibiting discovery of the defendant's financial worth until the judge approves the pleading on punitive damages; revising definitions; amending s. 408.7057, F.S.; requiring that the dispute resolution program include a hearing in specified circumstances; providing that the dispute resolution program established to resolve claims disputes between providers and health plans does not provide an independent right of recovery; requiring that

the conclusions of law in the written recommendation of the resolution organization identify certain information; amending s. 465.014, F.S.; providing that certain practitioners or anyone under the direct supervision of such practitioner may dispense drugs without being licensed as a medical technician; amending s. 456.0635, F.S.; revising the grounds under which the Department of Health or corresponding board is required to refuse to admit a candidate to an examination and to refuse to issue or renew a license, certificate, or registration of a health care practitioner; providing an exception; amending s. 456.036, F.S.; requiring a delinquent licensee whose license becomes delinquent before the final resolution of a case regarding Medicaid fraud to affirmatively apply by submitting a complete application for active or inactive status during the licensure cycle in which the case achieves final resolution by order of the court; providing that failure by a delinquent licensee to become active or inactive before the expiration of that licensure cycle renders the license null; requiring that any subsequent licensure be as a result of applying for and meeting all requirements imposed on an applicant for new licensure; creating ss. 458.3167 and 459.0078, F.S.; providing for an expert witness certificate for allopathic and osteopathic physicians licensed in other states or Canada which authorizes such physicians to provide expert medical opinions in this state; providing application requirements and timeframes for approval or denial by the Board of Medicine and Board of Osteopathic Medicine, respectively; requiring the boards to adopt rules and set fees; providing for expiration of a certificate; amending ss. 458.331 and 459.015, F.S.; providing grounds for disciplinary action for providing misleading, deceptive, or fraudulent expert witness testimony relating to the practice of medicine and of osteopathic medicine, respectively; providing for construction with respect to the doctrine of incorporation by reference; amending s. 499.003, F.S.; redefining the term "health care entity" to clarify that a blood establishment is a health care entity that may engage in certain activities; amending s. 499.005, F.S.; clarifying provisions that prohibit the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity or donated or supplied at a reduced price to a charitable organization, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted prescription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute under a restricted prescription drug distributor permit; authorizing the Department of Health to adopt rules regarding the distribution of prescription drugs by blood establishments; amending s. 626.9541, F.S.; authorizing insurers to offer rewards or incentives to health benefit plan members to encourage or reward participation in wellness or health improvement programs; authorizing insurers to require plan members not participating in programs to provide verification that their medical condition warrants nonparticipation; providing application; amending s. 627.4147, F.S.; deleting a requirement that a medical malpractice insurance contract include a clause authorizing an insurer to admit liability and make a settlement offer if the offer is within policy limits without the insured's permission; amending s. 641.19, F.S.; defining the term "provider service network"; creating s. 641.2019, F.S.; providing that a provider service network that meets the requirements of ch. 641, F.S., may obtain a certificate of authority under that chapter; amending s. 641.47, F.S.; redefining the term "organization" to include a provider service network; amending s. 641.49, F.S.; providing that a provider service network may apply for a health care provider certificate; amending s. 430.705, F.S.; conforming a cross-reference; amending s. 766.102, F.S.; providing that a physician who is an expert witness in a medical malpractice lawsuit must meet certain requirements; amending s. 766.104, F.S.; requiring a good faith demonstration in a medical malpractice case that there has been a breach of the standard of care; amending s. 766.106, F.S.; clarifying that a physician acting as an expert witness is subject to disciplinary actions; amending s. 766.1115, F.S.; conforming provisions to changes made by the act; creating s. 766.1183, F.S.; defining terms; providing for the recovery of civil damages by Medicaid recipients according to a modified standard of care; providing for recovery of certain excess judgments by act of the Legislature; requiring the Department of Children and Family Services to provide notice to program applicants; creating s. 766.1184, F.S.; defining terms; providing for the recovery of civil damages by certain recipients of primary care services at primary care clinics receiving specified low-income pool funds according to a modified standard of care; providing for recovery of certain excess judgments by act of the Legislature; providing requirements of health care providers receiving such funds in order for the liability provisions to apply; requiring notice to

low-income pool recipients; amending s. 766.202, F.S.; redefining the term "health care provider" to include persons licensed to provide orthotics, prosthetics, and pedorthics; amending s. 766.203, F.S.; requiring the pre-suit investigations conducted by the claimant and the prospective defendant in a medical malpractice action to provide grounds for a breach of the standard of care; amending s. 768.28, F.S.; revising a definition; providing that certain colleges and universities that own or operate an accredited medical school and their employees and agents providing patient services in a teaching hospital pursuant to an affiliation agreement or contract with the teaching hospital are considered agents of the hospital for the purposes of sovereign immunity; providing definitions; requiring patients of such hospitals to be provided with notice of their remedies under sovereign immunity; providing an exception; providing that providers and vendors providing services to certain persons with disabilities on behalf of the state are agents of the state for the purposes of sovereign immunity; providing legislative findings and intent with respect to including certain colleges and universities and their employees and agents under sovereign immunity; providing a statement of public necessity; amending s. 1004.41, F.S.; correcting the name of one of the health center's colleges; specifying that the University of Florida Board of Trustees shall lease Shands Teaching Hospital and Clinics on the Gainesville campus to Shands Teaching Hospital and Clinics, Inc.; specifying the primary purpose of Shands Teaching Hospital and Clinics, Inc.; providing requirements for the lease, contract, or agreement between the University of Florida Board of Trustees and Shands Teaching Hospital and Clinics, Inc.; authorizing the creation of corporate subsidiaries and affiliates; providing the right of control; providing for sovereign immunity; providing that Shands Jacksonville Medical Center, Inc., and its parent, Shands Jacksonville HealthCare, Inc., are private not-for-profit corporations organized primarily to support the health affairs mission of the University of Florida Board of Trustees; authorizing the creation of corporate subsidiaries and affiliates; providing requirements for the lease, contract, or agreement between the University of Florida Board of Trustees and the corporations; providing the right of control; providing for sovereign immunity; repealing s. 409.9121, F.S., relating to legislative intent concerning managed care; repealing s. 409.919, F.S., relating to rule authority; repealing s. 624.915, F.S., relating to the Florida Healthy Kids Corporation operating fund; renumbering and transferring ss. 409.942, 409.944, 409.945, 409.946, 409.953, and 409.9531, F.S., as ss. 414.29, 163.464, 163.465, 163.466, 402.81, and 402.82, F.S., respectively; amending s. 443.111, F.S.; conforming a cross-reference; directing the Agency for Health Care Administration to submit a reorganization plan to the Legislature; providing for the state's withdrawal from the Medicaid program under certain circumstances; providing for severability; providing an effective date.

By the Committee on Budget; and Senator Hill—

CS for SB 1974—A bill to be entitled An act relating to driver's license examinations; amending s. 322.12, F.S.; providing requirements for examination questions pertaining to traffic regulations relating to blind pedestrians; amending s. 318.1451, F.S.; requiring the curricula of driver improvement schools to include instruction on the dangers of driving while distracted; amending s. 322.095, F.S.; requiring the curricula of traffic law and substance abuse education courses to include instruction on the dangers of driving while distracted; providing an effective date.

By the Committee on Judiciary; and Senator Bogdanoff—

CS for SB 1978—A bill to be entitled An act relating to alimony; amending s. 61.08, F.S.; revising provisions relating to factors to be considered for alimony awards; revising provisions relating to awards of durational alimony; revising provisions relating to awards of permanent alimony; providing that the award of alimony may not leave the payor with significantly less net income than the net income of the recipient unless there are written findings of exceptional circumstances; providing for applicability of the act; providing an effective date.

By the Committees on Budget; and Children, Families, and Elder Affairs—

CS for SB 1992—A bill to be entitled An act relating to background screening; amending s. 409.1757, F.S.; adding law enforcement officers

who have a good moral character to the list of professionals who are not required to be refingerprinted or rescreened; amending s. 430.0402, F.S.; including volunteers within the definition of the term "direct service provider" for purposes of required background screening; exempting a volunteer who meets certain criteria and a client's relative or spouse from the screening requirement; excepting certain licensed professionals and persons screened as a licensure requirement from further screening under certain circumstances; requiring direct service providers working as of a certain date to be screened within a specified period; providing a phase-in for screening direct service providers; requiring that employers of direct service providers and certain other individuals be rescreened every 5 years unless fingerprints are retained electronically by the Department of Law Enforcement; removing an offense from the list of disqualifying offenses for purposes of background screening; amending s. 435.04, F.S.; requiring vendors who submit fingerprints on behalf of employers to meet specified criteria; requiring that fingerprints be retained for any person screened by a certain date; amending s. 435.07, F.S.; providing that personnel of a qualified entity as defined in ch. 943, F.S., may apply for an exemption from screening; amending s. 408.809, F.S.; eliminating a rule that requires the Agency for Health Care Administration to stagger rescreening schedules; providing a rescreening schedule; requiring the establishment of a statewide interagency workgroup relating to statewide background screening procedures and information sharing; providing for membership; requiring the workgroup to submit a report to the Legislature by a specified date; setting forth the topics that, at a minimum, the workgroup must address in its work plan; providing an effective date.

By the Committees on Budget; and Education Pre-K - 12—

CS for SB 1996—A bill to be entitled An act relating to education law repeals; repealing s. 445.049, F.S., relating to the creation of the Digital Divide Council in the Department of Education; repealing s. 817.567, F.S., relating to making false claims of academic degree or title; repealing s. 1001.291, F.S., which provides for implementation of a pilot project relating to discounted computers and Internet access for low-income students; repealing s. 1004.50, F.S., relating to the Institute on Urban Policy and Commerce; repealing s. 1004.51, F.S., relating to the Community and Faith-based Organizations Initiative and the Library Technology Access Partnership; repealing s. 1004.52, F.S., relating to the community computer access grant program; repealing s. 1004.95, F.S., relating to adult literacy centers; repealing s. 1004.97, F.S., relating to the Florida Literacy Corps; repealing s. 1004.04(11) and (12), F.S., relating to the Preteacher and Teacher Education Pilot Programs and the Teacher Education Pilot Programs for High-Achieving Students; repealing s. 1009.54, F.S., relating to the Critical Teacher Shortage Program; repealing s. 1009.57, F.S., relating to the Florida Teacher Scholarship and Forgivable Loan Program; repealing s. 1009.58, F.S., relating to the critical teacher shortage tuition reimbursement program; repealing s. 1009.59, F.S., relating to the Critical Teacher Shortage Student Loan Forgiveness Program; repealing s. 1012.225, F.S., relating to the Merit Award Program for Instructional Personnel and School-Based Administrators; repealing s. 1012.2251, F.S., relating to the administration of end-of-course examinations for the Merit Award Program; repealing s. 447.403(2)(c), F.S., relating to the resolution of an impasse involving a dispute of a Merit Award Program plan, to conform; amending ss. 1002.33, 1003.52, 1009.40, 1009.94, 1011.62, and 1012.07, F.S.; conforming provisions to changes made by the act; repealing s. 1012.33(3)(a), (b), and (c), F.S., relating to professional service contracts for instructional staff; amending s. 1008.22, F.S.; deleting a provision requiring that certain middle school students who earned high school credit in Algebra I take the Algebra I end-of-course assessment during the 2010-2011 school year; providing effective dates.

By the Committees on Budget; Budget Subcommittee on Finance and Tax; and Budget Subcommittee on Finance and Tax; and Senators Alexander and Bogdanoff—

CS for CS for SB 1998—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2011 version of the Internal Revenue Code; amending s. 220.13, F.S.; specifying the treatment by this state of certain depreciation and expensing of assets that are allowed for federal income tax purposes; authorizing the executive director of the Department of Revenue to adopt emergency rules; providing an appropriation; providing for

the reversion of funds and reappropriation; providing for retroactive application; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Braynon—

CS for SB 2036—A bill to be entitled An act relating to uniform traffic control; amending s. 316.003, F.S.; defining the term "school bus traffic infraction detector"; amending s. 316.008, F.S.; authorizing school districts to deploy school bus traffic infraction detectors under certain circumstances; creating s. 316.0084, F.S.; providing for use of school bus traffic infraction detectors to enforce specified provisions requiring a person driving a vehicle to stop when approaching a school bus displaying a stop signal; authorizing the Department of Highway Safety and Motor Vehicles, a county, or a municipality to authorize a traffic infraction enforcement officer to issue and enforce a citation for a violation of such provisions; requiring notification to be sent to the registered owner of the motor vehicle involved in the violation; providing requirements for the notification; providing for collection of penalties; providing for distribution of penalties collected; providing procedures for issuance, disposition, and enforcement of citations; providing for exemptions; providing that certain evidence is admissible for enforcement; providing penalties for submission of a false affidavit; providing that the act does not preclude the issuance of citations by law enforcement officers; requiring reports from participating school districts to the department; requiring the department to make reports to the Governor and Legislature; creating s. 316.07457, F.S.; requiring school bus traffic infraction detectors to meet specifications established by the department; creating s. 316.0777, F.S.; providing for the placement and installation of detectors on school buses when permitted by and under the specifications of the department; amending s. 316.640, F.S.; providing for authority of traffic enforcement officers appointed by the state or a police department or sheriff's department to enforce specified provisions; amending s. 316.650, F.S.; requiring a traffic enforcement officer to provide to the court a replica of the citation data by electronic transmission under certain conditions; amending s. 318.14, F.S.; providing an exception from provisions requiring a person cited for an infraction for failing to stop upon approaching any school bus that displays a stop signal to sign and accept a citation indicating a promise to appear; amending s. 318.18, F.S.; increasing certain fines; providing for penalties for infractions enforced by a traffic infraction enforcement officer; providing for distribution of fines; allowing the clerk of court to dismiss certain cases upon receiving documentation that the uniform traffic citation was issued in error; creating s. 321.51, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to use school bus traffic infraction detectors under certain circumstances; amending s. 322.27, F.S.; providing that no points may be assessed against the driver's license for infractions enforced by a traffic infraction enforcement officer; providing that infractions enforced by a traffic infraction enforcement officer may not be used for purposes of setting motor vehicle insurance rates; providing for severability; providing effective dates.

By the Committees on Judiciary; and Children, Families, and Elder Affairs—

CS for SB 2062—A bill to be entitled An act relating to persons with developmental disabilities; amending s. 393.063, F.S.; redefining the term "developmental disability" as used within ch. 393, F.S., to include Down syndrome; defining the term "Down syndrome" as it relates to developmental disabilities; amending s. 393.067, F.S.; prohibiting monitoring requirements that mandate pornographic materials be available in residential facilities that serve clients of the Agency for Persons with Disabilities; amending s. 393.11, F.S.; requiring the court to order a person involuntarily admitted to residential services to be released to the agency for appropriate residential services; forbidding the court from ordering that such person be released directly to a residential service provider; authorizing the agency to transfer a person from one residential setting to another; requiring the agency to notify the committing court of a person's transfer within a specified time; amending s. 916.1093, F.S.; requiring the agency to ensure that there are sufficient community-based placements for defendants charged with sex offenses; amending s. 916.3025, F.S.; requiring that the court order a person involuntarily admitted to residential services after criminal charges have been dismissed be released to the agency for appropriate residential services; amending s. 1004.55, F.S.; requiring each regional autism center in this state to provide coordination and dissemination of local

and regional information regarding available resources for services for children who have developmental disabilities, not just autism or autistic-like disabilities; revising the requirements for the centers with respect to supporting state agencies in developing training; creating a task force to develop input for the creation of certain guidelines and procedures for providers of residential services; providing for membership of the task force; requiring the task force to seek input from certain pertinent entities; requiring the Agency for Persons with Disabilities to provide administrative support to the task force; requiring the task force to submit its findings to the Legislature; providing an effective date.

By the Committees on Budget Subcommittee on General Government Appropriations; Agriculture; and Agriculture—

CS for CS for SB 2076—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 20.14, F.S.; deleting the Division of Dairy within the Department of Agriculture and Consumer Services; amending s. 193.461, F.S.; redefining the term “agricultural purposes” as it relates to agricultural lands; amending s. 215.981, F.S.; exempting certain direct-support organizations and citizen support organizations for the Department of Agriculture and Consumer Services from obtaining an independent audit; amending s. 253.02, F.S.; providing for the grantee of easements for electrical transmission to pay the lead manager of the state-owned lands or, when there is no lead manager, the Department of Environmental Protection, if suitable replacement uplands cannot be identified; amending s. 261.04, F.S.; deleting provisions related to per diem and travel expenses for members of the Off-Highway Vehicle Recreation Advisory Committee within the Division of Forestry; amending s. 482.051, F.S.; providing rule changes that allow operators to provide certain emergency notice to the Department of Agriculture and Consumer Services by facsimile or electronic means; amending s. 482.071, F.S.; increasing the minimum insurance coverage for bodily injury and property damage required for pest control businesses; creating s. 482.072, F.S.; providing for licensure by the department of pest control customer contact centers; providing application requirements; providing for fees, licensure renewal, penalties, licensure expiration, and transfer of licenses; requiring the department to adopt rules; providing for disciplinary action; creating s. 482.157, F.S.; providing for the certification of commercial wildlife trappers; providing requirements for certification, examination, and fees; limiting the scope of work permitted by certificate holders; clarifying that certificateholders who practice accepted pest control methods are immune from liability for violating laws prohibiting cruelty to animals; providing that the provisions of s. 482.157, F.S., do not exempt any person from the rules or orders of the Fish and Wildlife Conservation Commission; amending s. 482.226, F.S.; increasing the minimum financial responsibility requirements for licensees that perform wood-destroying organism inspections; amending s. 482.243, F.S.; deleting provisions relating to reimbursement for expenses for members of the Pest Control Enforcement Advisory Council within the department; amending s. 487.041, F.S.; providing that registration, supplemental, and late fees related to the registration of pesticide brands with the department are nonrefundable; providing requirements for label revisions of pesticide brands; providing requirements for label revisions that must be reviewed by the United States Environmental Protection Agency; requiring payments of pesticide registration fees to be submitted electronically; amending s. 487.0615, F.S.; deleting references relating to per diem and travel for the Pesticide Review Council within the Department of Agriculture and Consumer Services; amending s. 500.70, F.S.; requiring certain persons that produce, harvest, pack, or repack tomatoes to register each location of a tomato farm, tomato greenhouse, tomato packinghouse, or tomato repacker by a specified date on a form prescribed by the department; requiring the department to set a registration fee; providing for funds collected to be deposited into the General Inspection Trust Fund; amending s. 527.22, F.S.; deleting provisions relating to per diem and travel expenses for members of the Florida Propane Gas Education, Safety, and Research Council within the department; amending s. 559.9221, F.S.; deleting provisions relating to per diem and travel expenses for members of the Motor Vehicle Repair Advisory Council within the department; amending s. 570.07, F.S.; revising the department’s authority to enforce laws relating to commercial stock feeds and commercial fertilizer; providing a limited exemption to counties that have existing ordinances regulating the sale of urban turf fertilizers; revising the powers and duties of the department regarding pollution control and the prevention of wildfires; amending s. 570.0705, F.S.; deleting provisions relating to per diem and travel expenses for members of any ad-

visory committee that the Commissioner of Agriculture may appoint; amending s. 570.074, F.S.; revising the name of the Office of Water Coordination to the Office of Energy and Water; amending s. 570.18, F.S.; conforming provisions to changes made by the act; amending s. 570.23, F.S.; deleting provisions relating to per diem and travel expenses for members of the State Agricultural Advisory Council within the department; repealing s. 570.29(6), F.S., relating to the Division of Dairy Industry within the department; amending s. 570.38, F.S.; deleting provisions relating to per diem and travel expenses for members of the Animal Industry Technical Council within the department; amending s. 570.382, F.S.; deleting provisions relating to per diem and travel expenses for members of the Arabian Horse Council within the department; repealing s. 570.40, F.S., relating to the powers and duties of the Division of Dairy within the department; repealing s. 570.41, F.S., relating to the qualifications and duties of the Director of the Division of Dairy within the department; amending s. 570.42, F.S.; deleting provisions relating to per diem and travel expenses for members of the Dairy Industry Technical Council within the department; amending s. 570.50, F.S.; requiring the Division of Food Safety within the department to inspect dairy farms and enforce the provisions of ch. 502, F.S.; requiring the Division of Food Safety to inspect milk plants, milk product plants, and plants engaged in the manufacture and distribution of frozen desserts and frozen dessert mixes; requiring the Division of Food Safety to analyze and test samples of milk, milk products, frozen desserts, and frozen dessert mixes; amending s. 570.543, F.S.; deleting provisions relating to per diem and travel expenses for members of the Florida Consumers’ Council within the department; repealing s. 570.954(3), F.S., relating to the requirement that the Department of Agriculture and Consumer Services coordinate with and solicit the expertise of the state energy office when developing the farm-to-fuel initiative; amending s. 571.28, F.S.; deleting provisions relating to per diem and travel expenses for members of the Florida Agricultural Promotional Campaign Advisory Council within the department; amending s. 573.112, F.S.; deleting provisions relating to per diem and travel expenses for members of the advisory council that administers the marketing order that is issued to the department; amending s. 576.091, F.S.; deleting provisions relating to per diem and travel expenses for members of the Fertilizer Technical Council within the department; amending s. 580.151, F.S.; deleting provisions relating to per diem and travel expenses for members of the Commercial Feed Technical Council within the department; amending s. 581.186, F.S.; deleting provisions relating to per diem and travel expenses for members of the Endangered Plant Advisory Council within the department; amending s. 586.161, F.S.; deleting provisions relating to per diem and travel expenses for members of the Honeybee Technical Council within the department; amending s. 590.015, F.S.; defining the terms “department,” “open burning,” and “broadcast burning” as they relate to forest protection; redefining the term “fire management services”; amending s. 590.02, F.S.; authorizing forest-operations administrators to be certified as forestry firefighters; authorizing the Department of Agriculture and Consumer Services to have exclusive authority over the Florida Building Code as it pertains to wildfire and law enforcement facilities under the jurisdiction of the department; authorizing the department to retain, transfer, warehouse, bid, destroy, scrap, or dispose of surplus equipment and vehicles used for wildland firefighting; authorizing the department to retain any moneys received from the disposition of state-owned equipment and vehicles used for wildland firefighting; providing that moneys received may be used for the acquisition of exchange and surplus equipment used for wildland firefighting and all necessary operating expenditures related to the equipment; requiring the department to maintain records of the accounts into which the money is deposited; giving the Division of Forestry exclusive authority to require and issue authorizations for broadcast burning, agricultural pile burning, and silvicultural pile burning; preempting other governmental entities from adopting laws, rules, or policies pertaining to broadcast burning, agricultural pile burning, or silvicultural pile burning unless an emergency order has been declared; authorizing the department to delegate its authority to a county or municipality to issue authorizations for the burning of yard trash and debris from land clearing operations; amending s. 590.125, F.S.; defining and redefining terms relating to open-burning authorizations by the division; specifying purposes of certified prescribed burning; requiring the authorization of the division for certified pile burning; providing pile burning requirements; limiting the liability of property owners or agents engaged in pile burning; providing penalties for violations by certified pile burners; requiring the division to adopt rules to regulate certified pile burning; revising notice requirements for wildfire hazard reduction treatments; providing for approval of local governments’ open-burning-authorization

programs; providing program requirements; authorizing the division to resume administration of a local government's program under certain circumstances; providing penalties for violations of a local government's open-burning requirements; amending s. 590.14, F.S.; authorizing an employee of the division to issue a notice of violation for any rule adopted by the division; authorizing the department to impose an administrative fine for a violation of any rule adopted by the division; providing a criminal penalty; providing legislative intent; repealing s. 597.005(4), F.S., deleting provisions relating to per diem and travel expenses for members of the Aquaculture Review Council within the department; amending s. 599.002, F.S.; deleting provisions relating to per diem and travel expenses for members of the Viticulture Advisory Council within the department; amending s. 616.17, F.S.; providing immunity from liability for damages resulting from exhibits and concessions at public fairs; providing exceptions for immunity from liability; amending s. 616.252, F.S.; providing for the appointment of a youth member to serve on the Florida State Fair Authority as a nonvoting member; providing a term of service for the youth member of the Florida State Fair Authority; prohibiting reimbursement for travel expenses for members of the Florida State Fair Authority; excluding the youth member from compensation for special or full-time service performed on behalf of the authority; amending s. 812.014, F.S.; providing that it is a grand theft of the third degree and a felony of the third degree if bee colonies of a registered bee keeper are stolen; amending s. 812.015, F.S.; redefining the term "farmer" as it relates to a person who grows or produces honey; redefining the term "farm theft" to include the unlawful taking possession of equipment and associated materials used to grow or produce farm products; providing an effective date.

By the Committees on Rules; Rules Subcommittee on Ethics and Elections; and Rules Subcommittee on Ethics and Elections—

CS for CS for SB 2086—A bill to be entitled An act relating to elections; amending s. 97.012, F.S.; expanding the list of responsibilities of the Secretary of State when acting in his or her capacity as chief election officer; amending s. 97.021, F.S.; redefining the term "minor political party"; amending s. 97.025, F.S.; replacing a requirement for the Department of State to print copies of a pamphlet containing the Election Code with a requirement that the pamphlet be made available; amending s. 97.0575, F.S.; requiring that third-party voter registration organizations register with the Division of Elections; requiring such organizations to provide the division with certain information; requiring that the division or a supervisor of elections make voter registration forms available to third-party voter registration organizations; requiring that such forms contain certain information; requiring that the division and supervisors of elections maintain a database of certain information; requiring that such information be provided in electronic format; requiring that such information be updated and made public daily at a certain time; providing that a third-party voter registration organization that collects voter registration applications serves as a fiduciary to the applicant; specifying duties of such an organization; specifying an affirmative defense to certain violations of state law; providing penalties for violations of certain provisions of state law; providing circumstances under which a third-party voter registration organization is subject to specified civil penalties; providing for the referral of violations to the Attorney General; authorizing the Attorney General to initiate a civil action; providing that an action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order; requiring that the division adopt rules for specified purposes; amending s. 97.071, F.S.; requiring that voter information cards contain the address of the polling place of the registered voter; requiring a supervisor of elections to issue a new voter information card to a voter upon a change in a voter's address of legal residence or a change in a voter's polling place address; providing instructions for implementation by the supervisors of elections; amending s. 97.073, F.S.; revising procedures that a supervisor of elections must follow to dispose of a voter registration application; amending s. 97.1031, F.S.; revising the methods by which a person must update his or her voter registration due to a change of address; revising procedures for an elector to change his or her party affiliation; requiring an elector to notify the supervisor of elections when the elector changes his or her name; amending s. 98.075, F.S.; revising procedures for the removal of deceased persons and other potentially ineligible persons from the statewide voter registration system; amending s. 98.093, F.S.; revising requirements for the Department of Corrections to provide the Department of State with information relating to convicted felons; requiring the Florida Parole Commission to

regularly furnish data to the Department of State relating to persons who have been granted clemency; amending s. 98.0981, F.S.; providing timeframes and formats for voting history information to be sent by the supervisors of elections to the department; providing timeframes and formats for voting history information to be sent by the department to the President of the Senate, the Speaker of the House of Representatives, and the respective minority leaders; providing for the imposition of fines on a supervisor of elections for failure to comply in a timely manner; providing for the deposit of fines into the General Revenue Fund; requiring submission of precinct-level information in a certain format by a time certain; providing for imposition of a fine on a supervisor of elections for failure to comply and for deposit of the fine into the General Revenue Fund; amending s. 99.012, F.S.; providing that a person may not be qualified as a candidate for an election or appear on the ballot unless the person complies with certain requirements; amending s. 99.021, F.S.; revising the candidate oath requirement for a person seeking to qualify for nomination or election or as a candidate of a political party; removing a requirement for the qualifying officer to provide a printed copy of the candidate oath; removing a requirement for taking the public employee oath; clarifying that candidates for United States President and Vice President need not subscribe certain oaths; correcting references for other oaths; amending s. 99.061, F.S.; revising the timeframe for a candidate to pay a qualifying fee under certain circumstances; requiring checks to be payable as prescribed by the filing officer; requiring signatures on certain oaths to be verified; removing a requirement for a public employee oath; requiring the filing of a verified notarized financial disclosure statement; clarifying the time for qualifying papers to be received; providing that the qualifying officer performs a ministerial duty only; exempting a decision by the qualifying officer from the Administrative Procedure Act; amending s. 99.063, F.S.; requiring a candidate's oath to be verified; deleting a requirement for a candidate to file a loyalty oath with the Department of State by a certain date; amending s. 99.092, F.S.; providing for the transfer of the election assessment to the Elections Commission Trust Fund; amending s. 99.093, F.S.; providing for the election assessments paid by a person seeking to qualify for a municipal office to be forwarded by the qualifying officer to the Florida Elections Commission; amending s. 99.095, F.S.; allowing a candidate to obtain the required number of signatures from any registered voter regardless of district boundaries in a year of apportionment; amending s. 99.097, F.S.; providing for the Department of State to adopt rules to verify petitions through random sampling; creating exceptions for certain petitions from the authorization to use random sampling to verify petitions; revising criteria that a supervisor of elections must use to determine whether a petition may be counted as valid; providing that an exemption from paying fees to verify petitions does not apply if a person has been paid to solicit signatures; providing that contributions received after the filing of an undue burden oath must first be used to pay fees for verifying petitions; amending s. 100.061, F.S.; decreasing the time period between a primary election and a general election; amending s. 100.111, F.S.; deleting provisions relating to vacancies in a state or county office because an incumbent qualified as a candidate for federal office; providing for a filing officer, rather than the Department of State, to notify a political party that it may nominate a person for office if certain events cause the party to have a vacancy in nomination; revising provisions relating to the filling of a vacancy in a nomination; deleting a defined term; providing that a vacancy in nomination is not created as the result of certain court orders; amending s. 100.371, F.S.; deleting provisions relating to a right to revoke a signature on an initiative petition; reducing the time period for which a signed and dated initiative petition form is valid; requiring an initiative sponsor to submit an initiative form to the supervisor of elections for the county of residence of the person signing the form for verification; providing procedures for misfiled petitions; revising criteria for a supervisor of elections to verify a signature on an initiative petition form; deleting provisions relating to petition signature revocations; amending s. 101.043, F.S.; replacing references to the word "voter" with "elector"; providing that the address on an elector's identification is not to be used to confirm or challenge an elector's legal residence; amending s. 101.045, F.S.; prohibiting a person from voting in a precinct or district outside his or her legal residence; providing an exception; removing a voter's ability to file a name change or legal residence change affidavit at the polls and vote a regular ballot; authorizing a person whose eligibility to vote cannot be determined to use a provisional ballot; amending s. 101.131, F.S.; revising procedures for the designation of poll watchers; requiring that the Division of Elections prescribe a form for the designation of poll watchers; providing conditions under which poll watchers are authorized to enter polling areas and watch polls; requiring that a supervisor of

elections provide identification to poll watchers by a specified period before early voting begins; requiring that poll watchers display such identification while in a polling place; amending s. 101.151, F.S.; authorizing the use of ballot-on-demand technology to produce election-day ballots; deleting a requirement that the use of such technology be authorized in writing by the Secretary of State; revising provisions relating to ballot headings and the order of candidates appearing on a ballot; amending s. 101.161, F.S.; specifying a time period to initiate an action to challenge an amendment to the State Constitution proposed by the Legislature; requiring the court, including an appellate court, to accord the case priority over other cases; requiring the Attorney General to revise a ballot title or ballot summary for an amendment proposed by the Legislature under certain circumstances; requiring the Department of State to furnish a designating number and the revised ballot title and substance to the supervisors of elections; providing that a defect in a ballot title or ballot summary in an amendment proposed by the Legislature is not grounds to remove the amendment from the ballot; amending s. 101.5605, F.S.; requiring an electromechanical voting system to satisfy the standards for certification adopted by rule of the Department of State; amending s. 101.5606, F.S.; deleting requirements for electromechanical voting systems to have the capability to produce precinct totals in marked or punched form; amending s. 101.5612, F.S.; revising the sample size of electromechanical voting systems that include the electronic or electromechanical tabulation devices to be tested; amending s. 101.5614, F.S.; deleting provisions relating to the use of ballot cards and write-in ballots or envelopes; amending s. 101.591, F.S.; removing the audit requirement by the canvassing board if a manual recount is undertaken; amending s. 101.62, F.S.; extending the validity of an absentee ballot request to include all elections to the end of the calendar year of the second ensuing regularly scheduled general election; revising the timeframe for supervisors to electronically update absentee ballot request information; specifying types of elections for which a supervisor of elections must send an absentee ballot to uniformed services voters and overseas voters; specifying a time period during which a supervisor of elections must begin mailing absentee ballots; removing requirements that an elector provide certain information when requesting an absentee ballot from the county supervisor of elections; amending s. 101.65, F.S.; revising the form of the instructions to absent electors; stating that an absentee ballot is considered illegal if the signature on the voter's certificate does not match the signature on record; providing instructions for updating a signature on a voter registration application; amending s. 101.657, F.S.; reducing the early voting period for elections with state or federal races; removing timetables with respect to early voting in special elections; removing restrictions with respect to daily hours of operation of early voting sites; authorizing a supervisor of elections to provide early voting for elections not held in conjunction with a state or federal election; amending s. 101.68, F.S.; extending the time for canvassing and processing absentee ballots to 15 days before the election; amending s. 101.6923, F.S.; revising the form of the special absentee ballot instructions for certain first-time voters; stating that an absentee ballot is considered illegal if the signature on the voter's certificate does not match the signature on record; providing instructions for updating a signature on a voter registration application; amending s. 101.75, F.S.; deleting a requirement for the dates of the qualifying period for certain municipal elections to run for no less than 14 days; amending s. 102.168, F.S.; revising provisions specifying indispensable parties in a contest of an election; providing that in an election contest involving the review of a signature on an absentee ballot by a canvassing board, a circuit court may not review or consider evidence other than the signature on the voter's certificate and the elector's signatures in the registration records; providing for the reversal of the determination by the canvassing board if the court determines that the board abused its discretion; amending s. 103.021, F.S.; revising a definition; revising requirements for a minor political party to have candidates for President and Vice-President placed on the general election ballot; creating s. 103.095, F.S.; providing a procedure for the registration of a minor political party; requiring the Division of Elections to adopt rules to prescribe the manner in which political parties may have their filings cancelled; amending s. 103.101, F.S.; deleting provisions relating to a Presidential Candidate Selection Committee; specifying a deadline by which the Secretary of State must prepare and publish a list of presidential candidates selected by political parties; amending s. 103.141, F.S.; revising procedures for the removal of an officer, county committeeman, county committeewoman, precinct committeeman, precinct committeewoman, or member of a county executive committee; repealing s. 103.161, F.S., which relates to the removal or suspension of officers or members of a state or county executive com-

mittee; amending s. 104.29, F.S.; revising provisions authorizing persons to view whether ballots are being correctly reconciled; amending s. 106.011, F.S.; revising the definitions of the terms "contribution," "independent expenditure," "unopposed candidate," and "candidate"; conforming a cross-reference to changes made by the act; amending s. 106.021, F.S.; deleting requirements to report the address of certain persons receiving a reimbursement by a check drawn on a campaign account; amending s. 106.022, F.S.; requiring a political committee, committee of continuous existence, or electioneering communications organization to file a statement of appointment with the filing officer rather than with the Division of Elections; authorizing an entity to change its appointment of registered agent or registered office by filing a written statement with the filing officer; requiring a registered agent who resigns to execute a written statement of resignation and file it with the filing officer; amending s. 106.023, F.S.; revising the form of the statement of candidate to require a candidate to acknowledge that he or she has been provided access to and understands the requirements of ch. 106, F.S.; amending s. 106.025, F.S.; creating an exception from requirements for tickets or advertising for a campaign fund raiser to contain a specified disclosure statement; amending s. 106.03, F.S.; revising requirements for groups making expenditures for electioneering communications to file a statement of organization; amending s. 106.04, F.S.; transferring a requirement that certain committees of continuous existence file campaign finance reports in special elections; requiring a committee of continuous existence that makes a contribution or expenditure to influence the results of certain county or municipal elections to file specified reports; subjecting a committee of continuous existence that fails to file a report or to timely file a report with the Division of Elections or a county or municipal filing officer to a fine; requiring a committee of continuous existence to include transaction information from credit card purchases in a report filed with the Division of Elections; requiring a committee of continuous existence to report changes in information previously reported to the Division of Elections within 10 days after the change; requiring the Division of Elections to revoke the certification of a committee of continuous existence that fails to file or report certain information; requiring the division to adopt rules to prescribe the manner in which the certification is revoked; increasing the amount of a fine to be levied on a committee of continuous existence that fails to timely file certain reports; providing for the deposit of the proceeds of the fines; including the registered agent of a committee of continuous existence as a person whom the filing officer may notify that a report has not been filed; providing criteria for deeming delivery complete of a notice of fine; requiring a committee of continuous existence that appeals a fine to file a copy of the appeal with the filing officer; defining the term "repeated late filing"; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; amending s. 106.07, F.S.; creating an exception for reports due in the third calendar quarter immediately preceding a general election from a requirement that the campaign treasurer report contributions received and expenditures made on the 10th day following the end of each calendar quarter; revising reporting requirements for a statewide candidate who receives funding under the Florida Election Campaign Financing Act and candidates in a race with a candidate who has requested funding under that act; deleting a requirement for a committee of continuous existence to file a campaign treasurer's report relating to contributions or expenditures to influence the results of a special election; revising the methods by which a campaign treasurer may be notified of the determination that a report is incomplete to include certified mail and other methods using a common carrier that provides proof of delivery of the notice; extending the time the campaign treasurer has to file an addendum to the report after receipt of notice of why the report is incomplete; providing criteria for deeming delivery complete of a notice of incomplete report; deleting a provision allowing for notification by telephone of an incomplete report; requiring political committees that make a contribution or expenditure to influence the results of certain county or municipal elections to file campaign finance reports with the county or municipal filing officer and to include its contributions and expenditures in a report to the Division of Elections; revising the information that must be included in a report to include transaction information for credit card purchases; deleting a requirement for a campaign depository to return checks drawn on the account to the campaign treasurer; deleting a provision providing that the failure to file a copy of a report is not subject to a separate fine; specifying the amount of a fine for the failure to timely file reports after a special primary election or special election; specifying that the registered agent of a political committee is a person whom a filing officer may notify of the amount of the fine for filing a late

report; providing criteria for deeming delivery complete of a notice of late report and resulting fine; defining the term “repeated late filing”; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; amending s. 106.0703, F.S.; defining the term “repeated late filing”; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; modifying campaign finance filing requirements for an electioneering communications organization’s initial filing; amending s. 106.0705, F.S.; requiring certain individuals to electronically file certain reports with the Division of Elections; conforming a cross-reference to changes made by the act; requiring the division to amend its electronic filing system to provide for the filing of an electioneering communications organization’s initial campaign finance report; deleting an obsolete provision; amending s. 106.08, F.S.; deleting a requirement for the Department of State to notify candidates as to whether an independent or minor party candidate has obtained the required number of petition signatures; deleting a requirement for certain unopposed candidates to return contributions; specifying the entities with which a political party’s state executive committee and county executive committees and affiliated party committees must file a written acceptance of an in-kind contribution; amending s. 106.09, F.S.; specifying that the limitations on contributions by cash or cashier’s check apply to the aggregate amount of contributions to a candidate or committee per election; amending s. 106.11, F.S.; revising the statement that must be contained on checks from a campaign account; deleting requirements relating to the use of debit cards; authorizing a campaign for a candidate to reimburse the candidate’s loan to the campaign when the campaign account has sufficient funds; amending s. 106.141, F.S.; deleting a limit on the amount of surplus funds that a candidate may give to his or her political party; requiring candidates receiving public financing to return all surplus funds to the General Revenue Fund after paying certain monetary obligations and expenses; amending s. 106.143, F.S.; specifying disclosure statements that must be included in political advertisements paid for by a write-in candidate; revising the disclosure statements that must be included in certain political advertisements; prohibiting the inclusion of a person’s political affiliation in advertisements for a nonpartisan office; clarifying the type of political advertisements that must be approved in advance by a candidate; deleting an exemption from the requirement to obtain a candidate’s approval for messages designed to be worn; amending s. 106.17, F.S.; providing that the cost of certain polls are not contributions to a candidate; amending s. 106.18, F.S.; deleting a provision providing that a candidate will not be prevented from receiving a certificate of election for failing to file a report; amending s. 106.19, F.S.; providing that a candidate’s failure to comply with ch. 106, F.S., has no effect on whether the candidate has qualified for office; amending s. 106.25, F.S.; authorizing a person who is the subject of a complaint filed with the Florida Elections Commission to file a response before the executive director of the commission determines whether the complaint is legally sufficient; prohibiting the commission from determining by rule what constitutes willfulness or defining the term “willful”; authorizing the commission to enter into consent orders without requiring the respondent to admit to a violation of law; authorizing an administrative law judge to impose civil penalties for violations of ch. 104 or ch. 106, F.S.; amending s. 106.26, F.S.; requiring the commission to enforce certain witness subpoenas in the circuit court where the witness resides; amending s. 106.265, F.S.; authorizing an administrative law judge to assess civil penalties upon a finding of a violation of the election code or campaign financing laws; providing for civil penalties to be assessed against an electioneering communications organization; removing reference to the expired Election Campaign Financing Trust Fund; directing that moneys from penalties and fines be deposited into the General Revenue Fund; amending s. 106.29, F.S.; requiring state and county executive committees and affiliated party committees that make contributions or expenditures to influence the results of a special election or special primary election to file campaign treasurer’s reports; amending campaign finance reporting dates, to conform; deleting a requirement that each state executive committee file the original and one copy of its reports with the Division of Elections; deleting a provision prohibiting the assessment of a separate fine for failing to file a copy of a report, to conform; revising the due date for filing a report; providing criteria for deeming delivery complete of a notice of fine; defining the term “repeated late filing”; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; amending s. 106.35, F.S.; deleting a requirement that the Division of Election adopt rules relating to the format and filing of certain printed campaign treasurer’s reports; amending s. 876.05, F.S.; deleting a requirement for all candi-

dates for public office to record an oath to support the Constitution of the United States and of the State of Florida; repealing s. 876.07, F.S., relating to a requirement that a person make an oath to support the Constitution of the United States and of the State of Florida to be qualified as a candidate for office; providing for severability of the act; providing effective dates.

By the Committees on Governmental Oversight and Accountability; and Governmental Oversight and Accountability—

CS for SB 2090—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public-records requirements for bids, proposals, or replies submitted to an agency in response to a competitive solicitation; expanding the public-records exemption by extending the duration of the exemption; providing a definition; reorganizing provisions; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; amending s. 286.0113, F.S., which provides an exemption from public-meetings requirements for meetings at which a negotiation with a vendor is conducted and which provides an exemption from public-records requirements for recordings of exempt meetings; providing definitions; expanding the exemption to include meetings at which a negotiation with a vendor is conducted pursuant to a competitive solicitation, at which a vendor makes an oral presentation as part of a competitive solicitation, at which a vendor answers questions as part of a competitive solicitation, and at which team members discuss negotiation strategies; expanding the public-records exemption to include any records presented at an exempt meeting; reorganizing provisions; providing for future repeal and legislative review under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

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

CS for CS for SB 416—A bill to be entitled An act relating to public records; providing a definition; providing an exemption from public-records requirements for photographs and video and audio recordings that depict or record the killing of a person; authorizing access to such photographs or video or audio recordings by specified members of the immediate family of the deceased subject of the photographs or video or audio recordings; providing for access to such records by local governmental entities or state or federal agencies in furtherance of official duties; providing for access pursuant to court order; providing guidelines for the court in issuing an order authorizing such photographs or video or audio recordings to be viewed, copied, or heard; requiring specified notice of a court petition to view or copy such records; providing penalties; exempting criminal or administrative proceedings from the act; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a finding of public necessity; providing an effective date.

—was referred to the Committee on Rules.

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

CS for CS for SB 488—A bill to be entitled An act relating to sexual offenses; providing a short title; amending s. 90.404, F.S.; revising offenses that are considered “child molestation” for purposes of admitting evidence of other crimes, wrongs, or acts in a criminal case involving child molestation; providing for admission of evidence of other crimes, wrongs, or acts in cases involving a sexual offense; defining the term “sexual offense”; requiring certain property or material that is used in a criminal proceeding to remain in the care, custody, and control of the law enforcement agency, the state attorney, or the court; prohibiting the reproduction of such property or material by the defendant when specified criteria are met by the state attorney; permitting access to the materials by the defendant; amending s. 395.1021, F.S.; requiring a licensed facility that provides emergency room services to arrange for the gathering of forensic medical evidence required for investigation and

prosecution from a victim who has reported a sexual battery to a law enforcement agency or who requests that such evidence be gathered for a possible future report; amending s. 775.15, F.S.; providing that a prosecution for video voyeurism in violation of specified provisions may, in addition to existing time periods, be commenced within 1 year after the victim of video voyeurism obtains actual knowledge of the existence of such a recording or the recording is confiscated by a law enforcement agency, whichever occurs first; providing that dissemination of a recording before such knowledge or confiscation does not affect such a time period; amending s. 794.052, F.S.; requiring a law enforcement officer to provide or arrange for transportation of a victim of sexual battery to an appropriate facility for medical treatment or forensic examination; providing for a review of a police officer's final report by a victim and an opportunity for a statement by a victim; amending ss. 794.056 and 938.085, F.S.; requiring that an additional court cost or surcharge be assessed against a defendant who pleads guilty or nolo contendere to, or is found guilty of, regardless of adjudication, certain criminal offenses; providing for proceeds of the additional court cost or surcharge to be deposited into the Rape Crisis Program Trust Fund; reenacting s. 20.435(21)(a), F.S., relating to the Rape Crisis Program Trust Fund, to incorporate the amendment made to s. 794.056, F.S., in a reference thereto; reenacting s. 794.055(3)(b), F.S., relating to access to services for victims of sexual battery, to incorporate the amendment made to s. 938.085, F.S., in a reference thereto; amending s. 960.003, F.S.; providing for hepatitis testing of persons charged with certain offenses; amending s. 960.198, F.S.; authorizing relocation assistance awards to certain victims of sexual violence; amending s. 1003.42, F.S.; requiring that public schools provide comprehensive health education that addresses concepts of Internet safety; amending s. 92.55, F.S.; authorizing a court to use registered service or therapy animals to aid children in giving testimony in judicial or other proceedings involving a sexual offense when appropriate; requiring the court to consider certain factors before permitting such testimony; requiring that such registered service or therapy animals be evaluated and registered according to national standards; providing an effective date.

—was referred to the Committee on Budget.

By the Committees on Budget; and Communications, Energy, and Public Utilities; and Senator Bogdanoff—

CS for CS for SB 1198—A bill to be entitled An act relating to communications services tax; amending s. 202.16, F.S.; requiring that a dealer compute the communications services tax based on a rounding algorithm; providing criteria; providing for application of the tax; providing options to the dealer for applying the rounding algorithm; providing that a dealer may apply the rounding algorithm to the aggregate tax amount under certain conditions; providing that a dealer is not required to collect the tax based on a bracket system; removing the provision requiring the Department of Revenue to make available tax amounts and applicable brackets; providing that the provisions of the act are remedial in nature and apply retroactively; providing that the act does not provide a basis for assessment of any tax not paid or create a right to certain refunds or credits; providing an effective date.

—was referred to the Committee on Rules.

By Senator Bogdanoff—

SB 1398—A bill to be entitled An act relating to the judiciary; repealing s. 25.051, F.S., relating to regular terms of the Supreme Court; repealing s. 25.281, F.S., relating to compensation of the marshal; repealing s. 26.011, F.S., relating to census commissions for the judicial circuits; repealing s. 26.21, F.S., relating to terms of the circuit courts; repealing s. 26.22, F.S., relating to terms of the First Judicial Circuit; repealing s. 26.23, F.S., relating to terms of the Second Judicial Circuit; repealing s. 26.24, F.S., relating to terms of the Third Judicial Circuit; repealing s. 26.25, F.S., relating to terms of the Fourth Judicial Circuit; repealing s. 26.26, F.S., relating to terms of the Fifth Judicial Circuit; repealing s. 26.27, F.S., relating to terms of the Sixth Judicial Circuit; repealing s. 26.28, F.S., relating to terms of the Seventh Judicial Circuit; repealing s. 26.29, F.S., relating to terms of the Eighth Judicial Circuit; repealing s. 26.30, F.S., relating to terms of the Ninth Judicial Circuit; repealing s. 26.31, F.S., relating to terms of the Tenth Judicial Circuit; repealing s. 26.32, F.S., relating to terms of the Eleventh Judicial Circuit; repealing s. 26.33, F.S., relating to terms of the Twelfth Judicial

Circuit; repealing s. 26.34, F.S., relating to terms of the Thirteenth Judicial Circuit; repealing s. 26.35, F.S., relating to terms of the Fourteenth Judicial Circuit; repealing s. 26.36, F.S., relating to terms of the Fifteenth Judicial Circuit; repealing s. 26.361, F.S., relating to terms of the Sixteenth Judicial Circuit; repealing s. 26.362, F.S., relating to terms of the Seventeenth Judicial Circuit; repealing s. 26.363, F.S., relating to terms of the Eighteenth Judicial Circuit; repealing s. 26.364, F.S., relating to terms of the Nineteenth Judicial Circuit; repealing s. 26.365, F.S., relating to terms of the Twentieth Judicial Circuit; repealing s. 26.37, F.S., relating to requiring a judge to attend the first day of each term of the circuit court; repealing s. 26.38, F.S., relating to requiring a judge to state a reason for nonattendance; repealing s. 26.39, F.S., relating to penalty for nonattendance of judge; repealing s. 26.40, F.S., relating to adjournment of the circuit court upon nonattendance of the judge; repealing s. 26.42, F.S., relating to calling all cases on the docket at the end of each term; repealing s. 26.49, F.S., relating to the sheriff as the executive officer of the circuit court; repealing s. 28.08, F.S., relating to the place of residence of the clerk of the circuit court or a deputy; repealing s. 35.10, F.S., relating to regular terms of the district courts of appeal; repealing s. 35.27, F.S., relating to compensation of the marshal; repealing s. 744.103, F.S., relating to guardians of incapacitated world war veterans; providing an effective date.

—was referred to the Committee on Rules.

By the Committees on Community Affairs; and Commerce and Tourism; and Senator Altman—

CS for CS for SB 1528—A bill to be entitled An act relating to secondary metals recyclers; amending s. 319.30, F.S.; conforming a cross-reference; amending s. 538.03, F.S.; defining the term “appropriate law enforcement official”; amending s. 538.04, F.S.; clarifying a provision requiring that a secondhand dealer deliver a transaction form to the appropriate law enforcement official; amending s. 538.18, F.S.; revising and providing definitions; amending s. 538.19, F.S.; requiring that a secondary metals recycler complete a transaction form and transmit it to the appropriate law enforcement official within 24 hours after the acquisition of regulated metals; authorizing such recyclers to use an electronic database and transmit transaction forms electronically under certain circumstances; authorizing appropriate law enforcement officials to provide software and computer equipment to recyclers; requiring that a recycler produce an original form in certain situations; revising the period required for secondary metals recyclers to maintain certain information regarding purchase transactions involving regulated metals property; revising requirements for the types of information that secondary metals recyclers must obtain and maintain regarding purchase transactions; limiting the liability of secondary metals recyclers for the conversion of motor vehicles to scrap metal under certain circumstances; amending s. 538.235, F.S.; revising requirements for payments made by secondary metals recyclers to sellers of regulated metals property, to which penalties apply; providing methods of payment for restricted regulated metals property; requiring that purchases of certain property be made by check or by electronic payment; amending s. 538.26, F.S.; prohibiting secondary metals recyclers from purchasing regulated metals property without maintaining certain records; deleting provisions prohibiting the purchase of regulated metals property from certain persons or at certain locations; prohibiting the purchase of specified restricted regulated metals property without obtaining certain proof of the seller's ownership or authorization to sell the property; creating s. 538.27, F.S.; establishing an inference that secondary metals recyclers do not commit theft or deal in stolen property under certain circumstances; creating s. 538.28, F.S.; preempting to the state the regulation of secondary metals recyclers and purchase transactions involving regulated metals property; exempting certain ordinances and regulations from preemption; amending s. 812.022, F.S.; establishing an inference that secondary metals recyclers do not commit theft or deal in stolen property under certain circumstances; providing an effective date.

—was referred to the Committee on Budget.

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

CS for SB 1694—A bill to be entitled An act relating to motor vehicle personal injury protection insurance; amending s. 627.736, F.S.; limiting attorney's fees based on the disputed amount; limiting attorney's fees in

class actions; providing that attorney's fees are calculated without regard to a contingency risk multiplier; providing an effective date.

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

By Senator Smith—

SM 1762—A memorial to the Congress of the United States, urging Congress to ban the sale, distribution, and possession of methylenedioxypyrovalerone (MDVP).

—was placed on the Calendar.

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

CS for SB 1930—A bill to be entitled An act relating to motor vehicle personal injury protection insurance; amending s. 316.066, F.S.; revising provisions relating to the contents of written reports of motor vehicle crashes; requiring short-form crash reports by a law enforcement officer to be maintained by the officer's agency; authorizing the investigation officer to testify at trial or provide an affidavit concerning the content of the reports; amending s. 400.991, F.S.; requiring that an application for licensure as a mobile clinic include a statement regarding insurance fraud; creating s. 626.9894, F.S.; providing definitions; authorizing the Division of Insurance Fraud to establish a direct-support organization for the purpose of prosecuting, investigating, and preventing motor vehicle insurance fraud; providing requirements for the organization and the organization's contract with the division; providing for a board of directors; authorizing the organization to use the division's property and facilities subject to certain requirements; authorizing contributions from insurers; providing that any moneys received by the organization may be held in a separate depository account in the name of the organization; requiring the division to deposit certain proceeds into the Insurance Regulatory Trust Fund; amending s. 627.4137, F.S.; requiring a claimant's request about insurance coverage to be appropriately served upon the disclosing entity; amending s. 627.730, F.S.; conforming a cross-reference; amending s. 627.731, F.S.; providing legislative intent with respect to the Florida Motor Vehicle No-Fault Law; amending s. 627.732, F.S.; defining the terms "claimant," "entity wholly owned," and "no-fault law"; amending s. 627.736, F.S.; conforming a cross-reference; adding licensed acupuncturists to the list of practitioners authorized to provide, supervise, order, or prescribe services; requiring certain entities providing medical services to document that they meet required criteria; revising requirements relating to the form that must be submitted by providers; requiring an entity or clinic to file a new form within a specified period after the date of a change of ownership; revising provisions relating to when payment for a benefit is due; providing that an insurer's failure to send certain specification or explanation does not waive other grounds for rejecting an invalid claim; authorizing an insurer to obtain evidence and assert any ground for adjusting or rejecting a claim; providing that the time period for paying a claim is tolled during the investigation of a fraudulent insurance act; specifying when benefits are not payable; preempting local lien laws with respect to payment of benefits to medical providers; providing that a claimant that violates certain provisions is not entitled to any payment, regardless of whether a portion of the claim may be legitimate; authorizing an insurer to recover payments and bring a cause of action to recover payments; providing that an insurer may deny any claim based on other evidence of fraud; forbidding a physician, hospital, clinic, or other medical institution that fails to comply with certain provisions from billing the injured person or the insured; providing that an insurer has a right to conduct reasonable investigations of claims; authorizing an insurer to require a claimant to provide certain records; requiring a records review to be conducted by the same type of practitioner as the medical provider whose records are being reviewed; specifying when the period for payment is tolled; authorizing an insurer to deny benefits if an insured, claimant, or medical provider fails to comply with certain provisions; revising the insurer's reimbursement limitation; providing a limit on the amount of reimbursement if the insurance policy includes a schedule of charges; creating a rebuttable presumption that the insured did not receive the alleged treatment if the insured does not countersign the patient log; authorizing the insurer to deny a claim if the provider does not submit a properly completed statement or bill within a certain time; specifying requirements for furnishing the insured with notice of the amount of covered loss; deleting an obsolete provision; requiring the provider to

provide copies of the patient log within a certain time if requested by the insurer; providing that failure to maintain a patient log renders the treatment unlawful and noncompensable; revising requirements relating to discovery; authorizing the insurer to conduct a physical review of the treatment location; requiring the insured and assignee to comply with certain provisions to recover benefits; requiring the provider to produce persons having the most knowledge in specified circumstances; requiring the insurer to pay reasonable compensation to the provider for attending the examination; requiring the insurer to request certain information before requesting an assignee to participate in an examination under oath; providing that an insurer that requests an examination under oath without a reasonable basis is engaging in an unfair and deceptive trade practice; providing that failure to appear for scheduled examinations establishes a rebuttable presumption that such failure was unreasonable; authorizing an insurer to contract with a preferred provider network; authorizing an insurer to provide a premium discount to an insured who selects a preferred provider; authorizing an insurance policy to not pay for nonemergency services performed by a nonpreferred provider in specified circumstances; authorizing an insurer to use a preferred provider network; revising requirements relating to demand letters in an action for benefits; specifying when a demand letter is defective; requiring a second demand letter under certain circumstances; deleting obsolete provisions; providing that a demand letter may not be used to request the production of claim documents or records from the insurer; amending s. 817.234, F.S.; providing that persons and business entities found guilty of insurance fraud lose their occupational and practitioner licenses for a certain period; providing civil penalties for fraudulent insurance claims; amending ss. 324.021, 456.057, and 627.7401, F.S.; conforming cross-references; providing an effective date.

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

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida State Boxing Commission Appointee: Curry, Leonard B., Jacksonville	09/30/2013
Secretary of Business and Professional Regulation	
Appointee: Lawson, Kenneth E., Esquire, Tampa	Pleasure of Governor
Board of Trustees of Gulf Coast Community College Appointees: Norton, James P., Port St. Joe Patronis, Katie L., Panama City	05/31/2014 05/31/2014
Commission on Ethics Appointee: Robison, Linda M., Esquire, Pompano Beach	06/30/2011
Governor's Mansion Commission Appointees: Graham, Adele K., Miami Lakes Mullican, Susan H., Naples Rooney, Kathleen C., Naples	09/30/2013 09/30/2011 09/30/2014
Board of Medicine Appointees: Orr, James W., Jr., Bonita Springs Stringer, Merle P., Panama City	10/31/2014 10/31/2013
Florida Transportation Commission Appointees: Marono, Manuel L., Sweetwater Trumbull, Jay N., Panama City	09/30/2011 09/30/2011
Board of Trustees, Florida A & M University Appointees: Lawson, Kelvin L., Jacksonville Montgomery, Rufus N., Jr., Atlanta, GA	01/06/2016 01/06/2016

<i>Office and Appointment</i>		<i>For Term</i>
	Shannon, Belinda R., Wake Forest, NC	<i>Ending</i>
		01/06/2016
Board of Trustees, University of Central Florida		
Appointees:	Calvet, Olga M., Orlando	01/06/2016
	Sprouls, John R., Esquire, Windermere	01/06/2016
Board of Trustees, Florida International University		
Appointee:	Puig, Claudia, Coral Gables	01/06/2016
Board of Trustees, University of West Florida		
Appointee:	O'Connor, Susan K., Gulf Breeze	01/06/2016

Referred to the Rules Subcommittee on Ethics and Elections.

of any local ordinance or administrative rule or regulation; providing additional intent of the section; eliminating provisions authorizing counties to adopt an ordinance requiring a waiting period between the purchase and delivery of a handgun; providing injunctive relief from the enforcement of an invalid ordinance, regulation, or rule; providing a civil penalty for knowing and willful violation of prohibitions; providing that public funds may not be used to defend or reimburse the unlawful conduct of any person charged with a knowing and willful violation of the act; providing for termination of employment or contract or removal from office of a person acting in an official capacity who knowingly and willfully violates any provision of the act; providing for declaratory and injunctive relief for specified persons or organizations; providing for specified damages and interest; providing exceptions to prohibitions of the section; providing an effective date.

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

EXECUTIVE BUSINESS, REFERENCE CHANGES

The following executive appointment referral, previously published on April 5, 2011, was removed from the Committee on Criminal Justice:

<i>Office and Appointment</i>		<i>For Term</i>
		<i>Ending</i>
Secretary of Corrections		
Appointee:	Buss, Edwin G., Zionsville, IN	Pleasure of Governor

The following executive appointment referrals, previously published on April 5, 2011, were removed from the Committee on Governmental Oversight and Accountability:

<i>Office and Appointment</i>		<i>For Term</i>
		<i>Ending</i>
Investment Advisory Council		
Appointees:	Garcia, Martin L., Esquire, Tampa	02/22/2015
	Newman, Charles W., Ponte Vedra Beach	02/01/2015

The following executive appointment referral, previously published on April 5, 2011, was removed from the Committee on Higher Education:

<i>Office and Appointment</i>		<i>For Term</i>
		<i>Ending</i>
Board of Trustees, Florida State University		
Appointee:	Camps, Joseph L., Tallahassee	01/06/2016

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for CS for HB 45, CS for CS for HB 155, CS for CS for HB 701, CS for HB 1021, CS for CS for HB 1231, HB 4033, CS for HB 7087 and HB 7091; has passed as amended CS for CS for HB 395 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Judiciary Committee, Community & Military Affairs Subcommittee, Criminal Justice Subcommittee and Representative(s) Gaetz, Adkins, Ahern, Baxley, Caldwell, Corcoran, Drake, Harrison, Kreegel, Metz, Nehr, O'Toole, Porter, Renuart, Smith, Tobia, Van Zant—

CS for CS for CS for HB 45—A bill to be entitled An act relating to the regulation of firearms and ammunition; amending s. 790.33, F.S.; clarifying and reorganizing provisions that preempt to the state the entire field of regulation of firearms; prohibiting the knowing and willful violation of the Legislature's occupation of the whole field of regulation of firearms and ammunition by the enactment or causation of enforcement

By Health & Human Services Committee, Criminal Justice Subcommittee and Representative(s) Brodeur, Ahern, Artilles, Baxley, Caldwell, Corcoran, Nuñez, Pilon, Smith, Stargel, Trujillo, Van Zant—

CS for CS for HB 155—A bill to be entitled An act relating to the privacy of firearm owners; creating s. 790.338, F.S.; providing that a licensed medical care practitioner or health care facility may not record information regarding firearm ownership in a patient's medical record; providing an exception for relevance of the information to the patient's medical care or safety or the safety of others; providing that unless the information is relevant to the patient's medical care or safety or the safety of others, inquiries regarding firearm ownership or possession should not be made by licensed health care practitioners or health care facilities; providing an exception for emergency medical technicians and paramedics; providing that a patient may decline to provide information regarding the ownership or possession of firearms; clarifying that a physician's authority to choose his or her patients is not altered by the act; prohibiting discrimination by licensed health care practitioners or facilities based solely upon a patient's firearm ownership or possession; prohibiting harassment of a patient regarding firearm ownership by a licensed health care practitioner or facility during an examination; prohibiting denial of insurance coverage, increased premiums, or any other form of discrimination by insurance companies issuing policies on the basis of an insured's or applicant's ownership, possession, or storage of firearms or ammunition; clarifying that an insurer is not prohibited from considering the fair market value of firearms or ammunition in setting personal property coverage premiums; providing for disciplinary action; amending s. 381.026, F.S.; providing that unless the information is relevant to the patient's medical care or safety, or the safety of others, inquiries regarding firearm ownership or possession should not be made by licensed health care providers or health care facilities; providing that a patient may decline to provide information regarding the ownership or possession of firearms; clarifying that a physician's authority to choose his or her patients is not altered by the act; prohibiting discrimination by licensed health care providers or health care facilities based solely upon a patient's firearm ownership or possession; prohibiting harassment of a patient regarding firearm ownership during an examination by a licensed health care provider or health care facility; amending s. 456.072, F.S.; including the violation of the provisions of s. 790.338, F.S., as grounds for disciplinary action; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; Judiciary; and Budget.

By Economic Affairs Committee, Community & Military Affairs Subcommittee and Representative(s) Eisnagle, Baxley, Dorworth, Kreegel, Precourt, Steube, Van Zant, Williams, T.—

CS for CS for HB 701—A bill to be entitled An act relating to property rights; amending s. 70.001, F.S.; revising definitions; shortening a notice period for certain actions; revising procedures for determining a governmental entity's final decision identifying the allowable uses for a property; defining what constitutes first application of a law or regulation; clarifying the waiver of sovereign immunity for liability; providing for prospective application; providing an effective date.

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

By State Affairs Committee and Representative(s) Dorworth, Gaetz, Harrell, Tobia, Van Zant—

CS for HB 1021—A bill to be entitled An act relating to labor and employment; amending s. 110.114, F.S.; prohibiting a state agency from deducting from employee wages the dues, uniform assessments, fines, penalties, or special assessments of an employee organization or contributions made for purposes of political activity; amending s. 112.171, F.S.; prohibiting a county, municipality, or other local governmental entity from deducting from employee wages the dues, uniform assessments, fines, penalties, or special assessments of an employee organization or contributions made for purposes of political activity; creating s. 447.18, F.S.; prohibiting labor organizations from using dues, uniform assessments, fines, penalties, or special assessments to make political contributions or expenditures without an employee's written authorization; providing for a refund to employees who have not given a written authorization in certain situations; requiring that the labor organization provide notice of such contributions and expenditures; prohibiting a labor organization from requiring an employee to authorize the collection of funds for political contributions and expenditures as a condition of membership in the organization; amending s. 447.303, F.S.; prohibiting a public employer from deducting or collecting from employee wages the dues, uniform assessments, fines, penalties, or special assessments of an employee organization; amending s. 447.507, F.S., relating to violation of the strike prohibition; conforming provisions to changes made by the act; providing for severability; providing application; providing an effective date.

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

By State Affairs Committee, Energy & Utilities Subcommittee and Representative(s) Horner, Williams, A., Adkins, Artilles, Bernard, Boyd, Brandes, Brodeur, Broxson, Bullard, Burgin, Caldwell, Campbell, Chestnut, Clemens, Corcoran, Cruz, Davis, Eisnagle, Ford, Fullwood, Gaetz, Garcia, Gibbons, Gonzalez, Goodson, Hager, Ingram, Julien, Mayfield, McKeel, Moraitis, Nehr, Patronis, Perman, Plakon, Ray, Renault, Rogers, Rooney, Smith, Snyder, Soto, Stafford, Steube, Taylor, Thurston, Tobia, Trujillo, Van Zant, Watson, Weinstein—

CS for CS for HB 1231—A bill to be entitled An act relating to telecommunications; creating the "Regulatory Reform Act"; amending s. 364.01, F.S.; revising legislative intent with respect to the jurisdiction of the Florida Public Service Commission; amending s. 364.011, F.S.; providing that certain basic and nonbasic telecommunication services are exempt from the jurisdiction of the Public Service Commission; amending s. 364.012, F.S.; requiring local exchange telecommunications companies to provide unbundled access to network elements; amending s. 364.0135, F.S.; providing legislative intent relating to the sustainable adoption of broadband Internet service; providing a definition of "sustainable adoption" as it relates to broadband Internet services; removing obsolete legislative intent; authorizing the Department of Management Services to work collaboratively with, and to receive staffing support and other resources from, Enterprise Florida, Inc., state agencies, local governments, private businesses, and community organizations to encourage sustainable adoption of broadband Internet services; authorizing the department to adopt rules; amending s. 364.02, F.S.; removing the definition of the term "monopoly service"; revising the definitions of the terms "basic local telecommunications service" and "nonbasic service"; excluding an operator service provider from the meaning of the term "telecommunications company"; revising the definition of the term "VoIP"; repealing ss. 364.025, 364.0251, and 364.0252, F.S., relating to uniform telecommunications service, a telecommunications consumer information program, and the expansion of consumer information programs, respectively; amending s. 364.04, F.S.; providing that the commission has no jurisdiction over the content, form, or format of rate schedules published by a telecommunications company; providing that a telecommunications company may undertake certain activities; repealing ss. 364.051, 364.052, 364.057, 364.058, 364.059, 364.06, 364.063, 364.07, and 364.08, F.S., relating to price regulation, regulatory methods for small local exchange telecommunications companies, experimental and transitional rates, limited proceedings, procedures for seeking a stay of proceedings, joint rates, tolls, and contracts, rate adjustment orders,

intrastate interexchange service contracts, and unlawful charges against consumers, respectively; amending s. 364.10, F.S.; removing obsolete provisions; requiring an eligible telecommunications carrier to provide a Lifeline Assistance Plan to qualified residential subscribers; authorizing the commission to undertake certain consumer education measures; repealing s. 364.15, F.S., relating to repairs, improvements, and additions to telecommunication facilities; amending s. 364.16, F.S., relating to interconnection, unbundling, and resale of telecommunication services; requiring the commission to, upon request, arbitrate and enforce interconnection agreements; prohibiting a telecommunications company from knowingly delivering traffic for which terminating access service charges would otherwise apply; authorizing the commission to adopt rules to prevent the unauthorized changing of a subscriber's telecommunications service; removing obsolete provisions relating to local exchange telecommunications companies; repealing ss. 364.161 and 364.162, F.S., relating to unbundling and resale of telecommunication services and negotiated prices for interconnection services, respectively; amending s. 364.163, F.S.; conforming provisions to changes made by the act; amending s. 364.183, F.S.; revising provisions relating to access of the commission to certain records of a telecommunications company; repealing ss. 364.185, 364.19, and 364.27, F.S., relating to powers of the commission to investigate and inspect any premises of a telecommunications company, regulation of telecommunication contracts, and powers and duties as to interstate rates, respectively; amending s. 364.33, F.S., relating to the certificate of authority; prohibiting a person from providing any telecommunications service to the public without a certificate of necessity or a certificate of authority issued by the commission; providing that, after a specified date, the commission will no longer issue certificates of necessity; amending s. 364.335, F.S.; requiring an applicant to provide certain information when applying for a certificate of authority; describing the criteria necessary to be granted a certificate of authority; authorizing a telecommunications company to terminate a certificate of authority; amending s. 364.336, F.S.; requiring the commission to initiate rulemaking to reduce the regulatory assessment fee for telecommunications companies and to produce an annual report describing its efforts to reduce the fee; repealing s. 364.337, F.S., relating to competitive local exchange companies; amending s. 364.3375, F.S., relating to pay telephone service providers; requiring pay telephone providers to obtain a certificate of authority from the commission; repealing ss. 364.3376, 364.3381, 364.3382, 364.339, 364.345, and 364.37, F.S., relating to operator services, cross-subsidization, cost disclosures, certificates for territories served, shared tenant services, and powers of the commission relating to service territories, respectively; amending s. 364.385, F.S.; removing obsolete provisions relating to saving clauses; amending s. 364.386, F.S.; revising the content to be included in the report to be filed with the Legislature; repealing ss. 364.501, 364.503, 364.506, 364.507, 364.508, 364.515, 364.516, 364.601, 364.602, 364.603, and 364.604, F.S., relating to the prevention of damages to underground telecommunication facilities, mergers or acquisitions, a short title for education facilities, legislative intent for advanced telecommunication services to eligible facilities, definitions, infrastructure investments, penalties for failing to provide advanced telecommunication services, the short title for telecommunication consumer protections, definitions, the methodology for protecting consumers for changing telecommunication providers, and billing procedures to inform and protect the consumer, respectively; amending ss. 196.012, 199.183, 212.08, 290.007, 350.0605, 364.105, 364.32, and 489.103, F.S.; revising cross-references to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Commerce and Tourism; and Budget.

By Representative(s) Dorworth—

HB 4033—A bill to be entitled An act relating to the Florida Industrial Development Corporation; repealing provisions of chapter 289, F.S., relating to the Florida Industrial Development Corporation; amending ss. 212.08, 220.183, 220.62, 440.491, and 658.67, F.S.; deleting references to conform to changes made by the act; providing an effective date.

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

By Education Committee, K-20 Innovation Subcommittee and Representative(s) Stargel, K-20 Competitiveness Subcommittee, Fresen—

CS for HB 7087 and HB 7091—A bill to be entitled An act relating to education law repeals; repealing s. 445.049, F.S., relating to the creation of the Digital Divide Council in the Department of Education; repealing s. 817.567, F.S., relating to making false claims of academic degree or title; repealing s. 1001.291, F.S., which provides for implementation of a pilot project relating to discounted computers and Internet access for low-income students; repealing s. 1004.50, F.S., relating to the Institute on Urban Policy and Commerce; repealing s. 1004.51, F.S., relating to the Community and Faith-based Organizations Initiative and the Library Technology Access Partnership; repealing s. 1004.52, F.S., relating to the community computer access grant program; repealing s. 1004.95, F.S., relating to adult literacy centers; repealing s. 1004.97, F.S., relating to the Florida Literacy Corps; repealing s. 1004.04(11) and (12), F.S., relating to the Preteacher and Teacher Education Pilot Programs and the Teacher Education Pilot Programs for High-Achieving Students; repealing s. 1009.54, F.S., relating to the Critical Teacher Shortage Program; repealing s. 1009.57, F.S., relating to the Florida Teacher Scholarship and Forgivable Loan Program; repealing s. 1009.58, F.S., relating to the critical teacher shortage tuition reimbursement program; repealing s. 1009.59, F.S., relating to the Critical Teacher Shortage Student Loan Forgiveness Program; repealing s. 1012.225, F.S., relating to the Merit Award Program for Instructional Personnel and School-Based Administrators; repealing s. 1012.2251, F.S., relating to the administration of end-of-course examinations for the Merit Award Program; repealing s. 447.403(2)(c), F.S., relating to the resolution of an impasse involving a dispute of a Merit Award Program plan, to conform; amending ss. 1002.33, 1003.52, 1009.40, 1009.94, 1011.62, and 1012.07, F.S.; conforming provisions to changes made by the act; repealing s. 1012.33(3)(a), (b), and (c), F.S., relating to professional service contracts for instructional staff; amending s. 1008.22, F.S.; deleting a provision requiring that certain middle school students who earned high school credit in Algebra I take the Algebra I end-of-course assessment during the 2010-2011 school year; providing effective dates.

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

By Education Committee, K-20 Competitiveness Subcommittee and Representative(s) O'Toole, Burgin, Chestnut, Nuñez, Perry—

CS for CS for HB 395—A bill to be entitled An act relating to the University of Florida J. Hillis Miller Health Center; amending s. 1004.41, F.S.; correcting the name of one of the health center's colleges; specifying that the University of Florida Board of Trustees shall lease Shands Teaching Hospital and Clinics on the Gainesville campus to Shands Teaching Hospital and Clinics, Inc.; specifying the primary purpose of Shands Teaching Hospital and Clinics, Inc.; providing requirements for lease, contract, or agreement between the University of Florida Board of Trustees and Shands Teaching Hospital and Clinics, Inc.; authorizing the creation of corporate subsidiaries and affiliates; providing the right of control; providing for sovereign immunity; providing that Shands Jacksonville Medical Center, Inc., and its parent, Shands Jacksonville HealthCare, Inc., are private not-for-profit corporations organized primarily to support the health affairs mission of the University of Florida Board of Trustees; authorizing the creation of corporate subsidiaries and affiliates; providing requirements for lease, contract, or agreement between the University of Florida Board of Trustees and the corporations; providing the right of control; providing for sovereign immunity; providing for application; providing an effective date.

—was referred to the Committees on Health Regulation; Higher Education; and Budget.

RETURNING MESSAGES ON SENATE BILLS

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives having passed **CS for CS for SB 1292, CS for CS for SB 1314, CS for SB 1738, SB 2000, SB 2002, SB 2094, SB 2096, SB 2098, SB 2100, SB 2104, SB 2106, SB 2108, SB 2110, SB 2112, SB 2114, SB 2116, SB 2118, SB 2120, SB 2122, SB 2124, SB 2126, SB 2128, SB 2130, SB 2132, SB 2134, SB 2136, SB 2142, SB 2144, SB 2146, SB 2148, SB**

2150, SB 2152, SB 2154, SB 2156, SB 2160, and SB 2162 with amendments, accedes to the request of the Senate for a conference.

Robert L. "Bob" Ward, Clerk

RETURNING MESSAGES — FINAL ACTION

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 782; passed CS for SB 1970 by the required constitutional two-thirds vote of the members present in the House.

Robert L. "Bob" Ward, Clerk

The bills contained in the foregoing messages were ordered enrolled.

CONFEREES APPOINTED

The President appointed the following conferees for **CS for CS for SB 1292, CS for CS for SB 1314, CS for SB 1738, SB 2000, SB 2002, SB 2094, SB 2096, SB 2098, SB 2100, SB 2104, SB 2106, SB 2108, SB 2110, SB 2112, SB 2114, SB 2116, SB 2118, SB 2120, SB 2122, SB 2124, SB 2126, SB 2128, SB 2130, SB 2132, SB 2134, SB 2136, SB 2142, SB 2144, SB 2146, SB 2148, SB 2150, SB 2152, SB 2154, SB 2156, SB 2160, SB 2162, CS for HB 143, CS for HB 641, CS for HB 733, CS for CS for HB 873, CS for HB 5005, CS for HB 5007, HB 5011, HB 5303, HB 5305, HB 5309, HB 5401, CS for HB 5403, HB 5405, HB 5409 HB 7203, HB 7205 and HB 7207**: Senator Alexander, Chair; Senator Negron, Vice Chair; Senators Gaetz, Gardiner, Siplin and Thrasher, Members at Large; Budget Conference Committee on FRS/Retirement: Senator Ring, Chair; and Senator Benacquisto; Budget Conference Committee on Professional Deregulation: Senator Hays, Chair; Budget Conference Committee on Governmental Reorganization: Senator Gaetz, Chair; Budget Conference Committee on SEED Fund: Senator Gaetz, Chair; Budget Conference Committee on State Employee Group Health Insurance: Senator Negron, Chair; Budget Conference Committee on Criminal and Civil Justice Appropriations: Senator Fasano, Chair; Senators Bennett, Evers, Joyner, Sachs, Storms, and Thrasher; Budget Conference Committee on Education Pre-K - 12 Appropriations: Senator Simmons, Chair; Senators Bullard, Detert, Dockery, Montford, and Wise; Budget Conference Committee on General Government Appropriations: Senator Hays, Chair; Senators Dean, Diaz de la Portilla, Jones, and Ring; Budget Conference Committee on Health and Human Services Appropriations: Senator Negron, Chair; Senators Flores, Garcia, Norman, Richter, and Sobel; Budget Conference Committee on Higher Education Appropriations: Senator Lynn, Chair; Senators Altman, Braynon, Oelrich, and Siplin; Budget Conference Committee on Transportation, Tourism, and Economic Development Appropriations: Senator Gaetz, Chair; Senators Benacquisto, Bogdanoff, Hill, Latvala, Margolis, and Smith

The action of the Senate was certified to the House.

ENROLLING REPORTS

SB 1012, SB 1014, SB 1016, SB 1018, SB 1020, SB 1022, SB 1024, SB 1026, SB 1028, SB 1030, SB 1032, SB 1034, SB 1036, SB 1038, SB 1040, SB 1042 and SB 1044 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 25, 2011.

R. Philip Twogood, Secretary

CO-INTRODUCERS

Senators Alexander—SB 2042; Bogdanoff—SB 2042; Diaz de la Portilla—SB 1564; Dockery—CS for SB 1334; Flores—CS for SB 1128; Gaetz—CS for SB 556; Jones—CS for SB 1524; Joyner—SB 1390; Sachs—SB 1660; Siplin—SCR 286; Smith—CS for SB 1390, SB 1572; Sobel—SB 346, CS for SB 1140, SB 1586; Storms—SB 844, SB 1662

Senator Lynn withdrew as co-introducer of SB 404.

SENATE PAGES

April 25-29, 2011

April 11-15, 2011

Kyle Bussey, Tallahassee; Alexandra Campione, Eustis; Deborah Dempsey, Carrabelle; Peyton Dole, St. Augustine; Morgan Edwards, Webster; Javier Gonzalez, Miami; Katie Jones, Wewahitchka; Lauren Lee, Tallahassee; Jennifer Lucas, Tallahassee; Nicholas Phillips, Live Oak; Alex Richey, Live Oak; Jason Seabrook, Live Oak; Rachael Sears, Tallahassee; Carlie Smith, Jacksonville

Grace Beatty, Ft. Myers; Angel Brenkman, Tallahassee; Mark Cleaver, Grand Island; Sarah Green, Pace; Jase Lindsey, Tallahassee; Chase Lowery, Havana; Stephanie Marxsen, Carrabelle; Adriana Perez-Siam, Miami; Anne "Annie" Pucciarelli, Brandon; Paul Pucciarelli, Jr., Brandon; David "Alex" Roberts, Ponce de Leon; Carlton Robinson, Sidell; Christopher Smith, Ft. Lauderdale; Jalyn Stallworth, Odessa; Hannah Stargel, Lakeland; Alexander "Alex" Tate, Venice



Journal of the Senate

Number 16—Regular Session

Wednesday, April 27, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 10:00 a.m. A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Excused: Senator Bullard

PRAYER

The following prayer was offered by Rev. Candace McKibben, Director of Supportive Care Services, Big Bend Hospice, Tallahassee:

Creator and lover of the world, as this chamber pauses before re-summing the important work before them, we call on a wisdom and strength beyond our own. More than a mere formality—we ask earnestly and expectantly that by your grace we demonstrate our best selves this day. Help these Senators to put aside differences and look for the common good. Give them wisdom to see the big picture, while holding in sight the particular lives that are impacted by the decisions that they make this day. Renew in each of them the purity and passion that was theirs when they first began their public service. May they not grow weary in doing what is right and good, and may they love the world and their particular constituents, even as you love the world and all within it. Remind them of the trust that has been placed in them, and grant that they might be wise and fair in the words they speak and the way they conduct business in this chamber.

When these men and women grow tired and faint, renew them with strength. When they become narrow and determined, expand their thoughts and willingness to consider every angle. When they grow homesick, grant them good and happy memories of times spent with those they love. When they lose confidence in the process in which they are engaged, give them a vision of what they can accomplish as they work together with integrity and courage.

Creator and lover of this world, thank you for the gift of life and for this important work to do. May these public servants find a way to rise above what is divisive and petty and work for the best for all Floridians. Amen.

PLEDGE

Senate Pages Jase Lindsey of Tallahassee; Paul Pucciarelli, Jr. of Brandon; Jalyn Stallworth of Odessa; David “Alex” Roberts of Ponce de Leon; and Sarah Green of Pace, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Marc Inglese of Tallahassee, sponsored by Senator Montford, as doctor of the day. Dr. Inglese specializes in Dermatology and Internal Medicine.

ADOPTION OF RESOLUTIONS

On motion by Senator Gaetz—

By Senator Gaetz—

SR 2030—A resolution recognizing the invaluable contribution of Florida ophthalmologists to the EyeCare America program and expressing gratitude for their exemplary service to the people of this state.

WHEREAS, by age 65, one in three Americans suffers some form of vision-limiting eye disease, and

WHEREAS, EyeCare America is a charitable foundation of the American Academy of Ophthalmology committed to the preservation of sight, with nearly 7,000 volunteer ophthalmologists providing service to their respective communities, and

WHEREAS, in this state, 409 ophthalmologists volunteer their services to more than 34,200 EyeCare America patients, providing voluntary eye exams and up to 1 year of care to qualified United States citizens and legal residents at no cost, and

WHEREAS, through EyeCare America, those who are age 65 or older and have not seen an ophthalmologist in 3 or more years may be eligible to receive a comprehensive eye examination and up to 1 year of care, while uninsured individuals who are determined to be at an increased risk for glaucoma and who have not had an eye examination in 12 months or more may be eligible for a free glaucoma exam, and

WHEREAS, the Florida Society of Ophthalmology seeks to improve services to Florida citizens and legal residents unable to afford proper and necessary eye care, with many of its members participating in EyeCare America, and

WHEREAS, the Florida Senate recognizes the critical importance of devoting time and medical care for those Florida citizens and legal residents in need of eye care, NOW, THEREFORE,

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

That the Senate does hereby recognize Florida ophthalmologists and the Florida Society of Ophthalmology for their dedication to EyeCare America and patients in need of eye care.

BE IT FURTHER RESOLVED that copies of this resolution, signed by the President of the Senate, with the Seal of the Senate affixed, be transmitted to EyeCare America and the Florida Society of Ophthalmology, respectively, as a tangible token of the sentiments expressed herein and as a lasting symbol of the respect of the members of the Senate of the State of Florida.

—was introduced out of order and read by title. On motion by Senator Gaetz, **SR 2030** was read the second time in full and adopted.

On motion by Senator Joyner—

By Senator Joyner—

SR 2164—A resolution recognizing April 2011 as “Fair Housing Month” in Florida.

WHEREAS, Title VIII of the federal Civil Rights Act of 1968 and the federal Fair Housing Act of 1988 prohibit discrimination based on race, color, religion, sex, national origin, disability, or familial status in the sale, rental, and financing of dwellings, and

WHEREAS, in 1983, the Florida Legislature enacted the Florida Fair Housing Act to ensure that discrimination in the sale or rental of any dwelling because of race, color, national origin, sex, or religion be prohibited, and subsequently amended the Act in 1988 to include handicap and familial status, and

WHEREAS, the United States Department of Housing and Urban Development has proclaimed April as “National Fair Housing Month,” launching awareness campaigns to commemorate the historic passage of this major legislation, increasing the public’s understanding of the act’s many protections, and asking communities to remember the past and celebrate 43 years of housing successes to ensure justice and housing opportunities for all, and

WHEREAS, according to a recent report from the federal Fair Housing Administration, Florida continues to experience a catastrophic rate of home foreclosures, and, as of February 2011, had the highest foreclosure rate in the nation, due in part to predatory lending practices from 2004 through 2006, and

WHEREAS, at the height of this lending spree, Florida’s ethnic and racial minorities accounted for more than half of all subprime mortgage loans, which means that ethnic and racial minorities are losing their homes at much higher rates than other Floridians, and

WHEREAS, the Florida Commission on Human Relations conducts thorough and timely investigations of housing discrimination complaints and, as a result of its investigative efforts, has found that housing discrimination continues to exist in this state, with disability, race, national origin, and familial status constituting the top four areas of housing discrimination cases closed in the 2009-2010 fiscal year, and

WHEREAS, given the current housing crisis, the Florida Commission on Human Relations is working harder than ever to expand its outreach and educational efforts to ensure that members of the housing industry are informed of fair housing laws and their responsibilities, and to increase community partnerships to ensure that Floridians are treated fairly and are provided equal access to adequate and affordable housing without discrimination, prejudice, or barriers, NOW, THEREFORE,

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

That April 2011 is recognized as “Fair Housing Month” in Florida.

BE IT FURTHER RESOLVED that the Florida Senate calls upon state and local governmental leaders, communities within the state, and all Floridians to observe Fair Housing Month through ceremonies and activities that celebrate past and future efforts to ensure fair and equal access to housing for all people in this state.

—was introduced out of order and read by title. On motion by Senator Joyner, **SR 2164** was read the second time in full and adopted.

On motion by Senator Benacquisto—

By Senator Benacquisto—

SR 2188—A resolution recognizing April 2011 as “Sexual Assault Awareness Month” in Florida.

WHEREAS, sexual assault continues to be a major social crisis in society, with one in nine women in this state a survivor of sexual violence, and

WHEREAS, sexual assault continues to affect many Floridians, either directly, as the survivor of sexual assault, or indirectly, as a family member, friend, neighbor, or coworker of a survivor, and

WHEREAS, men and boys can be victims of sexual violence as children, teens, or adults and are often reluctant to report the crime of sexual assault, and

WHEREAS, sexual assault has a devastating effect on survivors, affecting every aspect of their lives, increasing the risk of depression, suicide, homelessness, and substance abuse, and often leading to post-traumatic stress disorder, and

WHEREAS, volunteers and service providers in 30 certified rape crisis centers work to provide a continuum of quality care to sexual assault survivors through 24-hour hotlines, counseling, support groups, advocacy, medical care, and education, and

WHEREAS, the Florida Council Against Sexual Violence seeks to improve services for survivors of sexual assault and to prevent future sexual assault through public awareness and victim services, and

WHEREAS, child sexual abuse survivor and educator Lauren Book founded the organization Lauren’s Kids, Inc., which, in conjunction with the Florida Council Against Sexual Violence, has organized “Walk In My Shoes,” a 1,000-mile walk from Key West to Tallahassee, which symbolizes the long and painful road to recovery for survivors of sexual assault, and

WHEREAS, “Walk In My Shoes” is promoting awareness, guidance, and support for survivors, educating adults and children about sexual assault, promoting the message that it is acceptable for survivors to tell others about the abuse they have experienced, and offering hope for healing for all survivors of sexual assault, and

WHEREAS, the Florida Senate recognizes the vital importance of designating a time devoted to increasing public awareness and support of agencies providing services to sexual assault survivors, and envisions a future in which all communities are free of sexual violence, NOW, THEREFORE,

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

That April 2011 is recognized as “Sexual Assault Awareness Month” in Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Florida Council Against Sexual Violence and Lauren’s Kids, Inc., as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Benacquisto, **SR 2188** was read the second time in full and adopted.

On motion by Senator Detert—

By Senator Detert—

SR 2054—A resolution recognizing the outstanding achievements of the students, alumni, faculty, and staff of New College of Florida on the occasion of its 50th Anniversary Year as an institution of higher education in Florida.

WHEREAS, New College was founded in 1960 and dedicated its campus on the grounds of the former Charles Ringling estate on Sarasota's bayfront in 1962, and

WHEREAS, in dedicating the campus of New College, celebrants symbolically mixed soil from Harvard, the oldest institution of higher education in the nation, with that of the newest, New College, and

WHEREAS, New College matriculated its first class of students in 1964, graduating this charter class in 1967, and

WHEREAS, for 50 years New College has been dedicated to academic excellence, remaining true to its mission to provide academically talented students with an individualized and challenging educational program by promoting independent study and encouraging undergraduate research and close interaction with faculty members, and

WHEREAS, New College became part of the State University System of Florida in 1975, gained independence as the 11th member of the system in 2001, and, as New College of Florida, was designated the State Honors College for the liberal arts and sciences, and

WHEREAS, New College of Florida has produced national and international scholarship award winners and grant recipients, including a Fields Medalist, a Rhodes Scholar, a British Marshall Scholar, a Gates Cambridge Scholar, and numerous National Science Foundation Fellows, and has one of the highest per capita number of Fulbright Scholars in the nation, and

WHEREAS, New College of Florida has been recognized as one of the nation's leading undergraduate liberal arts and sciences colleges by *U.S. News & World Report*, the *Wall Street Journal*, *Forbes*, *Money*, *Time*, *The Princeton Review*, and other publications, NOW, THEREFORE,

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

That the Florida Senate takes great pride in recognizing the 50th Anniversary Year of New College of Florida and salutes the outstanding achievements of its students, alumni, faculty, and staff on this 27th day of April, 2011.

—was introduced out of order and read by title. On motion by Senator Detert, **SR 2054** was read the second time in full and adopted.

At the request of Senator Jones—

By Senator Jones—

SR 1498—A resolution recognizing April 12 and 13, 2011, as “Massage Therapy Legislative Awareness Days.”

WHEREAS, members of the Florida State Massage Therapy Association and the Florida Chapter of the American Massage Therapy Association throughout the state are actively involved in public awareness and health programs to improve the health and quality of life of Florida residents, and

WHEREAS, the Florida State Massage Therapy Association and the Florida Chapter of the American Massage Therapy Association have been holding Massage Therapy Legislative Awareness Days at the Florida Capitol since 1988 for the purpose of educating the Legislature and the public concerning the many health benefits of massage therapy, and

WHEREAS, the practice of massage therapy is regulated by the Board of Massage Therapy within the Department of Health under chapter 480, Florida Statutes, and

WHEREAS, massage therapists have been licensed and regulated in Florida since 1943, and currently more than 30,000 massage therapists are licensed by the state, and

WHEREAS, massage therapy is a high-quality, low-cost means of enhancing and restoring health, and

WHEREAS, increased awareness of the benefits of massage therapy will lead to improved health and vitality of the residents of this state, and

WHEREAS, the Legislature recognizes massage therapy for wellness and preventive health measures, NOW, THEREFORE,

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

That April 12 and 13, 2011, are recognized as “Massage Therapy Legislative Awareness Days” in Florida.

—**SR 1498** was introduced, read and adopted by publication.

At the request of Senator Fasano—

By Senator Fasano—

SR 1988—A resolution commending the osteopathic physicians of this state and recognizing April 13, 2011, as “Osteopathic Medicine Day” in Florida.

WHEREAS, there are currently more than 70,000 osteopathic physicians in the United States, and

WHEREAS, osteopathic physicians provide health care services that account for more than 76 million patient visits in this country each year, and

WHEREAS, this state has three accredited osteopathic hospitals, two osteopathic medical colleges, and the third-largest osteopathic physician population in the nation, and

WHEREAS, osteopathic manipulation of the musculoskeletal system is a viable and proven technique for many diagnoses and treatments and provides an alternative to many drug therapies, and

WHEREAS, osteopathic physicians provide comprehensive medical care, including preventive medicine, diagnoses, and the appropriate use of drugs, surgery, manipulation, and hospital referrals, NOW, THEREFORE,

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

That the osteopathic physicians of this state are commended for their contributions to the health of all Floridians and April 13, 2011, is recognized as “Osteopathic Medicine Day” in Florida.

—**SR 1988** was introduced, read and adopted by publication.

At the request of Senator Rich—

By Senator Rich—

SR 2180—A resolution recognizing November 14-20, 2011, as “Spinal Cord Injury Awareness Week” in Florida.

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

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

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

WHEREAS, currently there are approximately 262,000 individuals in the United States who have sustained a spinal cord injury, and

WHEREAS, it is estimated that the annual incidence of spinal cord injury in the United States, not including those who die at the scene of an accident, is approximately 12,000 new cases each year, and

WHEREAS, the most common age for spinal cord injuries is 19 years old, with 25 percent of all injuries occurring between the ages of 17 and 23, and 51 percent of all injuries occurring between the ages of 16 and 30, and

WHEREAS, more than 80 percent of spinal cord injuries occur in men and 20 percent occur in women, and

WHEREAS, the four leading causes of spinal cord injury for both men and women are auto accidents, falls, acts of violence, and recreational sporting activities, and

WHEREAS, the average annual cost of care for individuals who have a spinal cord injury ranges from \$245,000 to \$830,000 the first year after injury, with an estimated lifetime cost ranging between \$529,000 and \$3.3 million depending on the severity of injury, and

WHEREAS, in the past 17 years, scientists have made major breakthroughs in understanding how to encourage damaged neurons to regenerate and restore function and how to improve the quality of life for patients in areas such as infertility and pain management, and

WHEREAS, the Darrell Gwynn Foundation has worked to help fund research aimed at finding a cure for paralysis, as well as improving the overall quality of life for individuals with paralysis, and

WHEREAS, the Darrell Gwynn Foundation will spend the week of November 14-20, 2011, working with local governments and schools to educate Floridians about the causes of and treatments for spinal cord injuries, as well as informing the public on how to prevent these injuries from taking place, NOW, THEREFORE,

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

That November 14-20, 2011, is recognized as “Spinal Cord Injury Awareness Week” in the State of Florida.

—**SR 2180** was introduced, read and adopted by publication.

At the request of Senator Ring—

By Senator Ring—

SR 2192—A resolution recognizing April 19, 2011, as “Florida Wing, Civil Air Patrol Day” in the State of Florida.

WHEREAS, the Civil Air Patrol was established on December 1, 1941, one week before the Japanese attack on Pearl Harbor, by citizens who were concerned about the defense of America’s coastline, and

WHEREAS, under the jurisdiction of the United States Army Air Forces, Civil Air Patrol pilots flew more than 500,000 hours and were credited with sinking two enemy submarines and rescuing hundreds of crash survivors during World War II, and

WHEREAS, President Harry Truman established the Civil Air Patrol as a federally chartered benevolent civilian corporation on July 1, 1946, and on May 26, 1948, the United States Congress passed Public Law 557, which permanently established the Civil Air Patrol as the auxiliary of the United States Air Force and charged the patrol with three primary missions: cadet programs, emergency services, and aerospace education, and

WHEREAS, in October 2000, Congress passed Public Law 106-398, which designated the Civil Air Patrol as a volunteer civilian auxiliary of the United States Air Force when its services are provided to any department or agency of the Federal Government, and

WHEREAS, the Civil Air Patrol’s cadet program offers children and young adults from ages 12 to 21 training in the areas of leadership, ethics, decisionmaking, and physical fitness and endurance, as well as the opportunity to fly in military aircraft and compete for scholarships toward earning pilot’s licenses, and

WHEREAS, the goal of the Civil Air Patrol’s aerospace education program is to foster and cultivate student interest in aerospace through the promotion of aviation, technology, engineering, and aerospace studies in the classroom, and

WHEREAS, the Civil Air Patrol’s emergency services program provides crucial services for United States citizens, such as inland search and rescue operations, reconnaissance for homeland security, and disaster relief and support to local, state, and national organizations, and

WHEREAS, the Civil Air Patrol is composed entirely of volunteer members from all walks of life, including medical and business profes-

sionals, law enforcement officers, clergy members, educators, and others, whose sole purpose is to serve the citizens of the United States and the State of Florida, and

WHEREAS, one of the largest and most active Wings in the Civil Air Patrol is the Florida Wing, with more than 3,800 members, and

WHEREAS, Florida Wing, Civil Air Patrol has flown more than 7,145 hours over the past year in support of its task to serve the citizens of the State of Florida and has executed more than 385 missions in the state, including United States Air Force training missions, NOW, THEREFORE,

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

That April 19, 2011, is recognized as “Florida Wing, Civil Air Patrol Day” in the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Florida Wing, Civil Air Patrol as a tangible token of the sentiments of the Florida Senate.

—**SR 2192** was introduced, read and adopted by publication.

SPECIAL RECOGNITION

Senator Storms recognized Jaelyn Raulerson, “Miss Florida 2010,” and her father, Dan Raulerson, who were present in the gallery.

SPECIAL ORDER CALENDAR

Consideration of **CS for CS for SB 830**, **CS for CS for SB 234**, **CS for CS for CS for SB 402** and **CS for CS for CS for SB 432** was deferred.

CS for CS for SB 1524—A bill to be entitled An act relating to telecommunications; creating the “Regulatory Reform Act”; amending s. 364.01, F.S.; revising legislative intent with respect to the jurisdiction of the Florida Public Service Commission; amending s. 364.011, F.S.; providing that certain basic and nonbasic telecommunication services are exempt from the jurisdiction of the Public Service Commission; amending s. 364.012, F.S.; requiring local exchange telecommunications companies to provide unbundled access to network elements; amending s. 364.0135, F.S.; providing legislative intent relating to the sustainable adoption of broadband Internet service; providing a definition of “sustainable adoption” as it relates to broadband Internet services; removing obsolete legislative intent; authorizing the Department of Management Services to work collaboratively with, and to receive staffing support and other resources from, Enterprise Florida, Inc., state agencies, local governments, private businesses, and community organizations to encourage sustainable adoption of broadband Internet services; authorizing the department to adopt rules; amending s. 364.02, F.S.; removing the definition of “monopoly service” and adding a definition for “VoIP”; repealing ss. 364.025, 364.0251, and 364.0252, F.S., relating to uniform telecommunications service, a telecommunications consumer information program, and the expansion of consumer information programs, respectively; amending s. 364.04, F.S.; providing that the commission has no jurisdiction over the content, form, or format of rate schedules published by a telecommunications company; providing that a telecommunications company may undertake certain activities; repealing ss. 364.051, 364.052, 364.057, 364.058, 364.059, 364.06, 364.063, 364.07, and 364.08, F.S., relating to price regulation, regulatory methods for small local exchange telecommunications companies, experimental and transitional rates, limited proceedings, procedures for seeking a stay of proceedings, joint rates, tolls, and contracts, rate adjustment orders, intrastate interexchange service contracts, and unlawful charges against consumers, respectively; amending s. 364.10, F.S.; removing obsolete provisions; requiring an eligible telecommunications carrier to provide a Lifeline Assistance Plan to qualified residential subscribers; repealing s. 364.15, F.S., relating to repairs, improvements, and additions to telecommunication facilities; amending s. 364.16, F.S., relating to local interconnection, unbundling, and resale of telecommunication services; providing legislative intent; requiring the Public Service Commission to, upon request, arbitrate and enforce interconnection agreements; providing that certain services are exempt from the commission jurisdiction;

providing that a competitive local exchange telecommunications company is entitled to interconnection with a local exchange telecommunications company for certain purposes; prohibiting a telecommunications company from knowingly delivering traffic for which terminating access service charges would otherwise apply; authorizing any party having a substantial interest to petition the commission for an investigation; requiring the commission to adopt rules to prevent the unauthorized changing of a subscriber's telecommunications service; requiring the commission to conduct an expedited proceeding to resolve disputes; providing that the telecommunications company that asserts the existence of a local preferred carrier freeze has a certain burden of proof; removing obsolete provisions relating to local exchange telecommunications companies; repealing ss. 364.161 and 364.162, F.S., relating to unbundling and resale of telecommunication services and negotiated prices for interconnection services, respectively; amending s. 364.163, F.S.; conforming provisions to changes made by the act; amending s. 364.183, F.S.; revising provisions relating to access of the commission to certain records of a telecommunications company; repealing ss. 364.185, 364.19, and 364.27, F.S., relating to powers of the commission to investigate and inspect any premises of a telecommunications company, regulation of telecommunication contracts, and powers and duties as to interstate rates, respectively; amending s. 364.33, F.S., relating to the certificate of authority; prohibiting a person from providing any telecommunications service to the public without a certificate of necessity or a certificate of authority issued by the commission; providing that, after a specified date, the commission will no longer issue certificates of necessity; amending s. 364.335, F.S.; requiring an applicant to provide certain information when applying for a certificate of authority; describing the criteria necessary to be granted a certificate of authority; authorizing a telecommunications company to terminate a certificate of authority; repealing s. 364.337, F.S., relating to competitive local exchange companies; amending s. 364.3375, F.S., relating to pay telephone service providers; requiring pay telephone providers to obtain a certificate of authority from the commission; repealing ss. 364.3376, 364.3381, 364.3382, 364.339, 364.345, and 364.37, F.S., relating to operator services, cross-subsidization, cost disclosures, certificates for territories served, shared tenant services, and powers of the commission relating to service territories, respectively; amending s. 364.385, F.S.; removing obsolete provisions relating to saving clauses; amending s. 364.386, F.S.; revising the content to be included in the report to be filed with the Legislature; repealing ss. 364.501, 364.503, 364.506, 364.507, 364.508, 364.515, 364.516, 364.601, 364.602, 364.603, and 364.604, F.S., relating to the prevention of damages to underground telecommunication facilities, mergers or acquisitions, a short title for education facilities, legislative intent for advanced telecommunication services to eligible facilities, definitions, infrastructure investments, penalties for failing to provide advanced telecommunication services, the short title for telecommunication consumer protections, definitions, the methodology for protecting consumers for changing telecommunication providers, and billing procedures to inform and protect the consumer, respectively; amending ss. 196.012, 199.183, 212.08, 290.007, 350.0605, 364.105, 364.32, and 489.103, F.S.; revising cross-references to conform to changes made by the act; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 1524** to **CS for CS for HB 1231**.

Pending further consideration of **CS for CS for SB 1524** as amended, on motion by Senator Simmons, by two-thirds vote **CS for CS for HB 1231** was withdrawn from the Committees on Communications, Energy, and Public Utilities; Commerce and Tourism; and Budget.

On motion by Senator Simmons—

CS for CS for HB 1231—A bill to be entitled An act relating to telecommunications; creating the “Regulatory Reform Act”; amending s. 364.01, F.S.; revising legislative intent with respect to the jurisdiction of the Florida Public Service Commission; amending s. 364.011, F.S.; providing that certain basic and nonbasic telecommunication services are exempt from the jurisdiction of the Public Service Commission; amending s. 364.012, F.S.; requiring local exchange telecommunications companies to provide unbundled access to network elements; amending s. 364.0135, F.S.; providing legislative intent relating to the sustainable adoption of broadband Internet service; providing a definition of “sustainable adoption” as it relates to broadband Internet services; removing obsolete legislative intent; authorizing the Department of Management

Services to work collaboratively with, and to receive staffing support and other resources from, Enterprise Florida, Inc., state agencies, local governments, private businesses, and community organizations to encourage sustainable adoption of broadband Internet services; authorizing the department to adopt rules; amending s. 364.02, F.S.; removing the definition of the term “monopoly service”; revising the definitions of the terms “basic local telecommunications service” and “nonbasic service”; excluding an operator service provider from the meaning of the term “telecommunications company”; revising the definition of the term “VoIP”; repealing ss. 364.025, 364.0251, and 364.0252, F.S., relating to uniform telecommunications service, a telecommunications consumer information program, and the expansion of consumer information programs, respectively; amending s. 364.04, F.S.; providing that the commission has no jurisdiction over the content, form, or format of rate schedules published by a telecommunications company; providing that a telecommunications company may undertake certain activities; repealing ss. 364.051, 364.052, 364.057, 364.058, 364.059, 364.06, 364.063, 364.07, and 364.08, F.S., relating to price regulation, regulatory methods for small local exchange telecommunications companies, experimental and transitional rates, limited proceedings, procedures for seeking a stay of proceedings, joint rates, tolls, and contracts, rate adjustment orders, intrastate interexchange service contracts, and unlawful charges against consumers, respectively; amending s. 364.10, F.S.; removing obsolete provisions; requiring an eligible telecommunications carrier to provide a Lifeline Assistance Plan to qualified residential subscribers; authorizing the commission to undertake certain consumer education measures; repealing s. 364.15, F.S., relating to repairs, improvements, and additions to telecommunication facilities; amending s. 364.16, F.S., relating to interconnection, unbundling, and resale of telecommunication services; requiring the commission to, upon request, arbitrate and enforce interconnection agreements; prohibiting a telecommunications company from knowingly delivering traffic for which terminating access service charges would otherwise apply; authorizing the commission to adopt rules to prevent the unauthorized changing of a subscriber's telecommunications service; removing obsolete provisions relating to local exchange telecommunications companies; repealing ss. 364.161 and 364.162, F.S., relating to unbundling and resale of telecommunication services and negotiated prices for interconnection services, respectively; amending s. 364.163, F.S.; conforming provisions to changes made by the act; amending s. 364.183, F.S.; revising provisions relating to access of the commission to certain records of a telecommunications company; repealing ss. 364.185, 364.19, and 364.27, F.S., relating to powers of the commission to investigate and inspect any premises of a telecommunications company, regulation of telecommunication contracts, and powers and duties as to interstate rates, respectively; amending s. 364.33, F.S., relating to the certificate of authority; prohibiting a person from providing any telecommunications service to the public without a certificate of necessity or a certificate of authority issued by the commission; providing that, after a specified date, the commission will no longer issue certificates of necessity; amending s. 364.335, F.S.; requiring an applicant to provide certain information when applying for a certificate of authority; describing the criteria necessary to be granted a certificate of authority; authorizing a telecommunications company to terminate a certificate of authority; amending s. 364.336, F.S.; requiring the commission to initiate rulemaking to reduce the regulatory assessment fee for telecommunications companies and to produce an annual report describing its efforts to reduce the fee; repealing s. 364.337, F.S., relating to competitive local exchange companies; amending s. 364.3375, F.S., relating to pay telephone service providers; requiring pay telephone providers to obtain a certificate of authority from the commission; repealing ss. 364.3376, 364.3381, 364.3382, 364.339, 364.345, and 364.37, F.S., relating to operator services, cross-subsidization, cost disclosures, certificates for territories served, shared tenant services, and powers of the commission relating to service territories, respectively; amending s. 364.385, F.S.; removing obsolete provisions relating to saving clauses; amending s. 364.386, F.S.; revising the content to be included in the report to be filed with the Legislature; repealing ss. 364.501, 364.503, 364.506, 364.507, 364.508, 364.515, 364.516, 364.601, 364.602, 364.603, and 364.604, F.S., relating to the prevention of damages to underground telecommunication facilities, mergers or acquisitions, a short title for education facilities, legislative intent for advanced telecommunication services to eligible facilities, definitions, infrastructure investments, penalties for failing to provide advanced telecommunication services, the short title for telecommunication consumer protections, definitions, the methodology for protecting consumers for changing telecommunication providers, and billing procedures to inform and protect the consumer, respectively; amending ss. 196.012, 199.183, 212.08, 290.007, 350.0605,

364.105, 364.32, and 489.103, F.S.; revising cross-references to conform to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1524** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1231** was placed on the calendar of Bills on Third Reading.

CS for SB 998—A bill to be entitled An act relating to property rights; amending s. 70.001, F.S.; redefining the terms “inordinate burden” and “inordinately burdened” as they relate to the Bert J. Harris, Jr., Private Property Rights Protection Act” to specify that a moratorium on development in effect for longer than a specified period constitutes an inordinate burden; revising the time within which a property owner who seeks compensation must present the claim in writing to the head of the governmental entity; revising the time within which a governmental entity must make a written settlement offer to a claimant; revising the time within which a governmental entity that has provided notice must issue a written statement of allowable uses, rather than a ripeness decision, which identifies the allowable uses to which the subject property may be put; providing that the failure of the governmental entity to issue a written statement of allowable uses during the applicable revised notice requirement is deemed a denial for purposes of allowing a property owner to file an action in the circuit court; providing that if a written statement of allowable uses is issued, it constitutes the last prerequisite to judicial review; conforming terminology to changes made by the act; providing that enacting a law or adopting a regulation does not constitute the application of the law or regulation to a property; providing for application of sovereign immunity; providing for application of the act; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for SB 998** to **CS for CS for HB 701**.

Pending further consideration of **CS for SB 998** as amended, on motion by Senator Simmons, by two-thirds vote **CS for CS for HB 701** was withdrawn from the Committees on Community Affairs; Judiciary; and Budget.

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

CS for CS for HB 701—A bill to be entitled An act relating to property rights; amending s. 70.001, F.S.; revising definitions; shortening a notice period for certain actions; revising procedures for determining a governmental entity’s final decision identifying the allowable uses for a property; defining what constitutes first application of a law or regulation; clarifying the waiver of sovereign immunity for liability; providing for prospective application; providing an effective date.

—a companion measure, was substituted for **CS for SB 998** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 701** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 818** was deferred.

On motion by Senator Thrasher—

CS for CS for CS for SB 1546—A bill to be entitled An act relating to charter schools; amending ss. 163.3180 and 1002.32, F.S.; conforming cross-references; amending s. 1002.33, F.S.; requiring that the Department of Education provide or arrange for training and technical assistance for charter schools; providing for the designation of charter schools as high-performing if certain requirements are met; providing definitions relating to the high-performing charter school system; revising provisions to conform to changes made by the act; amending ss. 1002.34, 1011.68, 1012.32, and 1013.62, F.S.; conforming cross-references; requiring that the Office of Program Policy Analysis and Government Accountability conduct a study comparing the funding of charter schools to the funding of public schools; providing requirements for the study; requiring that the office submit its recommendations and findings to the

Governor and Legislature by a specified date; providing for severability; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Sobel, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Sobel moved the following amendment which was adopted:

Amendment 1 (790772) (with title amendment)—Delete lines 565-569 and insert:

(d) A school district may require up to two of the charter school’s governing board members to reside in the school district in which the charter school is located. Each charter school’s governing board must annually hold at least three public meetings in the school district. Such meetings must be open and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school’s affairs. A quorum of the governing board members must be physically present at each meeting.

And the title is amended as follows:

Between lines 6 and 7 insert: authorizing a sponsor to require certain governing board members to reside in the school district;

Pursuant to Rule 4.19, **CS for CS for CS for SB 1546** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for SM 1654—A memorial to notify the Federal Government of colleges and universities in this state which are authorized to operate educational programs beyond the secondary level.

WHEREAS, On October 29, 2010, the United States Department of Education issued its Final Rule on Program Integrity Issues, 75 Federal Register 66832 et seq., which includes amendments to regulations at 34 Code of Federal Regulations s. 600.9(a)(1)(i)(A) requiring that educational institutions not created by the state be “established by name as an educational institution by a State through a charter, statute, constitutional provision, or other action...” and be “authorized to operate educational programs beyond secondary level, including programs leading to a degree or certificate,” and

WHEREAS, the Legislature chose to exempt from the jurisdiction or purview of the Commission for Independent Education “any institution that is under the jurisdiction of the Department of Education, eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program and that is a nonprofit independent college or university located and chartered in this state and accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees,” pursuant to s. 1005.06(1)(c), Florida Statutes, and

WHEREAS, all institutions exempted from the jurisdiction or purview of the Commission for Independent Education through accreditation by the Commission on Colleges of the Southern Association of Colleges and Schools must meet state requirements regarding fair consumer practices under s. 1005.04, Florida Statutes, meet annual reporting requirements with respect to crime statistics and physical plant safety under ss. 1005.04(1)(g) and 1013.11, Florida Statutes, and adopt hazing policies and rules under s. 1006.63, Florida Statutes, and

WHEREAS, all institutions that are exempt from the jurisdiction or purview of the Commission for Independent Education under s. 1005.06(1)(c), Florida Statutes, may participate in one or more state-funded student financial aid programs subject to audit by the Florida Department of Education, including, but not limited to, the Florida Private Student Assistance Grant Program pursuant to s. 1009.51, Florida Statutes, the Florida Bright Futures Scholarship Program pursuant to s. 1009.53, Florida Statutes, and the William L. Boyd, IV, Florida Resident Access Grant Program pursuant to s. 1009.89, Florida Statutes, and

WHEREAS, the institutions that are eligible to participate in Florida's student financial aid programs include: Ave Maria University, Barry University, Beacon College, Bethune-Cookman University, Clearwater Christian College, Eckerd College, Edward Waters College, Embry-Riddle Aeronautical University, Flagler College, Florida College, Florida Hospital College of Health Sciences, Florida Institute of Technology, Florida Memorial University, Florida Southern College, Hodges University, Jacksonville University, Lynn University, Nova Southeastern University, Palm Beach Atlantic University, Ringling College of Art and Design, Rollins College, Saint Leo University, Southeastern University, St. Thomas University, Stetson University, University of Miami, University of Tampa, Warner University, Webber International University, Keiser University, and Everglades University, NOW, THEREFORE,

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

That the 2011 Florida Legislature respectfully informs the United States Department of Education that the colleges and universities named in this memorial are authorized to operate educational programs beyond the secondary level.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to each college and university named in this memorial, to the United States Secretary of Education, to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Wise, **CS for SM 1654** was adopted and certified to the House. The vote on adoption was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 1996—A bill to be entitled An act relating to education law repeals; repealing s. 445.049, F.S., relating to the creation of the Digital Divide Council in the Department of Education; repealing s. 817.567, F.S., relating to making false claims of academic degree or title; repealing s. 1001.291, F.S., which provides for implementation of a pilot project relating to discounted computers and Internet access for low-income students; repealing s. 1004.50, F.S., relating to the Institute on Urban Policy and Commerce; repealing s. 1004.51, F.S., relating to the Community and Faith-based Organizations Initiative and the Library Technology Access Partnership; repealing s. 1004.52, F.S., relating to the community computer access grant program; repealing s. 1004.95, F.S., relating to adult literacy centers; repealing s. 1004.97, F.S., relating to the Florida Literacy Corps; repealing s. 1004.04(11) and (12), F.S., relating to the Preteacher and Teacher Education Pilot Programs and the Teacher Education Pilot Programs for High-Achieving Students; repealing s. 1009.54, F.S., relating to the Critical Teacher Shortage Program; repealing s. 1009.57, F.S., relating to the Florida Teacher Scholarship and Forgivable Loan Program; repealing s. 1009.58, F.S., relating to the critical teacher shortage tuition reimbursement program; repealing s. 1009.59, F.S., relating to the Critical Teacher Shortage Student Loan Forgiveness Program; repealing s. 1012.225, F.S., relating to the Merit Award Program for Instructional Personnel and School-Based Administrators; repealing s. 1012.2251, F.S., relating to the administration of end-of-course examinations for the Merit Award Program; repealing s. 447.403(2)(c), F.S., relating to the resolution of an

impasse involving a dispute of a Merit Award Program plan, to conform; amending ss. 1002.33, 1003.52, 1009.40, 1009.94, 1011.62, and 1012.07, F.S.; conforming provisions to changes made by the act; repealing s. 1012.33(3)(a), (b), and (c), F.S., relating to professional service contracts for instructional staff; amending s. 1008.22, F.S.; deleting a provision requiring that certain middle school students who earned high school credit in Algebra I take the Algebra I end-of-course assessment during the 2010-2011 school year; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 1996**, on motion by Senator Wise, by two-thirds vote **CS for HB 7087** was withdrawn from the Committees on Education Pre-K - 12; Budget Subcommittee on Education Pre-K - 12 Appropriations; and Budget.

On motion by Senator Wise—

CS for HB 7087—A bill to be entitled An act relating to education law repeals; repealing s. 445.049, F.S., relating to the creation of the Digital Divide Council in the Department of Education; repealing s. 817.567, F.S., relating to making false claims of academic degree or title; repealing s. 1001.291, F.S., which provides for implementation of a pilot project relating to discounted computers and Internet access for low-income students; repealing s. 1004.50, F.S., relating to the Institute on Urban Policy and Commerce; repealing s. 1004.51, F.S., relating to the Community and Faith-based Organizations Initiative and the Library Technology Access Partnership; repealing s. 1004.52, F.S., relating to the community computer access grant program; repealing s. 1004.95, F.S., relating to adult literacy centers; repealing s. 1004.97, F.S., relating to the Florida Literacy Corps; repealing s. 1004.04(11) and (12), F.S., relating to the Preteacher and Teacher Education Pilot Programs and the Teacher Education Pilot Programs for High-Achieving Students; repealing s. 1009.54, F.S., relating to the Critical Teacher Shortage Program; repealing s. 1009.57, F.S., relating to the Florida Teacher Scholarship and Forgivable Loan Program; repealing s. 1009.58, F.S., relating to the critical teacher shortage tuition reimbursement program; repealing s. 1009.59, F.S., relating to the Critical Teacher Shortage Student Loan Forgiveness Program; repealing s. 1012.225, F.S., relating to the Merit Award Program for Instructional Personnel and School-Based Administrators; repealing s. 1012.2251, F.S., relating to the administration of end-of-course examinations for the Merit Award Program; repealing s. 447.403(2)(c), F.S., relating to the resolution of an impasse involving a dispute of a Merit Award Program plan, to conform; amending ss. 1002.33, 1003.52, 1009.40, 1009.94, 1011.62, and 1012.07, F.S.; conforming provisions to changes made by the act; repealing s. 1012.33(3)(a), (b), and (c), F.S., relating to professional service contracts for instructional staff; amending s. 1008.22, F.S.; deleting a provision requiring that certain middle school students who earned high school credit in Algebra I take the Algebra I end-of-course assessment during the 2010-2011 school year; providing effective dates.

—a companion measure, was substituted for **CS for SB 1996** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 7087** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for SB 1466—A bill to be entitled An act relating to class size requirements; amending s. 1003.01, F.S.; redefining the terms “core-curricula courses” and “extracurricular courses”; amending s. 1003.03, F.S.; deleting a reference to the State Constitution regarding class size maximums; requiring that class size maximums be satisfied on or before the October student membership survey each year; requiring that the class size maximums be maintained after the October student membership survey unless certain conditions occur; providing that a student who enrolls in a school after the October student membership survey may be assigned to classes that temporarily exceed class size maximums if the school board determines that not assigning the student would be impractical, educationally unsound, or disruptive to student learning; providing for a specified number of students to be assigned above the maximum if the district school board makes this determination; requiring that the district school board develop a plan providing that the school will be in full compliance with the maximum class size requirements by the next October student membership survey; requiring that

the Department of Education identify from the Course Code Directory the core-curricula courses for the purpose of satisfying the maximum class size requirement; authorizing the department to adopt rules; amending s. 1011.685, F.S.; revising provisions relating to class size reduction operational categorical funds; authorizing a school district that meets the maximum class size requirement to use the funds for any lawful operating expenditure; providing an effective date.

—was read the second time by title.

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (612824)—Delete lines 42-45 and insert: *studies, and science in prekindergarten through grade 3, excluding any extra-curricular courses pursuant to subsection (15);*

(b) Courses in grades 4 through 8 in subjects that are measured by state assessment at any grade level and courses required for middle school promotion, excluding any extracurricular courses pursuant to subsection (15);

Pursuant to Rule 4.19, **CS for SB 1466** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 1414—A bill to be entitled An act relating to health insurance; creating ss. 627.64995, 627.66995, and 641.31099, F.S.; prohibiting certain health insurance policies and health maintenance contracts from providing coverage for abortions; providing exceptions; defining the term “state”; amending s. 627.6515, F.S.; providing that certain restrictions on coverage for abortions apply to certain group health insurance policies issued or delivered outside the state which provide coverage to residents of the state; amending s. 627.6699, F.S.; providing that certain restrictions on coverage for abortions apply to plans under the Employee Health Care Access Act; providing an effective date.

—was read the second time by title.

On motion by Senator Wise, further consideration of **CS for CS for SB 1414** was deferred.

Consideration of **CS for CS for SJR 1538** was deferred.

SB 626—A bill to be entitled An act relating to Shands Teaching Hospital and Clinics, Inc.; amending s. 1004.41, F.S.; clarifying provisions relating to references to the corporation known as Shands Teaching Hospital and Clinics, Inc.; clarifying provisions regarding the purpose of the corporation; authorizing the corporation to create corporate subsidiaries and affiliates; providing that Shands Teaching Hospital and Clinics, Inc., Shands Jacksonville Medical Center, Inc., Shands Jacksonville Healthcare, Inc., and any not-for-profit subsidiary of such entities are instrumentalities of the state for purposes of sovereign immunity; providing an effective date.

—was read the second time by title.

On motion by Senator Flores, further consideration of **SB 626** was deferred.

CS for CS for CS for SB 408—A bill to be entitled An act relating to property and casualty insurance; amending s. 215.555, F.S.; revising the definition of “losses,” relating to the Florida Hurricane Catastrophe Fund, to exclude certain losses; providing applicability; amending s. 215.5595, F.S.; authorizing an insurer to renegotiate the terms a surplus note issued before a certain date; providing limitations; amending s. 624.407, F.S.; revising the amount of surplus funds required for domestic insurers applying for a certificate of authority after a certain date; amending s. 624.408, F.S.; revising the minimum surplus that must be maintained by certain insurers; authorizing the Office of Insurance Regulation to reduce the surplus requirement under specified circumstances; amending s. 624.4095, F.S.; excluding certain premiums for federal multiple-peril crop insurance from calculations for an insurer’s

gross writing ratio; requiring insurers to disclose the gross written premiums for federal multiple-peril crop insurance in a financial statement; amending s. 624.424, F.S.; revising the frequency that an insurer may use the same accountant or partner to prepare an annual audited financial report; amending s. 626.854, F.S.; providing limitations on the amount of compensation that may be received by a public adjuster for a reopened or supplemental claim; providing statements that may be considered deceptive or misleading if made in any public adjuster’s advertisement or solicitation; providing a definition for the term “written advertisement”; requiring that a disclaimer be included in any public adjuster’s written advertisement; providing requirements for such disclaimer; requiring certain persons who act on behalf of an insurer to provide notice to the insurer, claimant, public adjuster, or legal representative for an onsite inspection of the insured property; authorizing the insured or claimant to deny access to the property if notice is not provided; requiring the public adjuster to ensure prompt notice of certain property loss claims; providing that an insurer be allowed to interview the insured directly about the loss claim; prohibiting the insurer from obstructing or preventing the public adjuster from communicating with the insured; requiring that the insurer communicate with the public adjuster in an effort to reach an agreement as to the scope of the covered loss under the insurance policy; prohibiting a public adjuster from restricting or preventing persons acting on behalf of the insured from having reasonable access to the insured or the insured’s property; prohibiting a public adjuster from restricting or preventing the insured’s adjuster from having reasonable access to or inspecting the insured’s property; authorizing the insured’s adjuster to be present for the inspection; prohibiting a licensed contractor or subcontractor from adjusting a claim on behalf of an insured if such contractor or subcontractor is not a licensed public adjuster; providing an exception; amending s. 626.8651, F.S.; requiring that a public adjuster apprentice complete a minimum number of hours of continuing education to qualify for licensure; amending s. 626.8796, F.S.; providing requirements for a public adjuster contract; creating s. 626.70132, F.S.; requiring that notice of a claim, supplemental claim, or reopened claim be given to the insurer within a specified period after a windstorm or hurricane occurs; providing a definition for the terms “supplemental claim” or “reopened claim”; providing applicability; repealing s. 627.0613(4), F.S., relating to the requirement that the consumer advocate for the Chief Financial Officer prepare an annual report card for each personal residential property insurer; amending s. 627.062, F.S.; requiring that the office issue an approval rather than a notice of intent to approve following its approval of a file and use filing; authorizing the office to disapprove a rate filing because the coverage is inadequate or the insurer charges a higher premium due to certain discriminatory factors; extending the expiration date for making a “file and use” filing; prohibiting the Office of Insurance Regulation from, directly or indirectly, impeding the right of an insurer to acquire policyholders, advertise or appoint agents, or regulate agent commissions; revising the information that must be included in a rate filing relating to certain reinsurance or financing products; deleting a provision that prohibited an insurer from making certain rate filings within a certain period of time after a rate increase; deleting a provision prohibiting an insurer from filing for a rate increase within 6 months after it makes certain rate filings; deleting obsolete provisions relating to legislation enacted during the 2003 Special Session D of the Legislature; providing for the submission of additional or supplementary information pursuant to a rate filing; amending s. 627.0629, F.S.; deleting obsolete provisions; deleting a requirement that the Office of Insurance Regulation propose a method for establishing discounts, debits, credits, and other rate differentials for hurricane mitigation by a certain date; requiring the Financial Services Commission to adopt rules relating to such debits by a certain date; deleting a provision that prohibits an insurer from including an expense or profit load in the cost of reinsurance to replace the Temporary Increase in Coverage Limits; conforming provisions to changes made by the act; amending s. 627.351, F.S.; renaming the “Citizens Property Insurance Corporation” as the “Taxpayer-Funded Property Insurance Corporation”; requiring policies issued by the corporation to include a provision that prohibits policyholders from engaging the services of a public adjuster until after the corporation has tendered an offer; limiting an adjuster’s fee for a claim against the corporation; renaming the “high-risk account” as the “coastal account”; revising the conditions under which the Citizens policyholder surcharge may be imposed; providing that members of the

Citizens Property Insurance Corporation Board of Governors are not prohibited from practicing in a certain profession if not prohibited by law or ordinance; limiting coverage for damage from sinkholes after a certain date and providing that the corporation must require repair of the property as a condition of any payment; prohibiting board members from voting on certain measures; exempting sinkhole coverage from the corporation's annual rate increase requirements; deleting a requirement that the board reduce the boundaries of certain high-risk areas eligible for wind-only coverages under certain circumstances; amending s. 627.3511, F.S.; conforming provisions to changes made by the act; amending s. 627.4133, F.S.; revising the requirements for providing an insured with notice of nonrenewal, cancellation, or termination of personal lines or commercial residential property insurance; authorizing an insurer to cancel policies after 45 days' notice if the Office of Insurance Regulation determines that the cancellation of policies is necessary to protect the interests of the public or policyholders; authorizing the Office of Insurance Regulation to place an insurer under administrative supervision or appoint a receiver upon the consent of the insurer under certain circumstances; creating s. 627.43141, F.S.; providing definitions; requiring the delivery of a "Notice of Change in Policy Terms" under certain circumstances; specifying requirements for such notice; specifying actions constituting proof of notice; authorizing policy renewals to contain a change in policy terms; providing that receipt of payment by an insurer is deemed acceptance of new policy terms by an insured; providing that the original policy remains in effect until the occurrence of specified events if an insurer fails to provide notice; providing intent; amending s. 627.7011, F.S.; requiring the insurer to pay the actual cash value of an insured loss for a dwelling, less any applicable deductible; requiring a policyholder to enter into a contract for the performance of building and structural repairs unless waived by the insurer; restricting insurers and contractors from requiring advance payments for repairs and expenses; requiring the insurer to offer coverage under which the insurer is obligated to pay replacement costs; authorizing the insurer to offer coverage that limits the initial payment for personal property to the actual cash value of the property to be replaced and to require the insured to provide receipts for purchases; requiring the insurer to provide notice of this process in the insurance contract; prohibiting an insurer from requiring the insured to advance payment; amending s. 627.70131, F.S.; specifying application of certain time periods to initial or supplemental property insurance claim notices and payments; providing legislative findings with respect to 2005 statutory changes relating to sinkhole insurance coverage and statutory changes in this act; amending s. 627.706, F.S.; authorizing an insurer to limit coverage for catastrophic ground cover collapse to the principal building and to have discretion to provide additional coverage; allowing the deductible to include costs relating to an investigation of whether sinkhole activity is present; revising definitions; defining the term "structural damage"; providing an insurer with discretion to provide a policyholder with an opportunity to purchase an endorsement to sinkhole coverage; placing a 2-year statute of repose on claims for sinkhole coverage; amending s. 627.7061, F.S.; conforming provisions to changes made by the act; repealing s. 627.7065, F.S., relating to the establishment of a sinkhole database; amending s. 627.707, F.S.; revising provisions relating to the investigation of sinkholes by insurers; deleting a requirement that the insurer provide a policyholder with a statement regarding testing for sinkhole activity; providing a time limitation for demanding sinkhole testing by a policyholder and entering into a contract for repairs; requiring all repairs to be completed within a certain time; providing exceptions; providing a criminal penalty on a policyholder for accepting rebates from persons performing repairs; amending s. 627.7073, F.S.; revising provisions relating to inspection reports; providing that the presumption that the report is correct shifts the burden of proof; revising the reports that an insurer must file with the clerk of the court; requiring the policyholder to file certain reports as a precondition to accepting payment; requiring the professional engineer responsible for monitoring sinkhole repairs to issue a report and certification to the property owner and file such report with the court; providing that the act does not create liability for an insurer based on a representation or certification by the engineer; amending s. 627.7074, F.S.; revising provisions relating to neutral evaluation; requiring evaluation in order to make certain determinations; requiring that the neutral evaluator be allowed access to structures being evaluated; providing grounds for disqualifying an evaluator; allowing the Department of Financial Services to appoint an evaluator if

the parties cannot come to agreement; revising the timeframes for scheduling a neutral evaluation conference; authorizing an evaluator to enlist another evaluator or other professionals; providing a time certain for issuing a report; providing that certain information is confidential; revising provisions relating to compliance with the evaluator's recommendations; providing that the evaluator is an agent of the department for the purposes of immunity from suit; requiring the department to adopt rules; amending s. 627.711, F.S.; deleting the requirement that the insurer pay for verification of a uniform mitigation verification form that the insurer requires; amending s. 627.712, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was read the second time by title.

Senator Smith moved the following amendment which was adopted:

Amendment 1 (343842)—Delete line 607 and insert: estimate available to the claimant or insured, *the insurer*, and the department

Senator Smith moved the following amendment which failed:

Amendment 2 (415180)—Delete line 734 and insert: *terms of the policy within 5 years after the hurricane first*

Senator Fasano moved the following amendment which failed:

Amendment 3 (173446) (with title amendment)—Delete line 2948 and insert: *policy. The insurer and shall make available, for an*

And the title is amended as follows:

Delete lines 180 and 181 and insert: cover collapse to the principal building; allowing

The vote was:

Yeas—12

Altman	Garcia	Norman
Detert	Hill	Rich
Dockery	Joyner	Sobel
Fasano	Margolis	Storms

Nays—20

Mr. President	Gardiner	Richter
Alexander	Hays	Simmons
Bennett	Jones	Siplin
Bogdanoff	Lynn	Smith
Braynon	Montford	Thrasher
Dean	Negron	Wise
Diaz de la Portilla	Oelrich	

SENATOR BENNETT PRESIDING

THE PRESIDENT PRESIDING

SENATOR THRASHER PRESIDING

Senator Fasano moved the following amendment which was adopted:

Amendment 4 (762998)—Delete lines 3003-3005 and insert: engineering

Senator Smith moved the following amendment:

Amendment 5 (453922)—Delete lines 3263-3265 and insert:

(c) *All of the respective findings, opinions, and recommendations of the insured's professional engineer or professional geologist as to the cause of distress to the property and all of the findings, opinions,*

MOTION

On motion by Senator Smith, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Smith moved the following amendment to **Amendment 5** which was adopted:

Amendment 5A (283390)—Delete line 6 and insert: recommendations of the *insurer's* professional engineer or

Amendment 5 as amended was adopted.

Senator Smith moved the following amendment:

Amendment 6 (782618) (with title amendment)—Between lines 3576 and 3577 insert:

Section 31. *The amendments made by this act in sections 22, 23, 24, 25, 26, 27, and 28 do not apply to insurance claims made with an insurer before February 1, 2011, but do apply to claims made with an insurer on or after that date.*

And the title is amended as follows:

Delete line 236 and insert: provisions to changes made by the act; providing for applicability; providing

MOTION

On motion by Senator Smith, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Smith moved the following substitute amendment which was adopted:

Amendment 7 (151382) (with title amendment)—Between lines 3576 and 3577 insert:

Section 31. *The amendments made by this act in sections 22, 23, 24, 26, 27, and 28 which affect procedural rights do not apply to insurance claims reported to an insurer before February 1, 2011, but do apply to claims reported to an insurer on or after that date. Amendments made by this act in sections 22, 23, 24, 26, 27, and 28 which affect substantive rights apply to claims reported to an insurer on or after July 1, 2011.*

And the title is amended as follows:

Delete line 236 and insert: provisions to changes made by the act; providing for applicability; providing

MOTION

On motion by Senator Storms, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Storms moved the following amendment which was adopted:

Amendment 8 (407132) (with title amendment)—Between lines 429 and 430 insert:

Section 8. Section 626.7452, Florida Statutes, is amended to read:

626.7452 Managing general agents; examination authority.—The acts of the managing general agent are considered to be the acts of the insurer on whose behalf it is acting. A managing general agent may be examined as if it were the insurer ~~except in the case where the managing general agent solely represents a single domestic insurer.~~

And the title is amended as follows:

Delete line 24 and insert: annual audited financial report; amending s. 626.7452, F.S.; deleting an exception relating to the examination of managing general agents; amending s. 626.854,

The vote was:

Yeas—16

Altman	Joyner	Siplin
Dean	Latvala	Sobel
Dockery	Margolis	Storms
Evers	Norman	Thrasher
Fasano	Rich	
Hill	Ring	

Nays—14

Alexander	Gardiner	Negron
Benacquisto	Hays	Oelrich
Bogdanoff	Jones	Richter
Diaz de la Portilla	Lynn	Wise
Garcia	Montford	

MOTION

On motion by Senator Storms, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Storms moved the following amendment which failed:

Amendment 9 (445890) (with title amendment)—Delete lines 1288-1299 and insert:

(d) The commission may adopt rules and forms pursuant to

And the title is amended as follows:

Delete lines 95-97 and insert: Legislature; amending s. 627.0629, F.S.; deleting

MOTION

On motion by Senator Fasano, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Fasano moved the following amendment which failed:

Amendment 10 (544312) (with title amendment)—Delete line 2958 and insert: premium discounts offered with each deductible amount. *If a homeowner suffers structural damage or a catastrophic ground cover collapse, the insurer must repair such damage or loss.*

And the title is amended as follows:

Delete line 183 and insert: investigation of whether sinkhole activity is present; expressly providing that the insurer must repair any damage or loss;

On motion by Senator Richter, further consideration of **CS for CS for CS for SB 408** as amended was deferred.

THE PRESIDENT PRESIDING

RECESS

On motion by Senator Thrasher, the Senate recessed at 11:56 a.m. to reconvene at 1:30 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by President Haridopolos at 1:30 p.m. A quorum present—38:

Mr. President	Detert	Hays
Alexander	Diaz de la Portilla	Hill
Altman	Dockery	Jones
Benacquisto	Evers	Joyner
Bennett	Fasano	Latvala
Bogdanoff	Gaetz	Lynn
Braynon	Garcia	Margolis
Dean	Gardiner	Montford

Negron	Ring	Sobel
Norman	Sachs	Storms
Oelrich	Simmons	Thrasher
Rich	Siplin	Wise
Richter	Smith	

SPECIAL ORDER CALENDAR

On motion by Senator Richter, the Senate resumed consideration of—

CS for CS for CS for SB 408—A bill to be entitled An act relating to property and casualty insurance; amending s. 215.555, F.S.; revising the definition of “losses,” relating to the Florida Hurricane Catastrophe Fund, to exclude certain losses; providing applicability; amending s. 215.5595, F.S.; authorizing an insurer to renegotiate the terms a surplus note issued before a certain date; providing limitations; amending s. 624.407, F.S.; revising the amount of surplus funds required for domestic insurers applying for a certificate of authority after a certain date; amending s. 624.408, F.S.; revising the minimum surplus that must be maintained by certain insurers; authorizing the Office of Insurance Regulation to reduce the surplus requirement under specified circumstances; amending s. 624.4095, F.S.; excluding certain premiums for federal multiple-peril crop insurance from calculations for an insurer’s gross writing ratio; requiring insurers to disclose the gross written premiums for federal multiple-peril crop insurance in a financial statement; amending s. 624.424, F.S.; revising the frequency that an insurer may use the same accountant or partner to prepare an annual audited financial report; amending s. 626.854, F.S.; providing limitations on the amount of compensation that may be received by a public adjuster for a reopened or supplemental claim; providing statements that may be considered deceptive or misleading if made in any public adjuster’s advertisement or solicitation; providing a definition for the term “written advertisement”; requiring that a disclaimer be included in any public adjuster’s written advertisement; providing requirements for such disclaimer; requiring certain persons who act on behalf of an insurer to provide notice to the insurer, claimant, public adjuster, or legal representative for an onsite inspection of the insured property; authorizing the insured or claimant to deny access to the property if notice is not provided; requiring the public adjuster to ensure prompt notice of certain property loss claims; providing that an insurer be allowed to interview the insured directly about the loss claim; prohibiting the insurer from obstructing or preventing the public adjuster from communicating with the insured; requiring that the insurer communicate with the public adjuster in an effort to reach an agreement as to the scope of the covered loss under the insurance policy; prohibiting a public adjuster from restricting or preventing persons acting on behalf of the insured from having reasonable access to the insured or the insured’s property; prohibiting a public adjuster from restricting or preventing the insured’s adjuster from having reasonable access to or inspecting the insured’s property; authorizing the insured’s adjuster to be present for the inspection; prohibiting a licensed contractor or subcontractor from adjusting a claim on behalf of an insured if such contractor or subcontractor is not a licensed public adjuster; providing an exception; amending s. 626.8651, F.S.; requiring that a public adjuster apprentice complete a minimum number of hours of continuing education to qualify for licensure; amending s. 626.8796, F.S.; providing requirements for a public adjuster contract; creating s. 626.70132, F.S.; requiring that notice of a claim, supplemental claim, or reopened claim be given to the insurer within a specified period after a windstorm or hurricane occurs; providing a definition for the terms “supplemental claim” or “reopened claim”; providing applicability; repealing s. 627.0613(4), F.S., relating to the requirement that the consumer advocate for the Chief Financial Officer prepare an annual report card for each personal residential property insurer; amending s. 627.062, F.S.; requiring that the office issue an approval rather than a notice of intent to approve following its approval of a file and use filing; authorizing the office to disapprove a rate filing because the coverage is inadequate or the insurer charges a higher premium due to certain discriminatory factors; extending the expiration date for making a “file and use” filing; prohibiting the Office of Insurance Regulation from, directly or indirectly, impeding the right of an insurer to acquire policyholders, advertise or appoint agents, or regulate agent commissions; revising the information that must be included in a rate filing relating to certain reinsurance or financing products; deleting a provision that prohibited an insurer from making certain rate filings within a certain period of time after a rate increase; deleting a provision prohibiting an insurer from filing for a rate increase within 6 months after it makes certain rate filings; deleting obsolete

provisions relating to legislation enacted during the 2003 Special Session D of the Legislature; providing for the submission of additional or supplementary information pursuant to a rate filing; amending s. 627.0629, F.S.; deleting obsolete provisions; deleting a requirement that the Office of Insurance Regulation propose a method for establishing discounts, debits, credits, and other rate differentials for hurricane mitigation by a certain date; requiring the Financial Services Commission to adopt rules relating to such debits by a certain date; deleting a provision that prohibits an insurer from including an expense or profit load in the cost of reinsurance to replace the Temporary Increase in Coverage Limits; conforming provisions to changes made by the act; amending s. 627.351, F.S.; renaming the “Citizens Property Insurance Corporation” as the “Taxpayer-Funded Property Insurance Corporation”; requiring policies issued by the corporation to include a provision that prohibits policyholders from engaging the services of a public adjuster until after the corporation has tendered an offer; limiting an adjuster’s fee for a claim against the corporation; renaming the “high-risk account” as the “coastal account”; revising the conditions under which the Citizens policyholder surcharge may be imposed; providing that members of the Citizens Property Insurance Corporation Board of Governors are not prohibited from practicing in a certain profession if not prohibited by law or ordinance; limiting coverage for damage from sinkholes after a certain date and providing that the corporation must require repair of the property as a condition of any payment; prohibiting board members from voting on certain measures; exempting sinkhole coverage from the corporation’s annual rate increase requirements; deleting a requirement that the board reduce the boundaries of certain high-risk areas eligible for wind-only coverages under certain circumstances; amending s. 627.3511, F.S.; conforming provisions to changes made by the act; amending s. 627.4133, F.S.; revising the requirements for providing an insured with notice of nonrenewal, cancellation, or termination of personal lines or commercial residential property insurance; authorizing an insurer to cancel policies after 45 days’ notice if the Office of Insurance Regulation determines that the cancellation of policies is necessary to protect the interests of the public or policyholders; authorizing the Office of Insurance Regulation to place an insurer under administrative supervision or appoint a receiver upon the consent of the insurer under certain circumstances; creating s. 627.43141, F.S.; providing definitions; requiring the delivery of a “Notice of Change in Policy Terms” under certain circumstances; specifying requirements for such notice; specifying actions constituting proof of notice; authorizing policy renewals to contain a change in policy terms; providing that receipt of payment by an insurer is deemed acceptance of new policy terms by an insured; providing that the original policy remains in effect until the occurrence of specified events if an insurer fails to provide notice; providing intent; amending s. 627.7011, F.S.; requiring the insurer to pay the actual cash value of an insured loss for a dwelling, less any applicable deductible; requiring a policyholder to enter into a contract for the performance of building and structural repairs unless waived by the insurer; restricting insurers and contractors from requiring advance payments for repairs and expenses; requiring the insurer to offer coverage under which the insurer is obligated to pay replacement costs; authorizing the insurer to offer coverage that limits the initial payment for personal property to the actual cash value of the property to be replaced and to require the insured to provide receipts for purchases; requiring the insurer to provide notice of this process in the insurance contract; prohibiting an insurer from requiring the insured to advance payment; amending s. 627.70131, F.S.; specifying application of certain time periods to initial or supplemental property insurance claim notices and payments; providing legislative findings with respect to 2005 statutory changes relating to sinkhole insurance coverage and statutory changes in this act; amending s. 627.706, F.S.; authorizing an insurer to limit coverage for catastrophic ground cover collapse to the principal building and to have discretion to provide additional coverage; allowing the deductible to include costs relating to an investigation of whether sinkhole activity is present; revising definitions; defining the term “structural damage”; providing an insurer with discretion to provide a policyholder with an opportunity to purchase an endorsement to sinkhole coverage; placing a 2-year statute of repose on claims for sinkhole coverage; amending s. 627.7061, F.S.; conforming provisions to changes made by the act; repealing s. 627.7065, F.S., relating to the establishment of a sinkhole database; amending s. 627.707, F.S.; revising provisions relating to the investigation of sinkholes by insurers; deleting a requirement that the insurer provide a policyholder with a statement regarding testing for sinkhole activity; providing a time limitation for demanding sinkhole testing by a policyholder and entering into a contract for repairs; requiring all repairs to be completed within a certain time; providing exceptions; providing a

criminal penalty on a policyholder for accepting rebates from persons performing repairs; amending s. 627.7073, F.S.; revising provisions relating to inspection reports; providing that the presumption that the report is correct shifts the burden of proof; revising the reports that an insurer must file with the clerk of the court; requiring the policyholder to file certain reports as a precondition to accepting payment; requiring the professional engineer responsible for monitoring sinkhole repairs to issue a report and certification to the property owner and file such report with the court; providing that the act does not create liability for an insurer based on a representation or certification by the engineer; amending s. 627.7074, F.S.; revising provisions relating to neutral evaluation; requiring evaluation in order to make certain determinations; requiring that the neutral evaluator be allowed access to structures being evaluated; providing grounds for disqualifying an evaluator; allowing the Department of Financial Services to appoint an evaluator if the parties cannot come to agreement; revising the timeframes for scheduling a neutral evaluation conference; authorizing an evaluator to enlist another evaluator or other professionals; providing a time certain for issuing a report; providing that certain information is confidential; revising provisions relating to compliance with the evaluator's recommendations; providing that the evaluator is an agent of the department for the purposes of immunity from suit; requiring the department to adopt rules; amending s. 627.711, F.S.; deleting the requirement that the insurer pay for verification of a uniform mitigation verification form that the insurer requires; amending s. 627.712, F.S.; conforming provisions to changes made by the act; providing effective dates.

—which was previously considered and amended this day.

MOTION

On motion by Senator Diaz de la Portilla, by the required two-thirds vote, consideration of the following amendment was allowed:

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

Amendment 11 (926644) (with title amendment)—Between lines 1311 and 1312 insert:

Section 15. Paragraph (b) of subsection (3) of section 627.06281, Florida Statutes, is amended to read:

627.06281 Public hurricane loss projection model; reporting of data by insurers.—

(3)

(b) *The fees charged for private sector access and use of the model shall be the reasonable costs associated with the operation and maintenance of the model by the office. Such fees do not apply to access and use of the model by the office. By January 1, 2009, the office shall establish by rule a fee schedule for access to and the use of the model. The fee schedule must be reasonably calculated to cover only the actual costs of providing access to and the use of the model.*

And the title is amended as follows:

Delete line 97 and insert: rate filing; amending s. 627.06281, F.S.; providing a limitations on fees charged for use of the public hurricane model; amending s. 627.0629, F.S.; deleting

MOTION

On motion by Senator Richter, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Richter moved the following amendments which were adopted:

Amendment 12 (488760) (with title amendment)—Between lines 429 and 430 insert:

Section 8. Subsection (7) is added to section 626.852, Florida Statutes, to read:

626.852 Scope of this part.—

(7) *Notwithstanding any other provision of law, a person who provides claims adjusting services solely to institutions that service or guarantee mortgages with regard to policies covering the mortgaged properties is exempt from licensure as an adjuster. This exemption does not apply to any person who provides insurance, property repair, or preservation services or to any affiliate of such persons.*

And the title is amended as follows:

Delete line 24 and insert: annual audited financial report; amending s. 626.852, F.S.; providing an exemption from licensure as an adjuster to persons who provide mortgage-related claims adjusting services to certain institutions; providing an exception to the exemption; amending s. 626.854,

Amendment 13 (136604)—Delete lines 3020-3025 and insert: *code; and*

2. *Damage to a covered building, including the foundation, which prevents the primary structural members or primary structural systems from supporting the loads and forces they were designed to support.*

Amendment 14 (957742) (with title amendment)—Delete lines 1402-1447 and insert:

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(a) ~~It is~~ *The public purpose of this subsection is to ensure that there is the existence of an orderly market for property insurance for residents Floridians and Florida businesses of this state.*

1. The Legislature finds that private insurers are unwilling or unable to provide affordable property insurance coverage in this state to the extent sought and needed. The absence of affordable property insurance threatens the public health, safety, and welfare and likewise threatens the economic health of the state. The state therefore has a compelling public interest and a public purpose to assist in assuring that property in the state is insured and that it is insured at affordable rates so as to facilitate the remediation, reconstruction, and replacement of damaged or destroyed property in order to reduce or avoid the negative effects otherwise resulting to the public health, safety, and welfare, to the economy of the state, and to the revenues of the state and local governments which are needed to provide for the public welfare. It is necessary, therefore, to provide affordable property insurance to applicants who are in good faith entitled to procure insurance through the voluntary market but are unable to do so. The Legislature intends, ~~therefore, by this subsection~~ that affordable property insurance be provided and that it continue to be provided, as long as necessary, through Citizens Property Insurance Corporation, a government entity that is an integral part of the state, and that is not a private insurance company. To that end, ~~the Citizens Property Insurance~~ corporation shall strive to increase the availability of affordable property insurance in this state, while achieving efficiencies and economies, and while providing service to policyholders, applicants, and agents which is no less than the quality generally provided in the voluntary market, for the achievement of the foregoing public purposes. Because it is essential for this government entity to have the maximum financial resources to pay claims following a catastrophic hurricane, it is the intent of the Legislature that ~~the Citizens Property Insurance~~ corporation continue to be an integral part of the state and that the income of the corporation be exempt from federal income taxation and that interest on the debt obligations issued by the corporation be exempt from federal income taxation. *The corporate logo of the corporation must include the name of the corporation and the words "A Taxpayer-Funded Corporation."*

2. The Residential Property and Casualty Joint Underwriting Association originally created by this statute shall be known, ~~as of July 1, 2002,~~ as the Citizens Property

And the title is amended as follows:

Delete lines 109-111 and insert: requiring the Citizens Property Insurance Corporation's logo to include certain language; requiring policies issued by the

Amendment 15 (426476)—Delete lines 1521-1528 and insert: *claim. For any claim filed under any policy of the corporation, a public adjuster may not charge, agree to, or accept any compensation, payment, commission, fee, or other thing of value greater than 10 percent of the*

additional amount actually paid over the amount that was originally offered by the corporation for any one claim.

Amendment 16 (117314)—Delete lines 2606-2674 and insert: 1. A policy covering both a home and motor vehicle may be nonrenewed for any reason applicable to either the property or motor vehicle insurance after providing 90 days' notice. ~~The insurer shall give the named insured written notice of nonrenewal, cancellation, or termination at least 180 days prior to the effective date of the nonrenewal, cancellation, or termination for a named insured whose residential structure has been insured by that insurer or an affiliated insurer for at least a 5-year period immediately prior to the date of the written notice.~~

2. ~~If~~ ~~When~~ cancellation is for nonpayment of premium, at least 10 days' written notice of cancellation accompanied by the reason therefor ~~shall~~ be given. As used in this subparagraph, the term "nonpayment of premium" means failure of the named insured to discharge when due ~~any~~ of her or his obligations in connection with the payment of premiums on a policy or any installment of such premium, whether the premium is payable directly to the insurer or its agent or indirectly under any premium finance plan or extension of credit, or failure to maintain membership in an organization if such membership is a condition precedent to insurance coverage. ~~The term "Nonpayment of premium" also means the failure of a financial institution to honor an insurance applicant's check after delivery to a licensed agent for payment of a premium, even if the agent has previously delivered or transferred the premium to the insurer. If a dishonored check represents the initial premium payment, the contract and all contractual obligations are shall be void ab initio unless the nonpayment is cured within the earlier of 5 days after actual notice by certified mail is received by the applicant or 15 days after notice is sent to the applicant by certified mail or registered mail, and if the contract is void, any premium received by the insurer from a third party must shall be refunded to that party in full.~~

3. ~~If~~ ~~When~~ such cancellation or termination occurs during the first 90 days ~~during which~~ the insurance is in force and the insurance is canceled or terminated for reasons other than nonpayment of premium, at least 20 days' written notice of cancellation or termination accompanied by the reason therefor ~~must shall~~ be given ~~unless except where~~ there has been a material misstatement or misrepresentation or failure to comply with the underwriting requirements established by the insurer.

4. The requirement for providing written notice ~~of nonrenewal~~ by June 1 of any nonrenewal that would be effective between June 1 and November 30 does not apply to the following situations, but the insurer remains subject to the requirement to provide such notice at least 100 days ~~before prior to~~ the effective date of nonrenewal:

a. A policy that is nonrenewed due to a revision in the coverage for sinkhole losses and catastrophic ground cover collapse pursuant to s. 627.706, ~~as amended by s. 30, chapter 2007-1, Laws of Florida.~~

b. A policy that is nonrenewed by Citizens Property Insurance Corporation, pursuant to s. 627.351(6), for a policy that has been assumed by an authorized insurer offering replacement ~~or renewal~~ coverage to the policyholder ~~is exempt from the notice requirements of paragraph (a) and this paragraph. In such cases, the corporation must give the named insured written notice of nonrenewal at least 45 days before the effective date of the nonrenewal.~~

After the policy has been in effect for 90 days, the policy ~~may shall~~ not be canceled by the insurer ~~unless except when~~ there has been a material misstatement, a nonpayment of premium, a failure to comply with underwriting requirements established by the insurer within 90 days ~~of~~ the date of effectuation of coverage, or a substantial change in the risk covered by the policy or ~~if when~~ the cancellation is for all insureds under such policies for a given class of insureds. This paragraph does not apply to individually rated risks having a policy term of less than 90 days.

5. *Notwithstanding any other provision of law, an insurer*

Pursuant to Rule 4.19, **CS for CS for CS for SB 408** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Storms—

CS for SB 1992—A bill to be entitled An act relating to background screening; amending s. 409.1757, F.S.; adding law enforcement officers who have a good moral character to the list of professionals who are not required to be refingerprinted or rescreened; amending s. 430.0402, F.S.; including volunteers within the definition of the term "direct service provider" for purposes of required background screening; exempting a volunteer who meets certain criteria and a client's relative or spouse from the screening requirement; excepting certain licensed professionals and persons screened as a licensure requirement from further screening under certain circumstances; requiring direct service providers working as of a certain date to be screened within a specified period; providing a phase-in for screening direct service providers; requiring that employers of direct service providers and certain other individuals be rescreened every 5 years unless fingerprints are retained electronically by the Department of Law Enforcement; removing an offense from the list of disqualifying offenses for purposes of background screening; amending s. 435.04, F.S.; requiring vendors who submit fingerprints on behalf of employers to meet specified criteria; requiring that fingerprints be retained for any person screened by a certain date; amending s. 435.07, F.S.; providing that personnel of a qualified entity as defined in ch. 943, F.S., may apply for an exemption from screening; amending s. 408.809, F.S.; eliminating a rule that requires the Agency for Health Care Administration to stagger rescreening schedules; providing a rescreening schedule; requiring the establishment of a statewide interagency workgroup relating to statewide background screening procedures and information sharing; providing for membership; requiring the workgroup to submit a report to the Legislature by a specified date; setting forth the topics that, at a minimum, the workgroup must address in its work plan; providing an effective date.

—was read the second time by title.

Senator Storms moved the following amendments which were adopted:

Amendment 1 (295122) (with title amendment)—Before line 44 insert:

Section 1. Paragraph (d) is added to subsection (1) of section 394.4572, Florida Statutes, to read:

394.4572 Screening of mental health personnel.—

(1)

(d) Mental health personnel working in a facility licensed under chapter 395 who work on an intermittent basis for less than 15 hours per week of direct, face-to-face contact with patients are exempt from the fingerprinting and screening requirements, except that persons working in a mental health facility where the primary purpose of the facility is the mental health treatment of minors must be fingerprinted and meet screening requirements.

And the title is amended as follows:

Delete line 2 and insert: An act relating to background screening; amending s. 394.4572, F.S.; providing that mental health personnel working in a facility licensed under ch. 395, F.S., who work on an intermittent basis for less than 15 hours per week of direct, face-to-face contact with patients are exempt from the fingerprinting and screening requirements; providing an exception; amending s.

Amendment 2 (480232)—Delete lines 154-166 and insert:

(e) Vendors who submit fingerprints on behalf of employers must:

1. *Use technology that is compliant with systems used by the Department of Law Enforcement; and*
2. *Have the ability to communicate electronically with the state agency accepting screening results from the Department of Law Enforcement.*

Amendment 3 (612684) (with title amendment)—Between lines 169 and 170 insert:

Section 4. Paragraph (d) is added to subsection (2) of section 435.06, Florida Statutes, to read:

435.06 Exclusion from employment.—

(2)

(d) *An employer may hire an employee to a position that requires background screening before the employee completes the screening process for training and orientation purposes. However, the employee may not have direct contact with vulnerable persons until the screening process is completed and the employee demonstrates that he or she exhibits no behaviors that warrant the denial or termination of employment.*

And the title is amended as follows:

Delete line 27 and insert: certain date; amending s. 435.06, F.S.; authorizing an employer to hire an employee to a position that otherwise requires background screening before the completion of the screening process for the purpose of training the employee; prohibiting the employee from having direct contact with vulnerable persons until the screening process is complete; amending s. 435.07, F.S.; providing that

Amendment 4 (501148) (with title amendment)—Between lines 351 and 352 insert:

Section 6. Subsection (1) of section 464.203, Florida Statutes, is amended to read:

464.203 Certified nursing assistants; certification requirement.—

(1) The board shall issue a certificate to practice as a certified nursing assistant to any person who demonstrates a minimum competency to read and write and successfully passes the required background screening pursuant to s. 400.215. *If the person has successfully passed the required background screening pursuant to s. 400.215 or s. 408.809 within 90 days before applying for a certificate to practice, the board shall waive the requirement that the applicant successfully pass an additional background screening pursuant to s. 400.215. The person must also meet and meets* one of the following requirements:

(a) Has successfully completed an approved training program and achieved a minimum score, established by rule of the board, on the nursing assistant competency examination, which consists of a written portion and skills-demonstration portion approved by the board and administered at a site and by personnel approved by the department.

(b) Has achieved a minimum score, established by rule of the board, on the nursing assistant competency examination, which consists of a written portion and skills-demonstration portion, approved by the board and administered at a site and by personnel approved by the department and:

1. Has a high school diploma, or its equivalent; or
2. Is at least 18 years of age.

(c) Is currently certified in another state; is listed on that state's certified nursing assistant registry; and has not been found to have committed abuse, neglect, or exploitation in that state.

(d) Has completed the curriculum developed under the Enterprise Florida Jobs and Education Partnership Grant and achieved a minimum score, established by rule of the board, on the nursing assistant competency examination, which consists of a written portion and skills-demonstration portion, approved by the board and administered at a site and by personnel approved by the department.

And the title is amended as follows:

Delete line 33 and insert: schedule; amending s. 464.203, F.S.; requiring the Board of Nursing to waive background screening requirements for certain certified nursing assistants; requiring the establishment of a statewide

Amendment 5 (721528)—Delete line 355 and insert: *Persons with Disabilities, the Department of Juvenile Justice, and the Department of Law Enforcement*

Pursuant to Rule 4.19, **CS for SB 1992** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SB 626—A bill to be entitled An act relating to Shands Teaching Hospital and Clinics, Inc.; amending s. 1004.41, F.S.; clarifying provisions relating to references to the corporation known as Shands Teaching Hospital and Clinics, Inc.; clarifying provisions regarding the purpose of the corporation; authorizing the corporation to create corporate subsidiaries and affiliates; providing that Shands Teaching Hospital and Clinics, Inc., Shands Jacksonville Medical Center, Inc., Shands Jacksonville Healthcare, Inc., and any not-for-profit subsidiary of such entities are instrumentalities of the state for purposes of sovereign immunity; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **SB 626** to **CS for CS for HB 395**.

Pending further consideration of **SB 626** as amended, on motion by Senator Thrasher, by two-thirds vote **CS for CS for HB 395** was withdrawn from the Committees on Health Regulation; Higher Education; and Budget.

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

CS for CS for HB 395—A bill to be entitled An act relating to the University of Florida J. Hillis Miller Health Center; amending s. 1004.41, F.S.; correcting the name of one of the health center's colleges; specifying that the University of Florida Board of Trustees shall lease Shands Teaching Hospital and Clinics on the Gainesville campus to Shands Teaching Hospital and Clinics, Inc.; specifying the primary purpose of Shands Teaching Hospital and Clinics, Inc.; providing requirements for lease, contract, or agreement between the University of Florida Board of Trustees and Shands Teaching Hospital and Clinics, Inc.; authorizing the creation of corporate subsidiaries and affiliates; providing the right of control; providing for sovereign immunity; providing that Shands Jacksonville Medical Center, Inc., and its parent, Shands Jacksonville HealthCare, Inc., are private not-for-profit corporations organized primarily to support the health affairs mission of the University of Florida Board of Trustees; authorizing the creation of corporate subsidiaries and affiliates; providing requirements for lease, contract, or agreement between the University of Florida Board of Trustees and the corporations; providing the right of control; providing for sovereign immunity; providing for application; providing an effective date.

—a companion measure, was substituted for **SB 626** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 395** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1414—A bill to be entitled An act relating to health insurance; creating ss. 627.64995, 627.66995, and 641.31099, F.S.; prohibiting certain health insurance policies and health maintenance contracts from providing coverage for abortions; providing exceptions; defining the term "state"; amending s. 627.6515, F.S.; providing that certain restrictions on coverage for abortions apply to certain group health insurance policies issued or delivered outside the state which provide coverage to residents of the state; amending s. 627.6699, F.S.; providing that certain restrictions on coverage for abortions apply to plans under the Employee Health Care Access Act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1414**, on motion by Senator Wise, by two-thirds vote **CS for HB 97** was withdrawn from the Committees on Health Regulation; Banking and Insurance; and Budget.

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

CS for HB 97—A bill to be entitled An act relating to health insurance; creating ss. 627.64995, 627.66996, and 641.31099, F.S.; prohibiting certain health insurance policies and health maintenance contracts from providing coverage for abortions; providing exceptions; defining the term "state"; amending s. 627.6515, F.S.; providing that certain restrictions on coverage for abortions apply to certain group

health insurance policies issued or delivered outside the state which provide coverage to residents of the state; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1414** and by two-thirds vote read the second time by title.

Senator Wise moved the following amendment which was adopted:

Amendment 1 (932516) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 627.64995, Florida Statutes, is created to read:

627.64995 Restrictions on use of state and federal funds for state exchanges.—

(1) A health insurance policy under which coverage is purchased in whole or in part with any state or federal funds through an exchange created pursuant to the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148, may not provide coverage for an abortion as defined in s. 390.011(1), except if the pregnancy is the result of an act of rape or incest, or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, which would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Coverage is deemed to be purchased with state or federal funds if any tax credit or cost-sharing credit is applied toward the health insurance policy.

(2) This section does not prohibit a health insurance policy from offering separate coverage for an abortion if such coverage is not purchased in whole or in part with state or federal funds.

(3) As used in this section, the term “state” means this state or any political subdivision of the state.

Section 2. Section 627.66995, Florida Statutes, is created to read:

627.66995 Restrictions on use of state and federal funds for state exchanges.—

(1) A group, franchise, or blanket health insurance policy under which coverage is purchased in whole or in part with any state or federal funds through an exchange created pursuant to the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148, may not provide coverage for an abortion as defined in s. 390.011(1), except if the pregnancy is the result of an act of rape or incest, or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, which would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Coverage is deemed to be purchased with state or federal funds if any tax credit or cost-sharing credit is applied toward the group, franchise, or blanket health insurance policy.

(2) This section does not prohibit a group, franchise, or blanket health insurance policy from offering separate coverage for an abortion if such coverage is not purchased in whole or in part with state or federal funds.

(3) As used in this section, the term “state” means this state or any political subdivision of the state.

Section 3. Section 641.31099, Florida Statutes, is created to read:

641.31099 Restrictions on use of state and federal funds for state exchanges.—

(1) A health maintenance contract under which coverage is purchased in whole or in part with any state or federal funds through an exchange created pursuant to the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148, may not provide coverage for an abortion as defined in s. 390.011(1), except if the pregnancy is the result of an act of rape or incest, or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, which would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Coverage is deemed to be purchased with state or federal funds if any tax credit or cost-sharing credit is applied toward the health maintenance contract.

(2) This section does not prohibit a health maintenance contract from offering separate coverage for an abortion if such coverage is not purchased in whole or in part with state or federal funds.

(3) As used in this section, the term “state” means this state or any political subdivision of the state.

Section 4. Paragraph (c) of subsection (2) of section 627.6515, Florida Statutes, is amended to read:

627.6515 Out-of-state groups.—

(2) Except as otherwise provided in this part, this part does not apply to a group health insurance policy issued or delivered outside this state under which a resident of this state is provided coverage if:

(c) The policy provides the benefits specified in ss. 627.419, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121, 627.66122, 627.6613, 627.667, 627.6675, 627.6691, and 627.66911, and complies with the requirements of s. 627.66995.

Section 5. Present subsection (17) of section 627.6699, Florida Statutes, is renumbered as subsection (18), and a new subsection (17) is added to that section, to read:

627.6699 Employee Health Care Access Act.—

(17) RESTRICTIONS ON COVERAGE.—

(a) A plan under which coverage is purchased in whole or in part with any state or federal funds through an exchange created pursuant to the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148, may not provide coverage for an abortion, as defined in s. 390.011(1), except if the pregnancy is the result of an act of rape or incest, or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, which would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Coverage is deemed to be purchased with state or federal funds if any tax credit or cost-sharing credit is applied toward the plan.

(b) This subsection does not prohibit a plan from providing any person or entity with separate coverage for an abortion if such coverage is not purchased in whole or in part with state or federal funds.

(c) As used in this section, the term “state” means this state or any political subdivision of the state.

Section 6. This act shall take effect July 1, 2011.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to health insurance; creating ss. 627.64995, 627.66995, and 641.31099, F.S.; prohibiting certain health insurance policies and health maintenance contracts from providing coverage for abortions; providing exceptions; defining the term “state”; amending s. 627.6515, F.S.; providing that certain restrictions on coverage for abortions apply to certain group health insurance policies issued or delivered outside the state which provide coverage to residents of the state; amending s. 627.6699, F.S.; providing that certain restrictions on coverage for abortions apply to plans under the Employee Health Care Access Act; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 97** as amended was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1150** was deferred.

On motion by Senator Bennett—

CS for SB 900—A bill to be entitled An act relating to special license plates; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate; providing qualifications and requirements for the plate; providing for the use of proceeds from the sale of the plate; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 900** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 650** was deferred.

On motion by Senator Simmons—

SB 652—A bill to be entitled An act relating to the liability of spaceflight entities; amending s. 331.501, F.S.; saving a provision from future repeal which provides spaceflight entities with immunity from liability for the loss, damage, or death of a participant resulting from the inherent risks of spaceflight activities; providing an effective date.

—was read the second time by title.

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (606746) (with title amendment)—Delete line 24 and insert: *activities. The term also includes any manufacturer or supplier of components, services, or vehicles that have been reviewed by the United States Federal Aviation Administration as part of issuing such a license, permit, or authorization.*

And the title is amended as follows:

Delete line 3 and insert: *entities; amending s. 331.501, F.S.; revising the definition of the term “spaceflight entity” to include certain manufacturers and suppliers for purposes of specified provisions for immunity from liability; saving a*

Pursuant to Rule 4.19, **SB 652** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Sachs—

SB 704—A bill to be entitled An act relating to special observances; creating s. 683.146, F.S.; designating August 7 of each year as “Purple Heart Day”; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 704** was placed on the calendar of Bills on Third Reading.

SB 1632—A bill to be entitled An act relating to the Florida Industrial Development Corporation; repealing provisions of ch. 289, F.S., relating to the Florida Industrial Development Corporation; amending ss. 212.08, 220.183, 220.62, 440.491, and 658.67, F.S.; deleting references to conform to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1632**, on motion by Senator Wise, by two-thirds vote **HB 4033** was withdrawn from the Committees on Commerce and Tourism; and Budget.

On motion by Senator Wise—

HB 4033—A bill to be entitled An act relating to the Florida Industrial Development Corporation; repealing provisions of chapter 289, F.S., relating to the Florida Industrial Development Corporation; amending ss. 212.08, 220.183, 220.62, 440.491, and 658.67, F.S.; deleting references to conform to changes made by the act; providing an effective date.

—a companion measure, was substituted for **SB 1632** and read the second time by title.

Pursuant to Rule 4.19, **HB 4033** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 818—A bill to be entitled An act relating to controlled substances; amending s. 400.9905, F.S.; redefining the terms “clinic” and “portable equipment provider” within the Health Care Clinic Act; amending s. 456.013, F.S.; authorizing certain health care practitioners to complete a continuing education course relating to the prescription drug monitoring program; providing requirements for the course; requiring the Department of Health or a board that is authorized to exercise regulatory or rulemaking functions within the department to approve the course offered through a facility licensed under ch. 395, F.S., under certain circumstances; providing for application of the course requirements; requiring a board or the Department of Health to adopt rules; amending s. 458.305, F.S.; defining the term “dispensing physician” as it relates to the practice of medicine in this state; prohibiting certain persons from using titles or displaying signs that would lead the public to believe that they engage in the dispensing of controlled substances; prohibiting certain persons, firms, or corporations from using a trade name, sign, letter, or advertisement that implies that the persons, firms, or corporations are licensed or registered to dispense prescription drugs; prohibiting certain persons, firms, or corporations from holding themselves out to the public as licensed or registered to dispense controlled substances; providing penalties; amending s. 458.3191, F.S.; revising the information in the physician survey that is submitted by persons who apply for licensure renewal as a physician under ch. 458 or ch. 459, F.S.; amending s. 458.3192, F.S.; requiring the Department of Health to provide nonidentifying information to the prescription drug monitoring program’s Implementation and Oversight Task Force regarding the number of physicians that are registered with the prescription drug monitoring program and that use the database from the program in their practice; amending s. 458.3265, F.S.; revising the list of entities that are not required to register as a pain-management clinic; deleting certain requirements for a physician to practice medicine in a pain-management clinic; requiring a physician, an advanced registered nurse practitioner, or a physician assistant to perform an appropriate medical examination of a patient on the same day that the physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic; requiring a physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third degree for any person to register or attempt to register a pain-management clinic through misrepresentation or fraud; amending s. 458.327, F.S.; providing additional penalties; amending s. 458.331, F.S.; providing additional grounds for disciplinary action by the Board of Medicine; amending s. 459.003, F.S.; defining the term “dispensing physician” as it relates to the practice of osteopathic medicine in this state; amending s. 459.013, F.S.; providing additional penalties; amending s. 459.0137, F.S.; providing an exemption from the requirement that all privately owned pain-management clinics, facilities, or offices that advertise in any medium for any type of pain-management services, or employ an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the Department of Health; requiring a physician, an advanced registered nurse practitioner, or a physician assistant to perform an appropriate medical examination of a patient on the same day that the physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic; requiring an osteopathic physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third degree for a licensee or other person who serves as the designated physician of a pain-management clinic to register a pain-management clinic through misrepresentation or fraud; amending s. 459.015, F.S.; providing additional grounds for disciplinary action by the Board of Osteopathic Medicine; amending s. 465.015, F.S.; prohibiting certain persons from knowingly failing to report to the local county sheriff’s office the commission of a felony involving a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge under certain conditions; providing penalties; providing requirements for reporting the commission of a felony that involves a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge; providing that a licensed pharmacist or other person employed by or at a pharmacy is not subject to disciplinary action for reporting; amending s. 465.0276, F.S.; requiring a practitioner to register as a dispensing practitioner in order to dispense controlled substances; amending s. 766.101, F.S.; conforming a cross-reference; amending s. 810.02, F.S.; redefining the offense of burglary to include the theft of a controlled substance within a structure or conveyance; amending s. 812.014, F.S.; redefining the of-

fense of theft to include the theft of a controlled substance; creating s. 893.021, F.S.; providing conditions in which a drug is considered adulterated; providing that a physician is not prevented from directing or prescribing a change to the recognized manufactured recommendations for use of any controlled substance for a patient under certain circumstances; requiring a prescribing physician to indicate on the original prescription any deviation of the recognized manufacturer's recommended use of a controlled substance; requiring a pharmacist or physician to indicate such deviation on the label of the prescription upon dispensing; amending s. 893.04, F.S.; revising the required information that must appear on the face of a prescription or written record of a controlled substance before it is dispensed by a pharmacist; amending s. 893.055, F.S.; requiring that the prescription drug monitoring program comply with the minimum requirements of the National All Schedules Prescription Electronic Reporting Act; requiring the Department of Health to establish a method to allow corrections to the database of the prescription drug monitoring program; requiring the number of refills ordered and whether the drug was dispensed as a refill or a first-time request to be included in the database of the prescription drug monitoring program; revising the number of days in which a dispensed controlled substance must be reported to the department through the prescription drug monitoring program; revising the list of acts of dispensing or administering which are exempt from reporting; requiring a pharmacy, prescriber, practitioner, or dispenser to register with the department by submitting a registering document in order to have access to certain information in the prescription drug monitoring program's database; requiring the department to approve the registering document before granting access to information in the prescription drug monitoring program's database; requiring criminal background screening for those persons who have direct access to the prescription drug monitoring program's database; authorizing the Attorney General to obtain confidential and exempt information for Medicaid fraud cases and Medicaid investigations; requiring certain documentation to be provided to the program manager in order to release confidential and exempt information from the prescription drug monitoring program's database to a patient, legal guardian, or a designated health care surrogate; authorizing the Agency for Health Care Administration to obtain confidential and exempt information from the prescription drug monitoring program's database for Medicaid fraud cases and Medicaid investigations involving controlled substances; deleting a provision requiring that administrative costs of the prescription drug monitoring program be funded through federal grants and private sources; requiring the State Surgeon General to enter into reciprocal agreements for the sharing of information in the prescription drug monitoring program with other states that have a similar prescription drug monitoring program; requiring the State Surgeon General to annually review a reciprocal agreement to determine its compatibility; providing requirements for compatibility; prohibiting the sharing of certain information; amending s. 893.0551, F.S.; requiring the Department of Health to disclose confidential and exempt information pertaining to the prescription drug monitoring program to the Attorney General and designee when working on Medicaid fraud cases and Medicaid investigations involving prescribed controlled substances or when the Attorney General has initiated a review of specific identifiers that warrant a Medicaid investigation regarding prescribed controlled substances; prohibiting the Attorney General's Medicaid investigators from direct access to the prescription drug monitoring program's database; authorizing the Department of Health to disclose certain confidential and exempt information in the prescription drug monitoring program's database under certain circumstances involving reciprocal agreements with other states; prohibiting the sharing of information from the prescription drug monitoring program's database which is not for the purpose that is statutorily authorized or according to the State Surgeon General's determination of compatibility; amending s. 893.07, F.S.; requiring that a person report to the local sheriff's office the theft or loss of a controlled substance within a specified time; providing penalties; providing legislative intent; amending s. 893.13, F.S.; prohibiting a person from obtaining or attempting to obtain from a practitioner a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohibiting a health care provider from providing a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohibiting a person from adulterating a controlled substance for certain use without authorization by a prescribing physician; authorizing a law enforcement officer to seize as evidence the adulteration or off-label use of a prescribed controlled substance; providing that such adulterated or

off-label use of the controlled substance may be returned to its owner only under certain conditions; providing penalties; prohibiting a prescribing practitioner from writing a prescription for a controlled substance and authorizing or directing the adulteration of the dispensed form of the controlled substance for the purpose of ingestion by means not medically necessary; amending s. 893.138, F.S.; providing circumstances in which a pain-management clinic may be declared a public nuisance; providing definitions; requiring the Board of Pharmacy to create a list of opioid analgesic drugs; providing requirements for the list of opioid analgesic drugs; providing an effective date.

—was read the second time by title.

Senator Bogdanoff moved the following amendment:

Amendment 1 (229300) (with title amendment)—Between lines 417 and 418 insert:

Section 3. Paragraph (a) of subsection (9) of section 456.057, Florida Statutes, is amended to read:

456.057 Ownership and control of patient records; report or copies of records to be furnished.—

(9)(a)1. The department may obtain patient records pursuant to a subpoena without written authorization from the patient if the department and the probable cause panel of the appropriate board, if any, find reasonable cause to believe that a health care practitioner has excessively or inappropriately prescribed any controlled substance specified in chapter 893 in violation of this chapter or any professional practice act or that a health care practitioner has practiced his or her profession below that level of care, skill, and treatment required as defined by this chapter or any professional practice act and also find that appropriate, reasonable attempts were made to obtain a patient release. Notwithstanding the foregoing, the department need not attempt to obtain a patient release when investigating an offense involving the inappropriate prescribing, overprescribing, or diversion of controlled substances and the offense involves a pain-management clinic. The department may obtain patient records pursuant to a subpoena and without patient authorization or notification to the patient subpoena from any pain-management clinic required to be licensed if the department has probable cause to believe that a violation of any provision of s. 458.3265 or s. 459.0137 is occurring or has occurred and reasonably believes that obtaining such patient authorization is not feasible due to the volume of the dispensing and prescribing activity involving controlled substances and that obtaining patient authorization or the issuance of a subpoena would jeopardize the investigation.

2. The department may obtain patient records and insurance information pursuant to a subpoena without written authorization from the patient if the department and the probable cause panel of the appropriate board, if any, find reasonable cause to believe that a health care practitioner has provided inadequate medical care based on termination of insurance and also find that appropriate, reasonable attempts were made to obtain a patient release.

3. The department may obtain patient records, billing records, insurance information, provider contracts, and all attachments thereto pursuant to a subpoena without written authorization from the patient if the department and probable cause panel of the appropriate board, if any, find reasonable cause to believe that a health care practitioner has submitted a claim, statement, or bill using a billing code that would result in payment greater in amount than would be paid using a billing code that accurately describes the services performed, requested payment for services that were not performed by that health care practitioner, used information derived from a written report of an automobile accident generated pursuant to chapter 316 to solicit or obtain patients personally or through an agent regardless of whether the information is derived directly from the report or a summary of that report or from another person, solicited patients fraudulently, received a kickback as defined in s. 456.054, violated the patient brokering provisions of s. 817.505, or presented or caused to be presented a false or fraudulent insurance claim within the meaning of s. 817.234(1)(a), and also find that, within the meaning of s. 817.234(1)(a), patient authorization cannot be obtained because the patient cannot be located or is deceased, incapacitated, or suspected of being a participant in the fraud or scheme, and if the subpoena is issued for specific and relevant records.

4. Notwithstanding subparagraphs 1.-3., when the department investigates a professional liability claim or undertakes action pursuant to s. 456.049 or s. 627.912, the department may obtain patient records pursuant to a subpoena without written authorization from the patient if the patient refuses to cooperate or if the department attempts to obtain a patient release and the failure to obtain the patient records would be detrimental to the investigation.

And the title is amended as follows:

Delete line 16 and insert: Health to adopt rules; amending s. 456.057, F.S.; authorizing the Department of Health to obtain patient records pursuant to a subpoena and without notification to the patient from a pain-management clinic under certain circumstances; amending s. 458.305, F.S.;

On motion by Senator Fasano, further consideration of **CS for CS for SB 818** with pending **Amendment 1 (229300)** was deferred.

CS for CS for SJR 1538—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution to generally prohibit public funding of abortions and prohibit the State Constitution from being interpreted to create broader rights to an abortion than those contained in the United States Constitution.

—was read the second time by title.

Pending further consideration of **CS for CS for SJR 1538**, on motion by Senator Flores, by two-thirds vote **CS for HJR 1179** was withdrawn from the Committees on Health Regulation; Judiciary; and Rules.

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

CS for HJR 1179—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution to generally prohibit public funding of abortions and prohibit the State Constitution from being interpreted to create broader rights to an abortion than those contained in the United States Constitution.

—a companion measure, was substituted for **CS for CS for SJR 1538** and by two-thirds vote read the second time by title.

MOTION

On motion by Senator Flores, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Flores moved the following amendment which was adopted:

Amendment 1 (634602) (with ballot amendment)—Delete lines 23-26 and insert:

- (1) *An expenditure required by federal law;*
- (2) *A case in which a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering, physical condition caused by or arising from the pregnancy itself, which would, as certified by a physician, place the woman in danger of death unless an abortion is performed; or*
- (3) *A pregnancy that results from rape or incest.*

And the ballot statement is amended as follows:

Delete lines 38-40 and insert: prohibition does not apply to an expenditure required by federal law, a case in which a woman suffers from a physical disorder, physical injury, or physical illness that would place her in danger of death unless an abortion is performed, or a case of rape or incest.

Pursuant to Rule 4.19, **CS for HJR 1179** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for CS for SB 1150—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 20.24,

F.S.; specifying that the executive director of the department serves at the pleasure of the Governor and Cabinet; creating a Division of Motorist Services within the department; eliminating the Division of Driver Licenses and the Division of Motor Vehicles; amending s. 261.03, F.S.; conforming cross-references; amending s. 288.816, F.S., relating to Consul Corps license plates; conforming a reference; amending s. 316.003, F.S.; revising the definition of the term “motor vehicle” to include swamp buggies; defining the terms “swamp buggy” and “road rage”; amending s. 316.1905, F.S.; providing that certain traffic citations may not be issued or prosecuted unless a law enforcement officer used an electrical, mechanical, or other speed-calculating device that has been tested and approved; providing an exception; amending s. 316.1933, F.S.; authorizing a health care provider to notify a law enforcement agency after detecting the presence of a controlled substance in the blood of a person injured in a motor vehicle crash; amending s. 316.1957, F.S., relating to parking violations; conforming a reference; amending s. 316.2015, F.S.; prohibiting the operator of a pickup truck or flatbed truck from permitting a child who is younger than 6 years of age from riding within the open body of the truck under certain circumstances; providing for certain exceptions; making technical and grammatical changes; amending s. 316.2065, F.S.; revising safety standard requirements for bicycle helmets that must be worn by certain riders and passengers; clarifying provisions relating to when a bicycle operator must ride in a bicycle lane or along the curb or edge of the roadway; providing for enforcement of requirements for bicycle lighting equipment; providing penalties for violations; providing for dismissal of the charge following a first offense under certain circumstances; amending s. 316.2085, F.S.; requiring that license tags for mopeds and motorcycles be affixed so that the letters and numbers are legible from the rear; specifying that the tags may be displayed horizontally or vertically to the ground so that the numbers and letters read from left to right or from top to bottom; amending ss. 316.2122, 316.2124, 316.21265, 316.3026, and 316.550, F.S., relating to the operation of low-speed vehicles, motorized disability access vehicles, and all-terrain or utility vehicles, the unlawful operation of motor carriers, and special permits, respectively; conforming cross-references; amending s. 316.545, F.S.; providing for the regulation of apportionable vehicles; amending s. 316.613, F.S.; providing child-restraint requirements for children ages 4 through 7 years of age who are less than a specified height; providing certain exceptions; redefining the term “motor vehicle” to exclude certain vehicles from such requirements; providing a grace period; amending s. 317.0003, F.S., relating to off-highway vehicles; conforming a cross-reference; amending s. 317.0016, F.S.; eliminating a requirement that the department provide expedited service for certificates of repossession; amending s. 318.14, F.S.; clarifying provisions authorizing a person cited for a noncriminal traffic infraction to elect to attend a driver improvement course or enter a plea of nolo contendere; amending s. 318.15, F.S., relating to the suspension of driving privileges; conforming a reference; amending s. 319.14, F.S.; prohibiting a person from knowingly offering for sale, selling, or exchanging certain vehicles unless the department has stamped in a conspicuous place on the certificate of title words stating that the vehicle is a custom vehicle or street rod vehicle; defining the terms “custom vehicle” and “street rod”; amending s. 319.225, F.S.; revising the requirements for the transfer and reassignment forms for vehicles; requiring that a dealer selling a vehicle out of state mail a copy of the power of attorney form to the department; providing for the electronic transfer of a vehicle title; amending s. 319.23, F.S.; providing for the application for a certificate of title, corrected certificate, or assignment or reassignment to be filed from the consummation of the sale of a mobile home; authorizing the department to accept a bond if the applicant for a certificate of title is unable to provide a title that assigns the prior owner’s interest in the motor vehicle; providing requirements for the bond and the affidavit; providing for future expiration of the bond; amending s. 319.28, F.S.; eliminating certain requirements that a lienholder obtain a certificate of repossession following repossession of a vehicle or mobile home; amending s. 319.323, F.S., relating to title offices for expedited service; conforming provisions to changes made by the act; amending s. 319.40, F.S.; authorizing the department to issue electronic certificates of title and use electronic mail addresses for purposes of notification; amending s. 320.01, F.S.; revising the definition of the term “motor vehicle” to include special mobile equipment and swamp buggies; deleting an obsolete definition; revising the gross vehicle weight for purposes of defining the terms “apportionable vehicle” and “commercial motor vehicle”; defining the term “swamp buggy”; amending s. 320.02, F.S.; providing that an active-duty military member is exempt from the requirement to provide an address on an application for vehicle registration; requiring the application forms for motor vehicle registration and

renewal of registration to include language permitting the applicant to make a voluntary contribution to End Hunger in Florida, Autism Services and Supports, and the Auto Club South Traffic Safety Foundation; requiring that the department retain certain records for a specified period; amending s. 320.023, F.S.; authorizing the department to retain certain proceeds derived from the voluntary contributions program to cover certain specified costs to the department; amending s. 320.03, F.S., relating to the International Registration Plan; conforming provisions to changes made by the act; amending s. 320.05, F.S.; deleting a provision requiring that the department provide a procedures manual for a fee; clarifying that the creation and maintenance of records by the Division of Motorist Services is not a law enforcement function of agency recordkeeping; amending s. 320.06, F.S.; authorizing the department to conduct a pilot program to evaluate alternative license plate technologies for use on government-owned motor vehicles; specifying that all license plates issued by the department are the property of the state; amending s. 320.061, F.S.; providing that it is a noncriminal traffic infraction to alter a temporary license plate; amending s. 320.071, F.S.; providing for the renewal of registration for an apportionable vehicle that is registered under the International Registration Plan; amending s. 320.0715, F.S.; clarifying provisions requiring the registration of apportionable vehicles under the International Registration Plan; amending s. 320.08, F.S., relating to license taxes; conforming cross-references; amending s. 320.0847, F.S., relating to license plates for mini trucks and low-speed vehicles; conforming cross-references; amending s. 320.0848, F.S.; revising the requirements for the deposit of fee proceeds from temporary disabled parking permits; amending s. 320.275, F.S., relating to the Automobile Dealers Industry Advisory Board; conforming provisions to the elimination of the Division of Motor Vehicles within the department; amending s. 320.771, F.S.; specifying circumstances under which certain dealers may apply for a certificate of title to a recreational vehicle using a manufacturer's statement of origin; amending s. 320.95, F.S.; authorizing the department to use electronic mail addresses for the purpose of providing license renewal notices; amending s. 321.02, F.S.; designating the director of the Division of Highway Patrol of the department as the Colonel of the Florida Highway Patrol; amending s. 322.02, F.S.; providing for a director of the Division of Motorist Services; amending s. 322.04, F.S.; revising provisions exempting a nonresident from the requirement to obtain a driver's license under certain circumstances; amending s. 322.051, F.S.; revising requirements by which an applicant for an identification card may prove nonimmigrant classification; clarifying the validity of an identification card based on specified documents; providing for the department to waive the fees for issuing or renewing an identification card to persons who present good cause for such waiver; amending s. 322.058, F.S.; conforming a cross-reference; amending s. 322.065, F.S.; revising the period of expiration that constitutes the offense of driving with an expired driver's license; amending s. 322.07, F.S.; clarifying the qualifications for obtaining a temporary commercial instruction permit; amending s. 322.08, F.S.; revising requirements by which an applicant for a driver's license may prove nonimmigrant classification; clarifying the validity of a license based on specified documents; providing for driver's license application forms to allow the applicant to make a voluntary contribution to Autism Services and Supports and the Auto Club South Traffic Safety Foundation; authorizing the department to use electronic mail addresses for the purposes of providing license renewal notices; amending s. 322.081, F.S.; authorizing the department to retain certain proceeds derived from the voluntary contributions made on driver's license applications to cover certain specified costs to the department; amending s. 322.12, F.S.; deleting provisions requiring a separate examination for applicants for a license to operate a motorcycle; requiring that the motorcycle safety course for a first-time applicant include a final examination; requiring that completion of the course be indicated on the license; amending s. 322.121, F.S.; clarifying provisions authorizing the automatic extension of a license for members of the Armed Forces or their dependents while serving on active duty outside the state; amending s. 322.14, F.S.; deleting a requirement that applicants for specified licenses appear in person for issuance of a color photographic or digital imaged driver's license; creating s. 322.1415, F.S.; requiring the Department of Highway Safety and Motor Vehicles to issue a specialty driver's license or identification card to qualified applicants; specifying that, at a minimum, the specialty driver's licenses and identification cards must be available for certain state and independent universities and professional sports teams and all of the branches of the United States military; requiring that the design of each specialty driver's license and identification card be approved by the department; creating s. 322.145, F.S.; requiring the Department of Highway Safety and Motor Vehicles to implement a system

providing for the electronic authentication of driver's licenses; providing criteria for a token for security authenticity; requiring that the department contract for implementation of the electronic verification; amending s. 322.20, F.S., relating to department records; conforming provisions to changes made by the act; amending s. 322.202, F.S.; clarifying that the Division of Motorist Services is not a law enforcement agency; amending s. 322.21, F.S.; providing for the distribution of funds collected from the specialty driver's license and identification card fees; conforming provisions to changes made by the act; authorizing a driver to renew his or her driver's license during a specified period before the license expiration date; amending s. 322.53, F.S.; revising provisions exempting certain farmers and drivers who operate straight trucks from the requirement to obtain a commercial driver's license; amending s. 322.54, F.S.; requiring that the weight of a commercial motor vehicle be based on the vehicle's actual weight under certain circumstances; repealing s. 322.58, F.S., relating to holders of chauffeur's licenses; amending s. 322.59, F.S.; requiring that the department disqualify a driver holding a commercial driver's license who fails to comply with specified federal certification requirements; amending s. 322.61, F.S.; providing that the holder of a commercial driver's license is permanently disqualified from operating a commercial motor vehicle following two violations of specified offenses committed while operating any vehicle; amending s. 322.64, F.S.; providing that a notice of disqualification from operating a commercial motor vehicle acts as a conviction for purposes of certain federal restrictions imposed for the offense of operating a commercial motor vehicle while under the influence of alcohol; deleting provisions authorizing the department to impose certain alternative restrictions for such offense; amending s. 328.30, F.S.; authorizing the department to issue electronic certificates of title for vessels and use electronic mail addresses for purposes of providing renewal notices; amending s. 413.012, F.S., relating to a prohibition on disclosing confidential records held by the department; conforming provisions to changes made by the act; amending s. 713.78, F.S.; conforming a cross-reference; creating the "Highway Safety Act"; providing legislative intent relating to road rage and aggressive careless driving; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving, including imposition of an increased fine; amending s. 318.121, F.S.; revising the preemption of additional fees, fines, surcharges, and court costs to allow imposition of the increased fine for aggressive careless driving; amending s. 318.18, F.S.; specifying the amount of the fine and the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; requiring the Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver's license educational materials; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate; providing qualifications and requirements for the plate; providing for the use of proceeds from the sale of the plate; amending ss. 318.1451 and 322.095, F.S.; requiring the curricula of driver improvement schools and education programs for driver's license applicants to include instruction on the risks associated with using a handheld electronic communication device while operating a motor vehicle; providing effective dates.

—was read the second time by title.

Senator Latvala moved the following amendment which was adopted:

Amendment 1 (806380) (with directory and title amendments)—Between lines 833 and 834 insert:

(6) It is the legislative intent that the child-restraint requirements imposed by this section shall not apply to a chauffeur-driven taxi, limousine, sedan, van, bus, motor coach, or other passenger vehicle if the operator and the motor vehicle are hired and used for transporting persons for compensation. It shall be the obligation and responsibility of the parent, guardian, or other person responsible for a child's welfare as defined in s. 39.01(47), to comply with the requirements of this section.

And the directory clause is amended as follows:

Delete line 786 and insert: Statutes, are amended, and subsection (6) is added to that section, to read:

And the title is amended as follows:

Delete line 58 and insert: vehicles from such requirements; providing that parents and others are responsible for complying with child-restraint requirements in certain chauffeur-driven vehicles; providing a grace

Senator Bogdanoff moved the following amendment which was adopted:

Amendment 2 (970144) (with title amendment)—Delete lines 1573-2304 and insert:

Section 30. Subsections (2) and (4) of section 320.02, Florida Statutes, are amended, paragraphs (o), (p), (q), and (r) are added to subsection (15) of that section, and subsection (18) is added to that section, to read:

320.02 Registration required; application for registration; forms.—

(2)(a) The application for registration shall include the street address of the owner's permanent residence or the address of his or her permanent place of business and shall be accompanied by personal or business identification information which may include, but need not be limited to, a driver's license number, Florida identification card number, or federal employer identification number. If the owner does not have a permanent residence or permanent place of business or if the owner's permanent residence or permanent place of business cannot be identified by a street address, the application shall include:

1. If the vehicle is registered to a business, the name and street address of the permanent residence of an owner of the business, an officer of the corporation, or an employee who is in a supervisory position.

2. If the vehicle is registered to an individual, the name and street address of the permanent residence of a close relative or friend who is a resident of this state.

If the vehicle is registered to an active-duty military member who is a Florida resident, the member is exempt from the requirement of a Florida residential address.

(b) The department shall prescribe a form upon which motor vehicle owners may record odometer readings when registering their motor vehicles.

(4) The owner of any motor vehicle registered in the state shall notify the department in writing of any change of address within 20 days of such change. The notification shall include the registration license plate number, the vehicle identification number (VIN) or title certificate number, year of vehicle make, and the owner's full name. *Any owner or registrant who possesses a Florida driver's license or identification card and changes residence or mailing address must obtain a replacement as provided for in s. 322.19(2) before changing the address on the motor vehicle record.*

(15)

(o) *The application form for motor vehicle registration and renewal registration must include language permitting the voluntary contribution of \$1 to End Hunger in Florida. The proceeds shall be distributed monthly by the department to the Florida Association of Food Banks, Inc., a corporation not for profit under s. 501(c)(3) of the Internal Revenue Code. The funds shall be used by the organization for the purpose of ending hunger in Florida.*

(p) *The application form for motor vehicle registration and renewal registration must include language permitting a voluntary contribution of \$1 for Autism Services and Supports. The proceeds shall be transferred by the department each month to the Achievement and Rehabilitation Centers, Inc., Autism Services Fund.*

(q) *Notwithstanding s. 26 of chapter 2010-223, Laws of Florida, the application form for motor vehicle registration and renewal registration must include a provision permitting a voluntary contribution of \$1 or*

more per applicant, to be distributed to the Auto Club South Traffic Safety Foundation, a nonprofit organization. Funds received by the foundation shall be used to improve traffic safety culture in communities through effective outreach, education, and activities that will save lives, reduce injuries, and prevent crashes. The foundation must comply with s. 320.023.

(r) *The application form for motor vehicle registration and renewal registration must include language permitting a voluntary contribution of \$1 for Support Our Troops. The proceeds shall be transferred by the department each month to Support Our Troops, Inc.*

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

(18) *All electronic registration records shall be retained by the department for at least 10 years.*

Section 31. Subsection (9) is added to section 320.023, Florida Statutes, to read:

320.023 Requests to establish voluntary checkoff on motor vehicle registration application.—

(9) *The department may annually retain from the first proceeds derived from the voluntary contributions collected an amount sufficient to defray for each voluntary contribution the pro rata share of the department's costs directly related to the voluntary contributions program. Such costs include renewal notices, postage, distribution costs, direct costs to the department, and costs associated with reviewing each organization's compliance with the audit and attestation requirements of this section. The revenues retained by the department may not be less than 0.005 percent and may not exceed 0.015 percent. The balance of the proceeds from the voluntary contributions collected shall be distributed as provided by law.*

Section 32. Subsections (7) and (8) of section 320.03, Florida Statutes, are amended to read:

320.03 Registration; duties of tax collectors; International Registration Plan.—

(7) The Department of Highway Safety and Motor Vehicles shall register ~~apportionable~~ ~~apportioned~~ ~~motor~~ vehicles under the provisions of the International Registration Plan. The department may adopt rules to implement and enforce the provisions of the plan.

(8) If the applicant's name appears on the list referred to in s. 316.1001(4), s. 316.1967(6), or s. 713.78(13), a license plate or revalidation sticker may not be issued until that person's name no longer appears on the list or until the person presents a receipt from the governmental entity or the clerk of court that provided the data showing that the fines outstanding have been paid. This subsection does not apply to the owner of a leased vehicle if the vehicle is registered in the name of the lessee of the vehicle. The tax collector and the clerk of the court are each entitled to receive monthly, as costs for implementing and administering this subsection, 10 percent of the civil penalties and fines recovered from such persons. As used in this subsection, the term "civil penalties and fines" does not include a wrecker operator's lien as described in s. 713.78(13). If the tax collector has private tag agents, such tag agents are entitled to receive a pro rata share of the amount paid to the tax collector, based upon the percentage of license plates and revalidation stickers issued by the tag agent compared to the total issued within the county. The authority of any private agent to issue license plates shall be revoked, after notice and a hearing as provided in chapter 120, if he or she issues any license plate or revalidation sticker contrary to the provisions of this subsection. This section applies only to the annual renewal in the owner's birth month of a motor vehicle registration and does not apply to the transfer of a registration of a motor vehicle sold by a motor vehicle dealer licensed under this chapter, except for the transfer of registrations which is inclusive of the annual renewals. This section does not affect the issuance of the title to a motor vehicle, notwithstanding s. 319.23(8)(b) ~~319.23(7)(b)~~.

Section 33. Paragraph (b) of subsection (3) and subsection (5) of section 320.05, Florida Statutes, are amended to read:

320.05 Records of the department; inspection procedure; lists and searches; fees.—

(3)

(b) Fees therefor shall be charged and collected as follows:

1. For providing lists of motor vehicle or vessel records for the entire state, or any part or parts thereof, divided according to counties, a sum computed at a rate of not less than 1 cent nor more than 5 cents per item.

2. For providing noncertified photographic copies of motor vehicle or vessel documents, \$1 per page.

3. For providing noncertified photographic copies of micrographic records, \$1 per page.

4. For providing certified copies of motor vehicle or vessel records, \$3 per record.

5. For providing noncertified computer-generated printouts of motor vehicle or vessel records, 50 cents per record.

6. For providing certified computer-generated printouts of motor vehicle or vessel records, \$3 per record.

7. For providing electronic access to motor vehicle, vessel, and mobile home registration data requested by tag, vehicle identification number, title number, or decal number, 50 cents per item.

8. For providing electronic access to driver's license status report by name, sex, and date of birth or by driver license number, 50 cents per item.

9. For providing lists of licensed mobile home dealers and manufacturers and recreational vehicle dealers and manufacturers, \$15 per list.

10. For providing lists of licensed motor vehicle dealers, \$25 per list.

11. For each copy of a videotape record, \$15 per tape.

~~12. For each copy of the Division of Motor Vehicles Procedures Manual, \$25.~~

(5) The creation and maintenance of records by the *Division of Motorist Services* within the department and the *Division of Motor Vehicles* pursuant to this chapter shall not be regarded as law enforcement functions of agency recordkeeping.

Section 34. Paragraph (d) is added to subsection (1) of section 320.06, Florida Statutes, and subsection (5) is added to that section, to read:

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

(1)

(d) *The department may conduct a pilot program to evaluate designs, concepts, and technologies for alternative license plate technologies. The pilot program shall investigate the feasibility and use of alternative license plate technologies and shall be limited to license plates that are used on government-owned motor vehicles, as defined in s. 320.0655. Government license plates in the pilot program are exempt from current license plate requirements in s. 320.06(3)(a).*

(5) *All license plates issued pursuant to this chapter are the property of the State of Florida.*

Section 35. Section 320.061, Florida Statutes, is amended to read:

320.061 Unlawful to alter motor vehicle registration certificates, *temporary license plates*, license plates, mobile home stickers, or validation stickers or to obscure license plates; penalty.—No person shall alter the original appearance of any registration license plate, *temporary license plate*, mobile home sticker, validation sticker, or vehicle registration certificate issued for and assigned to any motor vehicle or mobile home, whether by mutilation, alteration, defacement, or change of color or in any other manner. No person shall apply or attach any substance, reflective matter, illuminated device, spray, coating, covering, or other

material onto or around any license plate that interferes with the legibility, angular visibility, or detectability of any feature or detail on the license plate or interferes with the ability to record any feature or detail on the license plate. Any person who violates this section commits a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.

Section 36. Subsection (1) of section 320.071, Florida Statutes, is amended to read:

320.071 Advance registration renewal; procedures.—

(1)(a) The owner of any motor vehicle or mobile home currently registered in this state may file an application for renewal of registration with the department, or its authorized agent in the county wherein the owner resides, any time during the 3 months preceding the date of expiration of the registration period. The registration period may not exceed 27 months.

(b) The owner of any *apportionable* ~~apportioned motor~~ vehicle currently registered in this state *under the provisions of the International Registration Plan* may file an application for renewal of registration with the department any time during the 3 months preceding the date of expiration of the registration period.

Section 37. Subsections (1) and (3) of section 320.0715, Florida Statutes, are amended to read:

320.0715 International Registration Plan; motor carrier services; permits; retention of records.—

(1) All *apportionable* ~~commercial motor~~ vehicles domiciled in this state ~~and engaged in interstate commerce~~ shall be registered in accordance with the provisions of the International Registration Plan ~~and shall display apportioned license plates.~~

(3)(a) If the department is unable to immediately issue the apportioned license plate to an applicant currently registered in this state under the International Registration Plan or to a vehicle currently titled in this state, the department or its designated agent is authorized to issue a 60-day temporary operational permit. The department or agent of the department shall charge a \$3 fee and the service charge authorized by s. 320.04 for each temporary operational permit it issues.

(b) The department shall in no event issue a temporary operational permit for any *apportionable* ~~commercial motor~~ vehicle to any applicant until the applicant has shown that:

1. All sales or use taxes due on the registration of the vehicle are paid; and

2. Insurance requirements have been met in accordance with ss. 320.02(5) and 627.7415.

(c) Issuance of a temporary operational permit provides ~~commercial motor vehicle~~ registration privileges in each International Registration Plan member jurisdiction designated on said permit and therefore requires payment of all applicable registration fees and taxes due for that period of registration.

(d) Application for permanent registration must be made to the department within 10 days *following from* issuance of a temporary operational permit. Failure to file an application within this 10-day period may result in cancellation of the temporary operational permit.

Section 38. Paragraph (d) of subsection (5) of section 320.08, Florida Statutes, is amended to read:

320.08 License taxes.—Except as otherwise provided herein, there are hereby levied and imposed annual license taxes for the operation of motor vehicles, mopeds, motorized bicycles as defined in s. 316.003(2), tri-vehicles as defined in s. 316.003, and mobile homes, as defined in s. 320.01, which shall be paid to and collected by the department or its agent upon the registration or renewal of registration of the following:

(5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT; SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

(d) A wrecker, as defined in s. 320.01(40), which is used to tow a vessel as defined in s. 327.02(39), a disabled, abandoned, stolen-recovered, or impounded motor vehicle as defined in s. 320.01(38), or a replacement motor vehicle as defined in s. 320.01(39); \$41 flat, of which \$11 shall be deposited into the General Revenue Fund.

Section 39. Subsection (1) of section 320.0847, Florida Statutes, is amended to read:

320.0847 Mini truck and low-speed vehicle license plates.—

(1) The department shall issue a license plate to the owner or lessee of any vehicle registered as a low-speed vehicle as defined in s. 320.01(42) or a mini truck as defined in s. 320.01(45) upon payment of the appropriate license taxes and fees prescribed in s. 320.08.

Section 40. Subsection (4) of section 320.0848, Florida Statutes, is amended to read:

320.0848 Persons who have disabilities; issuance of disabled parking permits; temporary permits; permits for certain providers of transportation services to persons who have disabilities.—

(4) From the proceeds of the temporary disabled parking permit fees:

(a) The Department of Highway Safety and Motor Vehicles must receive \$3.50 for each temporary permit, to be deposited into the Highway Safety Operating Trust Fund and used for implementing the real-time disabled parking permit database and for administering the disabled parking permit program.

(b) The tax collector, for processing, must receive \$2.50 for each temporary permit.

(c) The remainder must be distributed monthly as follows:

1. To the *Florida Endowment Foundation for Vocational Rehabilitation, known as "The Able Trust," Florida Governor's Alliance for the Employment of Disabled Citizens* for the purpose of improving employment and training opportunities for persons who have disabilities, with special emphasis on removing transportation barriers, \$4. These fees must be directly deposited into the *Florida Endowment Foundation for Vocational Rehabilitation as established in s. 413.615 Transportation Disadvantaged Trust Fund for transfer to the Florida Governor's Alliance for Employment of Disabled Citizens*.

2. To the Transportation Disadvantaged Trust Fund to be used for funding matching grants to counties for the purpose of improving transportation of persons who have disabilities, \$5.

Section 41. Paragraphs (a) and (b) of subsection (2) of section 320.275, Florida Statutes, are amended to read:

320.275 Automobile Dealers Industry Advisory Board.—

(2) MEMBERSHIP, TERMS, MEETINGS.—

(a) The board shall be composed of 12 members. The executive director of the Department of Highway Safety and Motor Vehicles shall appoint the members from names submitted by the entities for the designated categories the member will represent. The executive director shall appoint one representative of the Department of Highway Safety and Motor Vehicles, ~~who must represent the Division of Motor Vehicles~~; two representatives of the independent motor vehicle industry as recommended by the Florida Independent Automobile Dealers Association; two representatives of the franchise motor vehicle industry as recommended by the Florida Automobile Dealers Association; one representative of the auction motor vehicle industry who is from an auction chain and is recommended by a group affiliated with the National Auto Auction Association; one representative of the auction motor vehicle industry who is from an independent auction and is recommended by a group affiliated with the National Auto Auction Association; one representative from the Department of Revenue; a Florida tax collector representative recommended by the Florida Tax Collectors Association; one representative from the Better Business Bureau; one representative from the Department of Agriculture and Consumer Services, who must represent the Division of Consumer Services; and one representative of the insurance industry who writes motor vehicle dealer surety bonds.

(b)1. The executive director shall appoint the following initial members to 1-year terms: one representative from the motor vehicle auction industry who represents an auction chain, one representative from the independent motor vehicle industry, one representative from the franchise motor vehicle industry, one representative from the Department of Revenue, one Florida tax collector, and one representative from the Better Business Bureau.

2. The executive director shall appoint the following initial members to 2-year terms: one representative from the motor vehicle auction industry who represents an independent auction, one representative from the independent motor vehicle industry, one representative from the franchise motor vehicle industry, one representative from the Division of Consumer Services, one representative from the insurance industry, and one representative from the ~~department~~ *Division of Motor Vehicles*.

3. As the initial terms expire, the executive director shall appoint successors from the same designated category for terms of 2 years. If renominated, a member may succeed himself or herself.

4. The board shall appoint a chair and vice chair at its initial meeting and every 2 years thereafter.

Section 42. Subsection (1) of section 320.771, Florida Statutes, is amended to read:

320.771 License required of recreational vehicle dealers.—

(1) DEFINITIONS.—As used in this section:

(a) "Dealer" means any person engaged in the business of buying, selling, or dealing in recreational vehicles or offering or displaying recreational vehicles for sale. The term "dealer" includes a recreational vehicle broker. Any person who buys, sells, deals in, or offers or displays for sale, or who acts as the agent for the sale of, one or more recreational vehicles in any 12-month period shall be prima facie presumed to be a dealer. The terms "selling" and "sale" include lease-purchase transactions. The term "dealer" does not include banks, credit unions, and finance companies that acquire recreational vehicles as an incident to their regular business and does not include mobile home rental and leasing companies that sell recreational vehicles to dealers licensed under this section. A licensed dealer may transact business in recreational vehicles with a motor vehicle auction as defined in s. 320.27(1)(c)4. Further, a licensed dealer may, at retail or wholesale, sell a motor vehicle, as described in s. 320.01(1)(a), acquired in exchange for the sale of a recreational vehicle, if such acquisition is incidental to the principal business of being a recreational vehicle dealer. However, a recreational vehicle dealer may not buy a motor vehicle for the purpose of resale unless licensed as a motor vehicle dealer pursuant to s. 320.27.

(b) "Recreational vehicle broker" means any person who is engaged in the business of offering to procure or procuring used recreational vehicles for the general public; who holds himself or herself out through solicitation, advertisement, or otherwise as one who offers to procure or procures used recreational vehicles for the general public; or who acts as the agent or intermediary on behalf of the owner or seller of a used recreational vehicle which is for sale or who assists or represents the seller in finding a buyer for the recreational vehicle.

(c) For the purposes of this section, the term "recreational vehicle" does not include any camping trailer, as defined in s. 320.01(1)(b)2.

(d) *A dealer may apply for a certificate of title to a recreational vehicle required to be registered under s. 320.08(9) using a manufacturer's statement of origin as permitted by s. 319.23(1) only if such dealer is authorized by a manufacturer/dealer agreement as defined in s. 320.3202(8) on file with the department to buy, sell, or deal in that particular line-make of recreational vehicle and is authorized by such agreement to perform delivery and preparation obligations and warranty defect adjustments on that line-make.*

Section 43. Section 320.95, Florida Statutes, is amended to read:

320.95 Transactions by electronic or telephonic means.—

(1) The department ~~may be authorized to~~ accept any application provided for under this chapter by electronic or telephonic means.

(2) *The department may collect and use electronic mail addresses for the purpose of providing renewal notices in lieu of the United States Postal Service.*

Section 44. Section 321.02, Florida Statutes, is amended to read:

321.02 Powers and duties of department, highway patrol.—The director of the Division of Highway Patrol of the Department of Highway Safety and Motor Vehicles shall be designated the Colonel ~~also be the commander~~ of the Florida Highway Patrol. The said department shall set up and promulgate rules and regulations by which the personnel of the Florida Highway Patrol officers shall be examined, employed, trained, located, suspended, reduced in rank, discharged, recruited, paid and pensioned, subject to civil service provisions hereafter set out. The department may enter into contracts or agreements, with or without competitive bidding or procurement, to make available, on a fair, reasonable, nonexclusive, and nondiscriminatory basis, property and other structures under division control for the placement of new facilities by any wireless provider of mobile service as defined in 47 U.S.C. s. 153(27) or s. 332(d), and any telecommunications company as defined in s. 364.02 when it is determined to be practical and feasible to make such property or other structures available. The department may, without adopting a rule, charge a just, reasonable, and nondiscriminatory fee for placement of the facilities, payable annually, based on the fair market value of space used by comparable communications facilities in the state. The department and a wireless provider or telecommunications company may negotiate the reduction or elimination of a fee in consideration of services provided to the division by the wireless provider or the telecommunications company. All such fees collected by the department shall be deposited directly into the State Agency Law Enforcement Radio System Trust Fund, and may be used to construct, maintain, or support the system. The department is further specifically authorized to purchase, sell, trade, rent, lease and maintain all necessary equipment, uniforms, motor vehicles, communication systems, housing facilities, office space, and perform any other acts necessary for the proper administration and enforcement of this chapter. However, all supplies and equipment consisting of single items or in lots shall be purchased under the requirements of s. 287.057. Purchases shall be made by accepting the bid of the lowest responsive bidder, the right being reserved to reject all bids. The department shall prescribe a distinctive uniform and distinctive emblem to be worn by all officers of the Florida Highway Patrol. It shall be unlawful for any other person or persons to wear a similar uniform or emblem, or any part or parts thereof. The department shall also prescribe distinctive colors for use on motor vehicles and motorcycles operated by the Florida Highway Patrol. The prescribed colors shall be referred to as “Florida Highway Patrol black and tan.”

Section 45. Subsection (3) of section 322.02, Florida Statutes, is amended to read:

322.02 Legislative intent; administration.—

(3) The department shall employ a director, who is charged with the duty of serving as the executive officer of the Division of *Motorist Services within Driver Licenses* of the department insofar as the administration of this chapter is concerned. He or she shall be subject to the supervision and direction of the department, and his or her official actions and decisions as executive officer shall be conclusive unless the same are superseded or reversed by the department or by a court of competent jurisdiction.

Section 46. Subsection (1) of section 322.04, Florida Statutes, is amended to read:

322.04 Persons exempt from obtaining driver’s license.—

(1) The following persons are exempt from obtaining a driver’s license:

(a) Any employee of the United States Government, while operating a noncommercial motor vehicle owned by or leased to the United States Government and being operated on official business.

(b) Any person while driving or operating any road machine, farm tractor, or implement of husbandry temporarily operated or moved on a highway.

(c) A nonresident who is at least 16 years of age ~~and who has in his or her immediate possession a valid noncommercial driver’s license issued to the nonresident in his or her home state or country~~, may operate a motor vehicle of the type for which a Class E driver’s license is required in this state *if he or she has in his or her immediate possession:*

1. A valid noncommercial driver’s license issued in his or her name from another state or territory of the United States; or

2. An International Driving Permit issued in his or her name in his or her country of residence and a valid license issued in that country.

~~(d) A nonresident who is at least 18 years of age and who has in his or her immediate possession a valid noncommercial driver’s license issued to the nonresident in his or her home state or country may operate a motor vehicle, other than a commercial motor vehicle, in this state.~~

~~(d)~~(e) Any person operating a golf cart, as defined in s. 320.01, which is operated in accordance with the provisions of s. 316.212.

Section 47. Paragraph (a) of subsection (1) of section 322.051, Florida Statutes, is amended, and subsection (9) is added to that section, to read:

322.051 Identification cards.—

(1) Any person who is 5 years of age or older, or any person who has a disability, regardless of age, who applies for a disabled parking permit under s. 320.0848, may be issued an identification card by the department upon completion of an application and payment of an application fee.

(a) Each such application shall include the following information regarding the applicant:

1. Full name (first, middle or maiden, and last), gender, proof of social security card number satisfactory to the department, county of residence, mailing address, proof of residential address satisfactory to the department, country of birth, and a brief description.

2. Proof of birth date satisfactory to the department.

3. Proof of identity satisfactory to the department. Such proof must include one of the following documents issued to the applicant:

a. A driver’s license record or identification card record from another jurisdiction that required the applicant to submit a document for identification which is substantially similar to a document required under sub-subparagraph b., sub-subparagraph c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph f., sub-subparagraph g., or sub-subparagraph h.;

b. A certified copy of a United States birth certificate;

c. A valid, unexpired United States passport;

d. A naturalization certificate issued by the United States Department of Homeland Security;

e. A valid, unexpired alien registration receipt card (green card);

f. A Consular Report of Birth Abroad provided by the United States Department of State;

g. An unexpired employment authorization card issued by the United States Department of Homeland Security; or

h. Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original identification card. In order to prove such nonimmigrant classification, applicants *must provide at least one of* ~~may produce but are not limited to~~ the following documents, *and, in addition, the department may require other documents for the sole purpose of establishing the maintenance of or efforts to maintain continuous lawful presence:*

(I) A notice of hearing from an immigration court scheduling a hearing on any proceeding.

(II) A notice from the Board of Immigration Appeals acknowledging pendency of an appeal.

(III) Notice of the approval of an application for adjustment of status issued by the United States Bureau of Citizenship and Immigration Services.

(IV) Any official documentation confirming the filing of a petition for asylum or refugee status or any other relief issued by the United States Bureau of Citizenship and Immigration Services.

(V) Notice of action transferring any pending matter from another jurisdiction to Florida, issued by the United States Bureau of Citizenship and Immigration Services.

(VI) Order of an immigration judge or immigration officer granting any relief that authorizes the alien to live and work in the United States including, but not limited to asylum.

(VII) Evidence that an application is pending for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States, if a visa number is available having a current priority date for processing by the United States Bureau of Citizenship and Immigration Services.

(VIII) On or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.

~~An identification card issued based on documents required by any of the documents described in sub-subparagraph g. or sub-subparagraph h. is valid entitles the applicant to an identification card for a period not to exceed the expiration date of the document presented or 1 year, whichever first occurs.~~

(9) Notwithstanding any other provision of this section or s. 322.21 to the contrary, the department shall issue or renew a card at no charge to a person who presents good cause for a fee waiver.

Section 48. Subsection (4) of section 322.058, Florida Statutes, is amended to read:

322.058 Suspension of driving privileges due to support delinquency; reinstatement.—

(4) This section applies only to the annual renewal in the owner's birth month of a motor vehicle registration and does not apply to the transfer of a registration of a motor vehicle sold by a motor vehicle dealer licensed under chapter 320, except for the transfer of registrations which is inclusive of the annual renewals. This section does not affect the issuance of the title to a motor vehicle, notwithstanding s. 319.23(8)(b) ~~319.23(7)(b).~~

Section 49. Section 322.065, Florida Statutes, is amended to read:

322.065 Driver's license expired for 6 4 months or less; penalties.— Any person whose driver's license has been expired for 6 4 months or less and who drives a motor vehicle upon the highways of this state ~~is guilty of an infraction and is subject to the penalty provided in s. 318.18.~~

Section 50. Subsection (3) of section 322.07, Florida Statutes, is amended to read:

322.07 Instruction permits and temporary licenses.—

(3) Any person who, except for his or her lack of instruction in operating a commercial motor vehicle, would otherwise be qualified to obtain a commercial driver's license under this chapter, may apply for a temporary commercial instruction permit. The department shall issue such a permit entitling the applicant, while having the permit in his or her immediate possession, to drive a commercial motor vehicle on the highways, provided that:

(a) The applicant possesses a valid *Florida* driver's license ~~issued in any state~~; and

(b) The applicant, while operating a commercial motor vehicle, is accompanied by a licensed driver who is 21 years of age or older, who is

licensed to operate the class of vehicle being operated, and who is actually occupying the closest seat to the right of the driver.

Section 51. Subsection (2) of section 322.08, Florida Statutes, is amended, paragraphs (o), (p), and (q) are added to subsection (7) of that section, and subsection (8) is added to that section, to read:

322.08 Application for license; requirements for license and identification card forms.—

(2) Each such application shall include the following information regarding the applicant:

(a) Full name (first, middle or maiden, and last), gender, proof of social security card number satisfactory to the department, county of residence, mailing address, proof of residential address satisfactory to the department, country of birth, and a brief description.

(b) Proof of birth date satisfactory to the department.

(c) Proof of identity satisfactory to the department. Such proof must include one of the following documents issued to the applicant:

1. A driver's license record or identification card record from another jurisdiction that required the applicant to submit a document for identification which is substantially similar to a document required under subparagraph 2., subparagraph 3., subparagraph 4., subparagraph 5., subparagraph 6., subparagraph 7., or subparagraph 8.;

2. A certified copy of a United States birth certificate;

3. A valid, unexpired United States passport;

4. A naturalization certificate issued by the United States Department of Homeland Security;

5. A valid, unexpired alien registration receipt card (green card);

6. A Consular Report of Birth Abroad provided by the United States Department of State;

7. An unexpired employment authorization card issued by the United States Department of Homeland Security; or

8. Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original driver's license. In order to prove nonimmigrant classification, an applicant *must provide at least one of the following documents; in addition, the department may require other documents for the sole purpose of establishing the maintenance of or efforts to maintain continuous lawful presence* ~~may produce the following documents, including, but not limited to:~~

a. A notice of hearing from an immigration court scheduling a hearing on any proceeding.

b. A notice from the Board of Immigration Appeals acknowledging pendency of an appeal.

c. A notice of the approval of an application for adjustment of status issued by the United States Bureau of Citizenship and Immigration Services.

d. Any official documentation confirming the filing of a petition for asylum or refugee status or any other relief issued by the United States Bureau of Citizenship and Immigration Services.

e. A notice of action transferring any pending matter from another jurisdiction to this state issued by the United States Bureau of Citizenship and Immigration Services.

f. An order of an immigration judge or immigration officer granting any relief that authorizes the alien to live and work in the United States, including, but not limited to, asylum.

g. Evidence that an application is pending for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States, if a visa number is available having a current priority date for processing by the United States Bureau of Citizenship and Immigration Services.

h. On or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.

~~A driver's license or temporary permit issued based on documents required. Presentation of any of the documents in subparagraph 7. or subparagraph 8. is valid entitles the applicant to a driver's license or temporary permit for a period not to exceed the expiration date of the document presented or 1 year, whichever occurs first.~~

(d) Whether the applicant has previously been licensed to drive, and, if so, when and by what state, and whether any such license or driving privilege has ever been disqualified, revoked, or suspended, or whether an application has ever been refused, and, if so, the date of and reason for such disqualification, suspension, revocation, or refusal.

(e) Each such application may include fingerprints and other unique biometric means of identity.

(7) The application form for an original, renewal, or replacement driver's license or identification card shall include language permitting the following:

(o) *A voluntary contribution of \$1 per applicant for Autism Services and Supports. Such contributions must be transferred by the department each month to the Achievement and Rehabilitation Centers, Inc., Autism Services Fund.*

(p) *Notwithstanding s. 26 of chapter 2010-223, Laws of Florida, a voluntary contribution of \$1 or more per applicant to the Auto Club South Traffic Safety Foundation, a nonprofit organization. Funds received by the foundation shall be used to improve traffic safety culture in communities through effective outreach, education, and activities that will save lives, reduce injuries, and prevent crashes. The foundation must comply with s. 322.081.*

(q) *The application form for motor vehicle registration and renewal registration must include language permitting a voluntary contribution of \$1 for Support Our Troops. The proceeds shall be transferred by the department each month to Support Our Troops, Inc.*

A statement providing an explanation of the purpose of the trust funds shall also be included. For the purpose of applying the service charge provided in s. 215.20, contributions received under paragraphs (b)-(n) are not income of a revenue nature.

(8) *The department may collect and use electronic mail addresses for the purpose of providing renewal notices in lieu of the United State Postal Service.*

And the title is amended as follows:

Delete lines 106-184 and insert: 320.02, F.S.; providing that an active-duty military member is exempt from the requirement to provide an address on an application for vehicle registration; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to End Hunger in Florida, Autism Services and Supports, the Auto Club South Traffic Safety Foundation, and Support Our Troops; requiring that the department retain certain records for a specified period; amending s. 320.023, F.S.; authorizing the department to retain certain proceeds derived from the voluntary contributions program to cover certain specified costs to the department; amending s. 320.03, F.S., relating to the International Registration Plan; conforming provisions to changes made by the act; amending s. 320.05, F.S.; deleting a provision requiring that the department provide a procedures manual for a fee; clarifying that the creation and maintenance of records by the Division of Motorist Services is not a law enforcement function of agency recordkeeping; amending s. 320.06, F.S.; authorizing the department to conduct a pilot program to evaluate alternative license plate technologies for use on government-owned motor vehicles; specifying that all license plates issued by the department are the property of the state; amending s. 320.061, F.S.; providing that it is a noncriminal traffic infraction to alter a temporary license plate; amending s. 320.071, F.S.; providing for the renewal of registration for an apportionable vehicle that is registered under the International Registration Plan; amending s. 320.0715, F.S.; clarifying provisions requiring the registration of apportionable vehicles under the International Registration Plan;

amending s. 320.08, F.S., relating to license taxes; conforming cross-references; amending s. 320.0847, F.S., relating to license plates for mini trucks and low-speed vehicles; conforming cross-references; amending s. 320.0848, F.S.; revising the requirements for the deposit of fee proceeds from temporary disabled parking permits; amending s. 320.275, F.S., relating to the Automobile Dealers Industry Advisory Board; conforming provisions to the elimination of the Division of Motor Vehicles within the department; amending s. 320.771, F.S.; specifying circumstances under which certain dealers may apply for a certificate of title to a recreational vehicle using a manufacturer's statement of origin; amending s. 320.95, F.S.; authorizing the department to use electronic mail addresses for the purpose of providing license renewal notices; amending s. 321.02, F.S.; designating the director of the Division of Highway Patrol of the department as the Colonel of the Florida Highway Patrol; amending s. 322.02, F.S.; providing for a director of the Division of Motorist Services; amending s. 322.04, F.S.; revising provisions exempting a nonresident from the requirement to obtain a driver's license under certain circumstances; amending s. 322.051, F.S.; revising the means by which an applicant for an identification card may prove nonimmigrant classification; clarifying the validity of an identification card based on specified documents; providing for the department to waive the fees for issuing or renewing an identification card to persons who present good cause for such waiver; amending s. 322.058, F.S.; conforming a cross-reference; amending s. 322.065, F.S.; revising the period of expiration that constitutes the offense of driving with an expired driver's license; amending s. 322.07, F.S.; clarifying the qualifications for obtaining a temporary commercial instruction permit; amending s. 322.08, F.S.; revising requirements by which an applicant for a driver's license may prove nonimmigrant classification; clarifying the validity of a license based on specified documents; providing for driver's license application forms to allow the applicant to make a voluntary contribution to Autism Services and Supports, the Auto Club South Traffic Safety Foundation, and Support Our Troops; authorizing the department to use

Senator Sobel moved the following amendment which was adopted:

Amendment 3 (653144) (with title amendment)—Delete lines 3088-3110 and insert:

(2)(a) In determining whether to approve the courses referenced in this section, the department shall consider course content designed to promote safety, driver awareness, crash avoidance techniques, *the dangers of driving while distracted, which must specifically include the use of technology while driving*, and other factors or criteria to improve driver performance from a safety viewpoint.

Section 81. Subsection (1) of section 322.095, Florida Statutes, is amended to read:

322.095 Traffic law and substance abuse education program for driver's license applicants.—

(1) The Department of Highway Safety and Motor Vehicles must approve traffic law and substance abuse education courses that must be completed by applicants for a Florida driver's license. The curricula for the courses must provide instruction on the physiological and psychological consequences of the abuse of alcohol and other drugs, the societal and economic costs of alcohol and drug abuse, the effects of alcohol and drug abuse on the driver of a motor vehicle, *the dangers of driving while distracted, which must specifically include the use of technology while driving*, and the laws of this state relating to the operation of a motor vehicle. All instructors teaching the courses shall be certified by the department.

And the title is amended as follows:

Delete lines 295 and 296 and insert: *the dangers of driving while distracted, which must specifically include the use of technology while driving*;

Senator Storms moved the following amendment which was adopted:

Amendment 4 (232650) (with title amendment)—Between lines 3110 and 3111 insert:

Section 82. Subsection (3) of section 320.27, Florida Statutes, is amended to read:

320.27 Motor vehicle dealers.—

(3) APPLICATION AND FEE.—The application for the license shall be in such form as may be prescribed by the department and shall be subject to such rules with respect thereto as may be so prescribed by it. Such application shall be verified by oath or affirmation and shall contain a full statement of the name and birth date of the person or persons applying therefor; the name of the firm or copartnership, with the names and places of residence of all members thereof, if such applicant is a firm or copartnership; the names and places of residence of the principal officers, if the applicant is a body corporate or other artificial body; the name of the state under whose laws the corporation is organized; the present and former place or places of residence of the applicant; and prior business in which the applicant has been engaged and the location thereof. Such application shall describe the exact location of the place of business and shall state whether the place of business is owned by the applicant and when acquired, or, if leased, a true copy of the lease shall be attached to the application. The applicant shall certify that the location provides an adequately equipped office and is not a residence; that the location affords sufficient unoccupied space upon and within which adequately to store all motor vehicles offered and displayed for sale; and that the location is a suitable place where the applicant can in good faith carry on such business and keep and maintain books, records, and files necessary to conduct such business, which will be available at all reasonable hours to inspection by the department or any of its inspectors or other employees. The applicant shall certify that the business of a motor vehicle dealer is the principal business which shall be conducted at that location. Such application shall contain a statement that the applicant is either franchised by a manufacturer of motor vehicles, in which case the name of each motor vehicle that the applicant is franchised to sell shall be included, or an independent (nonfranchised) motor vehicle dealer. Such application shall contain such other relevant information as may be required by the department, including evidence that the applicant is insured under a garage liability insurance policy or a general liability insurance policy coupled with a business automobile policy, which shall include, at a minimum, \$25,000 combined single-limit liability coverage including bodily injury and property damage protection and \$10,000 personal injury protection. *The requirements for garage liability insurance and personal injury protection do not apply to a salvage motor vehicle dealer as defined in s. 320.27(1)(c)5.* Franchise dealers must submit a garage liability insurance policy, and all other dealers must submit a garage liability insurance policy or a general liability insurance policy coupled with a business automobile policy. Such policy shall be for the license period, and evidence of a new or continued policy shall be delivered to the department at the beginning of each license period. Upon making initial application, the applicant shall pay to the department a fee of \$300 in addition to any other fees now required by law; upon making a subsequent renewal application, the applicant shall pay to the department a fee of \$75 in addition to any other fees now required by law. Upon making an application for a change of location, the person shall pay a fee of \$50 in addition to any other fees now required by law. The department shall, in the case of every application for initial licensure, verify whether certain facts set forth in the application are true. Each applicant, general partner in the case of a partnership, or corporate officer and director in the case of a corporate applicant, must file a set of fingerprints with the department for the purpose of determining any prior criminal record or any outstanding warrants. The department shall submit the fingerprints to the Department of Law Enforcement for state processing and forwarding to the Federal Bureau of Investigation for federal processing. The actual cost of state and federal processing shall be borne by the applicant and is in addition to the fee for licensure. The department may issue a license to an applicant pending the results of the fingerprint investigation, which license is fully revocable if the department subsequently determines that any facts set forth in the application are not true or correctly represented.

And the title is amended as follows:

Between lines 296 and 297 insert: amending s. 320.27, F.S.; exempting salvage motor vehicle dealers from certain insurance requirements;

Senator Latvala moved the following amendment which was adopted:

Amendment 5 (451790) (with title amendment)—Between lines 3110 and 3111 insert:

Section 82. Subsection (1) of section 316.6135, Florida Statutes, is amended to read:

316.6135 Leaving children unattended or unsupervised in motor vehicles; penalty; authority of law enforcement officer.—

(1) A parent, legal guardian, or other person responsible for a child younger than 6 years of age may not leave such child unattended or unsupervised in a motor vehicle:

(a) For a period in excess of 15 minutes;

(b) For any period of time if the motor of the vehicle is running, ~~or~~ the health of the child is in danger, *or the child appears to be in distress.*

And the title is amended as follows:

Between lines 296 and 297 insert: amending s. 316.6135, F.S.; clarifying the criteria under which a child may not be left unattended in a vehicle;

MOTION

On motion by Senator Latvala, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Latvala moved the following amendments which were adopted:

Amendment 6 (665900) (with directory and title amendments)—After line 1638 insert:

(r) *The application form for motor vehicle registration and renewal registration must include language permitting a voluntary contribution of \$1 to Take Stock In Children. The proceeds shall be transferred by the department each month to Take Stock In Children, Inc.*

And the directory clause is amended as follows:

Delete line 1574 and insert: Florida Statutes, are amended, paragraphs (o), (p), (q), and (r) are

And the title is amended as follows:

Delete line 113 and insert: and Supports, Take Stock in Children, and the Auto Club South Traffic Safety

Amendment 7 (108754) (with title amendment)—Delete line 2404 and insert:

(1) *The department may issue to any applicant qualified*

And the title is amended as follows:

Delete line 204 and insert: creating s. 322.1415, F.S.; authorizing the Department

Amendment 8 (860070) (with directory and title amendments)—Between lines 1413 and 1414 insert:

(3) *A dealer of farm or industrial equipment, as those terms are used in s. 493.6101(22), conducting a repossession of such equipment is not subject to licensure as a recovery agent or recovery agency if such dealer is regularly engaged in the sale of such equipment for a particular manufacturer and the lender is affiliated with that manufacturer.*

And the directory clause is amended as follows:

Delete line 1374 and insert: 319.28, Florida Statutes, is amended, and subsection (3) is added to that section, to read:

And the title is amended as follows:

Delete line 93 and insert: repossession of a vehicle or mobile home; providing that a dealer of certain farm or industrial equipment is not subject to licensure as a recovery agent or agency under certain conditions; amending s.

SENATOR BENNETT PRESIDING

MOTION

On motion by Senator Braynon, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Braynon moved the following amendment which was adopted:

Amendment 9 (507054) (with title amendment)—Between lines 1841 and 1842 insert:

Section 39. Section 320.08051, Florida Statutes, is created to read:

320.08051 Specialty license plates.—

(1) *Notwithstanding any provisions of law to the contrary, any application for a specialty license plate shall be deemed approved if the application has:*

(a) *Been determined by the Auditor General to be an exception to the specialty license plate moratorium established by the provisions of s. 45 of chapter 2008-176, Laws of Florida;*

(b) *Complied with all requirements under s. 320.08053; and*

(c) *Been considered affirmatively by a legislative committee and at least one chamber of the Legislature prior to December 31, 2010.*

(2) *Once approved, the organization must submit to the department the proposed art design for the specialty license plate, in a medium prescribed by the department, together with a planned distribution of proceeds, as soon as practicable, but no later than September 1, 2011.*

(3) *The department shall begin production of any specialty license plate deemed approved under this section within 1 year after July 1, 2011.*

(4) *The license plate annual use fee is \$25, which shall be distributed to the organization sponsoring the application for the specialty license plate. The sponsoring organization may not use more than 10 percent of the proceeds for marketing and administration.*

(5) *All other requirements pertaining to specialty license plates contained in ss. 320.08056 and 320.08058 apply to the specialty license plates approved pursuant to this section.*

And the title is amended as follows:

Between lines 141 and 142 insert: creating s. 320.08051, F.S.; providing for the approval of certain specialty license plate applications; providing conditions; requiring the organization to submit certain information to the department for the specialty plate; requiring the department to begin production of any approved specialty plate within a certain time; providing for a fee; requiring compliance with all other provisions relating to specialty plates;

MOTION

On motion by Senator Wise, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Wise moved the following amendment which was adopted:

Amendment 10 (935138) (with title amendment)—Between lines 1841 and 1842 insert:

Section 39. Paragraph (e) of subsection (4) of section 320.08068, Florida Statutes, is amended to read:

320.08068 Motorcycle specialty license plates.—

(4) A license plate annual use fee of \$20 shall be collected for each motorcycle specialty license plate. Annual use fees shall be distributed to The Able Trust as custodial agent. The Able Trust may retain a maximum of 10 percent of the proceeds from the sale of the license plate for administrative costs. The Able Trust shall distribute the remaining funds as follows:

(e) Twenty percent to the Florida Association of Centers for Independent Living ~~to be used to leverage additional funding and new sources of revenue for the centers for independent living in this state.~~

And the title is amended as follows:

Between lines 141 and 142 insert: amending s. 320.08068, F.S.; revising use of funds received from the sale of motorcycle specialty license plates;

MOTION

On motion by Senator Storms, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Storms moved the following amendment which was adopted:

Amendment 11 (459312) (with title amendment)—Delete lines 346-371 and insert:

Section 4. Subsections (2), (21), and (83) of section 316.003, Florida Statutes, are amended, and subsections (89), (90), and (91) are added to that section, to read:

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

(2) BICYCLE.—Every vehicle propelled solely by human power, and every motorized bicycle propelled by a combination of human power and an electric helper motor capable of propelling the vehicle at a speed of not more than 20 miles per hour on level ground upon which any person may ride, having two tandem wheels or three wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include such a vehicle with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position or a scooter or similar device. No person under the age of 16 may operate or ride upon a motorized bicycle.

(21) MOTOR VEHICLE.—Any self-propelled vehicle not operated upon rails or guideway, but not including any bicycle, motorized scooter, electric personal assistive mobility device, durable medical equipment, swamp buggy, or moped.

(83) ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.—Any self-balancing, two-nontandem-wheeled device, commonly known as a Segway, designed to transport only one person, with an electric propulsion system with average power of 750 watts (1 horsepower), the maximum speed of which, on a paved level surface when powered solely by such a propulsion system while being ridden by an operator who weighs 170 pounds, is less than 20 miles per hour. Electric personal assistive mobility devices are not vehicles as defined in this section.

(89) SWAMP BUGGY.—A motorized off-road vehicle designed to travel over swampy terrain, which may utilize large tires or tracks operated from an elevated platform, and may be used on varied terrain. A swamp buggy does not include any vehicle defined in chapter 261 or otherwise defined or classified in this chapter. A swamp buggy may not be operated upon the public roads, streets, or highways of this state, except to the extent specifically authorized by a state or federal agency to be used exclusively upon lands, managed, owned, or leased by that agency.

(90) ROAD RAGE.—The act of a driver or passenger to intentionally or unintentionally, due to a loss of emotional control, injure or kill another driver, passenger, or pedestrian, or to attempt or threaten to injure or kill another driver, passenger, or pedestrian.

(91) DURABLE MEDICAL EQUIPMENT.—Any three- or four-wheeled mobility device, including a manually propelled or powered wheelchair or motorized scooter, which is designed to provide transportation for mobility-impaired persons.

Section 5. Subsection (7) of section 316.008, Florida Statutes, is amended to read:

316.008 Powers of local authorities.—

(7) A county or municipality may enact an ordinance to permit, control, or regulate the operation of vehicles, golf carts, mopeds, mo-

torized scooters, and electric personal ~~assistive~~ mobility devices on sidewalks or sidewalk areas when such use is permissible under federal law. The ordinance must restrict such vehicles or devices to a maximum speed of 15 miles per hour in such areas.

Section 6. *Mobility-impaired persons have the same rights, responsibilities, and restrictions as provided for pedestrians in s. 316.130, Florida Statutes, including persons who:*

- (1) *Are legally blind;*
- (2) *Are unable to walk without assistance from another person or the use of a brace, cane, crutch, prosthetic device, wheelchair, or other assistive device;*
- (3) *Are restricted by lung disease to the extent that their forced expiratory volume for 1 second, when measured by spirometry, is less than 1 liter, their arterial oxygen is less than 60mm/hg on room air at rest, or they require the use of portable oxygen;*
- (4) *Are restricted by a cardiac condition to the extent that their functional limitations are classified as Class III or Class IV in severity, by American Heart Association standards; or*
- (5) *Are restricted in their ability to walk due to an arthritic, neurological, or orthopedic condition.*

And the title is amended as follows:

Delete lines 12-14 and insert: 316.003, F.S.; revising the definition of the term “motor vehicle” to include durable medical equipment and swamp buggies; revising the definition of the term “electric personal assistive mobility device”; defining the terms “swamp buggy,” “road rage,” and “durable medical equipment”; amending s. 316.008, F.S.; deleting the powers of local authorities to regulate assistive mobility devices on sidewalks; providing that mobility-impaired persons have the rights and responsibilities provided to pedestrians in s. 316.130, F.S., with respect to traffic regulations; amending s.

MOTION

On motion by Senator Latvala, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Latvala moved the following amendments which were adopted:

Amendment 12 (672766) (with title amendment)—Between lines 3110 and 3111 insert:

Section 82. (1) *This section may be cited as the “Inform Families First Act.”*

(2) *The Department of Highway Safety and Motor Vehicles is encouraged to educate the law enforcement community and the general public about the importance of making certain that drivers are aware of and use the emergency contact information program established by the department. The department shall provide signs for the driver’s license offices to advertise the program. This voluntary program allows each driver the opportunity to register the names of up to two individuals as the person he or she would want to be contacted if he or she is involved in a crash.*

And the title is amended as follows:

Between lines 296 and 297 insert: providing a short title; providing for a voluntary emergency contact information program established by the department;

Amendment 13 (737584) (with title amendment)—Between lines 1841 and 1842 insert:

Section 39. Paragraph (b) of subsection (48) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.—

(48) LIVE THE DREAM LICENSE PLATES.—

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

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

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

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

4. Ten percent shall be distributed to the Community Partnership for Homeless, Inc., for programs that provide relief from poverty, hunger, and homelessness.

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

And the title is amended as follows:

Between lines 141 and 142 insert: amending s. 320.08058, F.S.; changing the recipient of the proceeds for the Live the Dream license plates to the Florida Dream Foundation, Inc.;

Amendment 14 (247874) (with title amendment)—Between lines 3110 and 3111 insert:

Section 82. Subsection (53) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.—

(53) SUPPORT SOCCER LICENSE PLATES.—

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

(b) The annual use fees shall be distributed to the ~~Florida Light~~ ~~house~~ Soccer Foundation, Inc., which shall retain the initial revenues from the sale of such plates until all startup costs for developing and establishing the plate have been recovered, not to exceed \$85,000. Thereafter, the proceeds of the annual use fee shall be used in the following manner:

1. Up to 25 percent of the proceeds may be used by the ~~Florida Light~~ ~~house~~ Soccer Foundation, Inc., for continuing promotion and marketing of the license plate and concept.

2. Twenty percent shall be distributed to the Florida Youth Soccer Association for programs and services that foster the physical, mental, and emotional growth and development of Florida’s youth through the sport of soccer at all levels of age and competition, including a portion to be determined by the Florida Youth Soccer Association for the TOP-Soccer program to promote participation by the physically and mentally disadvantaged.

3. Twenty percent shall be distributed as grants for programs that promote participation by the economically disadvantaged and to support soccer programs where none previously existed.

4. Ten percent shall be distributed to the Florida State Soccer Association to promote the sport of soccer and the long-term development of the sport.

5. Ten percent shall be distributed as grants for programs that promote and support the construction of fields and soccer-specific infrastructure.

6. Ten percent shall be distributed as grants for programs that foster and promote health, physical fitness, and educational opportunities through soccer.

7. Five percent shall be expended by the Florida Lighthouse Soccer Foundation, Inc., for administrative costs directly associated with the foundation's operations as they relate to the management and distribution of the proceeds.

And the title is amended as follows:

Between lines 296 and 297 insert: amending s. 320.08058, F.S.; providing that proceeds from the sale of Support Soccer license plates shall be distributed to the Florida Soccer Foundation, Inc.;

Amendment 15 (274302) (with title amendment)—Delete line 1443 and insert: *Postal Service, except for any notice regarding the potential forfeiture or foreclosure of an interest in property.*

And the title is amended as follows:

Delete line 99 and insert: notification, except for any notice regarding the potential forfeiture or foreclosure of an interest in property; amending s. 320.01, F.S.; revising the

Amendment 16 (444350) (with directory and title amendments)—Between lines 1699 and 1700 insert:

(10) Jurisdiction over the electronic filing system for use by authorized electronic filing system agents to electronically title or register motor vehicles, vessels, mobile homes, or off-highway vehicles; issue or transfer registration license plates or decals; electronically transfer fees due for the title and registration process; and perform inquiries for title, registration, and lienholder verification and certification of service providers is expressly preempted to the state, and the department shall have regulatory authority over the system. The electronic filing system shall be available for use statewide and applied uniformly throughout the state. An entity that, in the normal course of its business, sells products that must be titled or registered, provides title and registration services on behalf of its consumers and meets all established requirements may be an authorized electronic filing system agent and shall not be precluded from participating in the electronic filing system in any county. Upon request from a qualified entity, the tax collector shall appoint the entity as an authorized electronic filing system agent for that county, *regardless of the county in which the entity is physically located. An entity may be an authorized electronic filing system agent in more than one county at any given time. Upon appointment as an authorized electronic filing system agent by a tax collector in a county other than the county where the agent is physically located and absent an interlocal agreement between tax collectors, any statutory service fees shall be divided equally between the tax collector that appointed the agent and the tax collector in the county where the agent is physically located.* The department shall adopt rules in accordance with chapter 120 to replace the December 10, 2009, program standards and to administer the provisions of this section, including, but not limited to, establishing participation requirements, certification of service providers, electronic filing system requirements, and enforcement authority for noncompliance. ~~The December 10, 2009, program standards, excluding any standards which conflict with this subsection, shall remain in effect until the rules are adopted.~~ An authorized electronic filing agent may charge a fee to the customer for use of the electronic filing system.

And the directory clause is amended as follows:

Delete line 1661 and insert:

Section 32. Subsections (7), (8), and (10) of section 320.03,

And the title is amended as follows:

Delete line 121 and insert: provisions to changes made by the act; providing for an electronic filing system agent to operate in a county other than the county in which the agent is located; providing for the division of fees; deleting obsolete provisions; amending s.

Amendment 17 (307484) (with directory and title amendments)—Between lines 949 and 950 insert:

(c) A person charged with a traffic infraction may request a hearing within 180 days after the date of the violation, regardless of any action taken by the court or the department to suspend the driving privilege of the person, and upon request, the clerk must set the case for hearing. The person shall be given a form for requesting that the driving privilege be reinstated. The court may grant a request for a hearing made after 180 days after the alleged offense. This paragraph does not affect the assessment of late fees as otherwise provided in this chapter.

And the directory clause is amended as follows:

Delete line 929 and insert: 318.15, Florida Statutes, is amended, and paragraph (c) is added to that subsection, to read:

And the title is amended as follows:

Delete line 69 and insert: reference; providing that a person charged with a traffic infraction may request a hearing that the clerk must set; providing criteria; amending s. 319.14, F.S.; prohibiting a

MOTION

On motion by Senator Margolis, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Margolis moved the following amendment which was adopted:

Amendment 18 (850294) (with title amendment)—Delete lines 1850-1855 and insert:

Section 40. Subsections (1), (2), and (4) of section 320.0848, Florida Statutes, are amended to read:

320.0848 Persons who have disabilities; issuance of disabled parking permits; temporary permits; permits for certain providers of transportation services to persons who have disabilities.—

(1)(a) The Department of Highway Safety and Motor Vehicles or its authorized agents shall, upon application and receipt of the fee, issue a disabled parking permit for a period of up to 4 years, which period ends on the applicant's birthday, to any person who has long-term mobility impairment, or a temporary disabled parking permit not to exceed 6 months to any person who has a temporary mobility impairment. No person will be required to pay a fee for a parking permit for disabled persons more than once in a 12-month period from the date of the prior fee payment.

(b)1. The person must be currently certified as being legally blind or as having any of the following disabilities that render him or her unable to walk 200 feet without stopping to rest:

a. Inability to walk without the use of or assistance from a brace, cane, crutch, prosthetic device, or other assistive device, or without the assistance of another person. If the assistive device significantly restores the person's ability to walk to the extent that the person can walk without severe limitation, the person is not eligible for the exemption parking permit.

b. The need to permanently use a wheelchair.

c. Restriction by lung disease to the extent that the person's forced (respiratory) expiratory volume for 1 second, when measured by spirometry, is less than 1 liter, or the person's arterial oxygen is less than 60 mm/hg on room air at rest.

d. Use of portable oxygen.

e. Restriction by cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association.

f. Severe limitation in the person's ability to walk due to an arthritic, neurological, or orthopedic condition.

2. The certification of disability which is required under subparagraph 1. must be provided by a physician licensed under chapter 458, chapter 459, or chapter 460, by a podiatric physician licensed under chapter 461, by an optometrist licensed under chapter 463, by an advanced registered nurse practitioner licensed under chapter 464 under the protocol of a licensed physician as stated in this subparagraph, by a physician assistant licensed under chapter 458 or chapter 459, or by a similarly licensed physician from another state if the application is accompanied by documentation of the physician's licensure in the other state and a form signed by the out-of-state physician verifying his or her knowledge of this state's eligibility guidelines.

(c) The certificate of disability must include, but need not be limited to:

1. The disability of the applicant; the certifying practitioner's name and address; the practitioner's certification number; the eligibility criteria for the permit; the penalty for falsification by either the certifying practitioner or the applicant; the duration of the condition that entitles the person to the permit; and justification for the additional placard pursuant to subsection (2).

2. The statement, in bold letters: "A disabled parking permit may be issued only for a medical necessity that severely affects mobility."

3. The signatures of:

- a. The applicant's physician or other certifying practitioner.
- b. The applicant or the applicant's parent or guardian.

c. The employee of the department's authorized agent which employee is processing the application.

(d) Beginning *October 1, 2011* ~~April 1, 1999~~, the Department of Highway Safety and Motor Vehicles shall renew the disabled parking permit of any person certified as permanently disabled on the application *if the person applies for renewal in person and provides a current certificate of disability pursuant to this subsection.*

(e) The Department of Highway Safety and Motor Vehicles shall, in consultation with the Commission for the Transportation Disadvantaged, adopt rules, in accordance with chapter 120, for the issuance of a disabled parking permit to any organization that can adequately demonstrate a bona fide need for such a permit because the organization provides regular transportation services to persons who have disabilities and are certified as provided in this subsection.

(2) DISABLED PARKING PERMIT; PERSONS WITH LONG-TERM MOBILITY PROBLEMS.—

(a) The disabled parking permit is a placard that can be placed in a motor vehicle so as to be visible from the front and rear of the vehicle. Each side of the placard must have the international symbol of accessibility in a contrasting color in the center so as to be visible. One side of the placard must display the applicant's driver's license number or state identification card number along with a warning that the applicant must have such identification at all times while using the parking permit. In those cases where the severity of the disability prevents a disabled person from physically visiting or being transported to a driver license or tax collector office to obtain a driver's license or identification card, a certifying physician may sign the exemption section of the department's parking permit application to exempt the disabled person from being issued a driver's license or identification card for the number to be displayed on the parking permit. A validation sticker must also be issued with each disabled parking permit, showing the month and year of expiration on each side of the placard. Validation stickers must be of the size specified by the Department of Highway Safety and Motor Vehicles and must be affixed to the disabled parking permits. The disabled parking permits must use the same colors as license plate validations.

(b) License plates issued under ss. 320.084, 320.0842, 320.0843, and 320.0845 are valid for the same parking privileges and other privileges provided under ss. 316.1955, 316.1964, and 526.141(5)(a).

(c) The department shall not issue an additional disabled parking permit unless the applicant states that he or she is a frequent traveler or a quadriplegic. The department may not issue to any one eligible applicant more than two disabled parking permits except to an organization in accordance with paragraph (1)(e). Subsections (1), (5), (6), and (7) apply to this subsection.

(d) If an applicant who is a disabled veteran, is a resident of this state, has been honorably discharged, and either has been determined by the Department of Defense or the United States Department of Veterans Affairs or its predecessor to have a service-connected disability rating for compensation of 50 percent or greater or has been determined to have a service-connected disability rating of 50 percent or greater and is in receipt of both disability retirement pay from the United States Department of Veterans Affairs, he or she must still provide a signed physician's statement of qualification for the disabled parking permits.

(e) To obtain a replacement for a disabled parking permit that has been lost or stolen, a person must *appear in person*, submit an application on a form prescribed by the department, and ~~must~~ pay a replacement fee in the amount of \$1.00, to be retained by the issuing agency. If the person submits with the application a police report documenting that the permit was stolen, there is no replacement fee.

(f) A person who qualifies for a disabled parking permit under this section may be issued an international wheelchair user symbol license plate under s. 320.0843 in lieu of the disabled parking permit; or, if the person qualifies for a "DV" license plate under s. 320.084, such a license plate may be issued to him or her in lieu of a disabled parking permit.

And the title is amended as follows:

Delete lines 144-146 and insert: cross-references; amending s. 320.0848, F.S.; revising the requirements for disabled parking permit renewals; requiring a permit holder to personally appear to obtain a renewal or replacement permit; revising the requirements for the deposit of fee proceeds from temporary disabled parking permits; amending s.

Pursuant to Rule 4.19, **CS for CS for SB 1150** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Jones—

CS for SB 650—A bill to be entitled An act relating to mobile home park lot tenancies; creating s. 723.024, F.S.; providing for local code and ordinance violations to be cited to the responsible party; prohibiting liens, penalties, fines, or other administrative or civil proceedings against one party or that party's property for a duty or responsibility of the other party; amending s. 723.061, F.S.; revising provisions relating to grounds and proceedings for eviction; revising procedures for mobile home owners being provided eviction notice due to a change in use of the land comprising the mobile home park or the portion thereof from which mobile homes are to be evicted; providing requirements of the park owner and requirements and rights of an applicable homeowners' association with respect to the sale of the mobile home park under a change in use eviction; deleting a provision relating to governmental action affecting the removal of mobile home owners; providing an effective date.

—was read the second time by title.

Senator Detert moved the following amendment:

Amendment 1 (899740) (with title amendment)—Between lines 23 and 24 insert:

Section 1. Paragraph (b) of subsection (1) of section 723.012, Florida Statutes, is amended to read:

723.012 Prospectus or offering circular.—The prospectus or offering circular, which is required to be provided by s. 723.011, must contain the following information:

- (1) The front cover or the first page must contain only:
- (b) The following statements in conspicuous type:

1. THIS PROSPECTUS CONTAINS VERY IMPORTANT INFORMATION REGARDING YOUR LEGAL RIGHTS AND YOUR FINANCIAL OBLIGATIONS IN LEASING A MOBILE HOME LOT. MAKE SURE THAT YOU READ THE ENTIRE DOCUMENT AND SEEK LEGAL ADVICE IF YOU HAVE ANY QUESTIONS REGARDING THE INFORMATION SET FORTH IN THIS DOCUMENT.

2. THE STATEMENTS CONTAINED HEREIN ARE ONLY SUMMARY IN NATURE. A PROSPECTIVE LESSEE SHOULD REFER TO ALL REFERENCES, ALL EXHIBITS HERETO, THE CONTRACT DOCUMENTS, AND SALES MATERIALS.

3. ORAL REPRESENTATIONS SHOULD NOT BE RELIED UPON AS CORRECTLY STATING THE REPRESENTATIONS OF THE PARK OWNER OR OPERATOR. REFER TO THIS PROSPECTUS (OFFERING CIRCULAR) AND ITS EXHIBITS FOR CORRECT REPRESENTATIONS.

4. UPON DELIVERY OF THE PROSPECTUS TO A PROSPECTIVE LESSEE, THE RENTAL AGREEMENT IS VOIDABLE BY THE LESSEE FOR A PERIOD OF 15 DAYS.

5. UPON THE SALE OF THE MOBILE HOME PARK TO A NEW OWNER, OR UPON A CHANGE OF LAND USE, YOU MAY BE EVICTED AND ORDERED TO MOVE YOUR MOBILE HOME WITHIN 6 MONTHS OR FORFEIT YOUR MOBILE HOME.

And the title is amended as follows:

Between lines 2 and 3 insert: amending s. 723.012, F.S.; requiring that additional information be provided in the prospectus or offering brochure which advises the customer of consequences if the mobile home park is sold or land use is changed;

MOTION

On motion by Senator Detert, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Detert moved the following amendment to **Amendment 1** which failed:

Amendment 1A (331706) (with title amendment)—Delete lines 27-30 and insert:

5. UPON A CHANGE OF LAND USE, YOU MAY BE EVICTED AND ORDERED TO MOVE YOUR MOBILE HOME WITHIN 6 MONTHS OR FORFEIT YOUR MOBILE HOME.

And the title is amended as follows:

Delete line 39 and insert: the land use is changed;

The question recurred on **Amendment 1** which was withdrawn.

Pursuant to Rule 4.19, **CS for SB 650** was placed on the calendar of Bills on Third Reading.

On motion by Senator Evers—

CS for CS for SB 234—A bill to be entitled An act relating to firearms; amending s. 790.06, F.S.; providing that a person in compliance with the terms of a concealed carry license may openly carry a handgun notwithstanding specified provisions; allowing the Division of Licensing of the Department of Agriculture and Consumer Services to take fingerprints from concealed carry license applicants; providing that a person may not openly carry a weapon or firearm or carry a concealed weapon or firearm into specified locations; providing that concealed carry licensees shall not be prohibited from carrying or storing a firearm in a vehicle for lawful purposes; providing that a provision limiting the scope of a license to carry a concealed weapon or firearm does not modify certain exceptions to prohibited acts with respect to a person's right to keep and bear arms in motor vehicles for certain purposes; repealing s. 790.28, F.S., relating to the purchase of rifles and shotguns in contiguous states; amending s. 790.065, F.S.; providing that specified provisions do not apply to certain firearms transactions by a resident of this state; providing an effective date.

—was read the second time by title.

Senator Bogdanoff moved the following amendment:

Amendment 1 (322294) (with title amendment)—Delete lines 27-52 and insert:

Section 1. Subsection (1) of section 790.053, Florida Statutes, is amended to read:

790.053 Open carrying of weapons.—

(1) Except as otherwise provided by law and in subsection (2), it is unlawful for any person to openly carry on or about his or her person any firearm or electric weapon or device. *It shall not be a violation of this section for a person who is licensed to carry a concealed firearm, and who is lawfully carrying it in a concealed manner, to accidentally or inadvertently display the firearm to the ordinary sight of another person so long as the firearm is not displayed in a rude, angry, or threatening manner.*

Section 2. Paragraph (c) of subsection (5) and subsection (12) of section 790.06, Florida Statutes, are amended to read:

790.06 License to carry concealed weapon or firearm.—

And the title is amended as follows:

Delete lines 2-5 and insert: An act relating to firearms; amending s. 790.053, F.S.; providing that person in compliance with the terms of a concealed carry license is not in violation of s. 790.053(1), F.S., when the concealed firearm is accidentally or inadvertently displayed to the ordinary sight of another person; amending s. 790.06, F.S.; allowing

Senator Bogdanoff moved the following substitute amendment which was adopted:

Amendment 2 (688734) (with title amendment)—Delete lines 27-52 and insert:

Section 1. Subsection (1) of section 790.053, Florida Statutes, is amended to read:

790.053 Open carrying of weapons.—

(1) Except as otherwise provided by law and in subsection (2), it is unlawful for any person to openly carry on or about his or her person any firearm or electric weapon or device. *It is not a violation of this section for a person licensed to carry a concealed firearm as provided in s. 790.06(1), and who is lawfully carrying a firearm in a concealed manner, to briefly and openly display the firearm to the ordinary sight of another person, unless the firearm is intentionally displayed in an angry or threatening manner, not in necessary self-defense.*

Section 2. Paragraph (c) of subsection (5) and subsection (12) of section 790.06, Florida Statutes, are amended to read:

790.06 License to carry concealed weapon or firearm.—

And the title is amended as follows:

Delete lines 2-5 and insert: An act relating to firearms; amending s. 790.053, F.S.; providing that a person who is licensed to carry a concealed firearm is not in violation of law if the firearm is briefly and openly displayed under certain circumstances; amending s. 790.06, F.S.; allowing

Pursuant to Rule 4.19, **CS for CS for SB 234** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING

CS for CS for CS for SB 402—A bill to be entitled An act relating to the regulation of firearms and ammunition; amending s. 790.33, F.S.; clarifying and reorganizing provisions that preempt to the state the entire field of regulation of firearms; prohibiting the violation of the Legislature's occupation of the whole field of regulation of firearms and ammunition by the enactment or causation of enforcement of any local

ordinance or administrative rule or regulation; providing additional intent of the act; eliminating provisions authorizing counties to adopt an ordinance requiring a waiting period between the purchase and delivery of a handgun; providing injunctive relief from the enforcement of an invalid ordinance, regulation, or rule; providing a civil penalty for knowing and willful violation of prohibitions; providing that public funds may not be used to defend or reimburse the unlawful conduct of any person charged with a knowing and willful violation of the act; providing for termination of employment or contract or removal from office of a person acting in an official capacity who knowingly and willfully violates any provision of the act; providing for declaratory and injunctive relief for specified persons or organizations; providing for specified damages and interest; providing exceptions to prohibitions of the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 402**, on motion by Senator Negron, by two-thirds vote **CS for CS for CS for HB 45** was withdrawn from the Committees on Criminal Justice; Community Affairs; Judiciary; and Rules.

On motion by Senator Negron—

CS for CS for CS for HB 45—A bill to be entitled An act relating to the regulation of firearms and ammunition; amending s. 790.33, F.S.; clarifying and reorganizing provisions that preempt to the state the entire field of regulation of firearms; prohibiting the knowing and willful violation of the Legislature's occupation of the whole field of regulation of firearms and ammunition by the enactment or causation of enforcement of any local ordinance or administrative rule or regulation; providing additional intent of the section; eliminating provisions authorizing counties to adopt an ordinance requiring a waiting period between the purchase and delivery of a handgun; providing injunctive relief from the enforcement of an invalid ordinance, regulation, or rule; providing a civil penalty for knowing and willful violation of prohibitions; providing that public funds may not be used to defend or reimburse the unlawful conduct of any person charged with a knowing and willful violation of the act; providing for termination of employment or contract or removal from office of a person acting in an official capacity who knowingly and willfully violates any provision of the act; providing for declaratory and injunctive relief for specified persons or organizations; providing for specified damages and interest; providing exceptions to prohibitions of the section; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 402** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 45** was placed on the calendar of Bills on Third Reading.

CS for CS for CS for SB 432—A bill to be entitled An act relating to the privacy of firearm owners; creating s. 790.338, F.S.; providing that a licensed medical care practitioner or health care facility may not record information regarding firearm ownership in a patient's medical record; providing an exception for relevance of the information to the patient's medical care or safety or the safety of others; providing that unless the information is relevant to the patient's medical care or safety or the safety of others, inquiries regarding firearm ownership or possession should not be made by licensed health care practitioners or health care facilities; providing an exception for emergency medical technicians and paramedics; providing that a patient may decline to provide information regarding the ownership or possession of firearms; clarifying that a physician's authorization to choose his or her patients is not altered by the act; prohibiting discrimination by licensed health care practitioners or facilities based solely upon a patient's firearm ownership or possession; prohibiting harassment of a patient regarding firearm ownership by a licensed health care practitioner or facility during an examination; prohibiting denial of insurance coverage, increased premiums, or any other form of discrimination by insurance companies issuing policies on the basis of an insured's or applicant's ownership, possession, or storage of firearms or ammunition; clarifying that an insurer is not prohibited from considering the fair market value of firearms or ammunition in setting personal property coverage premiums; providing for disciplinary action; amending s. 381.026, F.S.; providing that unless the information is relevant to the patient's medical care or safety, or the safety of others, inquiries regarding firearm ownership or possession should not be made

by licensed health care providers or health care facilities; providing that a patient may decline to provide information regarding the ownership or possession of firearms; clarifying that a physician's authorization to choose his or her patients is not altered by the act; prohibiting discrimination by licensed health care providers or facilities based solely upon a patient's firearm ownership or possession; prohibiting harassment of a patient regarding firearm ownership during an examination by a licensed health care provider or facility; amending s. 456.072, F.S.; including the violation of the provisions of s. 790.338, F.S., as grounds for disciplinary action; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 432**, on motion by Senator Evers, by two-thirds vote **CS for CS for HB 155** was withdrawn from the Committees on Criminal Justice; Health Regulation; Judiciary; and Budget.

On motion by Senator Evers—

CS for CS for HB 155—A bill to be entitled An act relating to the privacy of firearm owners; creating s. 790.338, F.S.; providing that a licensed medical care practitioner or health care facility may not record information regarding firearm ownership in a patient's medical record; providing an exception for relevance of the information to the patient's medical care or safety or the safety of others; providing that unless the information is relevant to the patient's medical care or safety or the safety of others, inquiries regarding firearm ownership or possession should not be made by licensed health care practitioners or health care facilities; providing an exception for emergency medical technicians and paramedics; providing that a patient may decline to provide information regarding the ownership or possession of firearms; clarifying that a physician's authority to choose his or her patients is not altered by the act; prohibiting discrimination by licensed health care practitioners or facilities based solely upon a patient's firearm ownership or possession; prohibiting harassment of a patient regarding firearm ownership by a licensed health care practitioner or facility during an examination; prohibiting denial of insurance coverage, increased premiums, or any other form of discrimination by insurance companies issuing policies on the basis of an insured's or applicant's ownership, possession, or storage of firearms or ammunition; clarifying that an insurer is not prohibited from considering the fair market value of firearms or ammunition in setting personal property coverage premiums; providing for disciplinary action; amending s. 381.026, F.S.; providing that unless the information is relevant to the patient's medical care or safety, or the safety of others, inquiries regarding firearm ownership or possession should not be made by licensed health care providers or health care facilities; providing that a patient may decline to provide information regarding the ownership or possession of firearms; clarifying that a physician's authority to choose his or her patients is not altered by the act; prohibiting discrimination by licensed health care providers or health care facilities based solely upon a patient's firearm ownership or possession; prohibiting harassment of a patient regarding firearm ownership during an examination by a licensed health care provider or health care facility; amending s. 456.072, F.S.; including the violation of the provisions of s. 790.338, F.S., as grounds for disciplinary action; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 432** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 155** was placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Thrasher, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Thursday, April 28.

On motion by Senator Thrasher, a deadline of 8:00 a.m. Thursday, April 28, was set for filing amendments to Bills on Third Reading to be considered that day.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for SB 90, CS for CS for SB 204, CS for CS for SB 236, CS for SB 314, SB 446, CS for SB 480, SB 534, CS for SB 664, CS for SB 734, SB 762, CS for CS for SB 952, and SB 1826** were withdrawn from the Committee on Budget; and **CS for CS for SB 1594** was withdrawn from the Committees on Budget; and Rules.

On motion by Senator Diaz de la Portilla, by two-thirds vote **SB 456, SB 776, SB 1692, SB 1750, SB 1768, SB 1804, and SB 1806** were withdrawn from the committees of reference and further consideration.

On motion by Senator Montford, by two-thirds vote **SB 1274** was withdrawn from the committees of reference and further consideration.

On motion by Senator Margolis, by two-thirds vote **SB 1648, SB 1670, and SB 1726** were withdrawn from the committees of reference and further consideration.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Thrasher, the rules were waived and the Special Order Calendar Group was granted permission to meet this day at 5:30 p.m.

MOMENT OF SILENCE

The President recognized Senator Latvala who asked the Senate to observe a moment of silence in honor of former Senator Patsy Kurth who passed away this day.

SPECIAL GUESTS

Senator Bennett introduced former Senator Pat Neal who was present in the gallery.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Wednesday, April 27, 2011: **CS for CS for SB 830, CS for CS for SB 234, CS for CS for CS for SB 402, CS for CS for CS for SB 432, CS for CS for SB 1524, CS for SB 998, CS for CS for SB 818, CS for CS for CS for SB 1546, CS for SM 1654, CS for SB 1996, CS for SB 1466, CS for CS for SB 1414, CS for CS for SJR 1538, SB 626, CS for CS for CS for SB 408, CS for SB 1992, CS for CS for SB 1150, CS for SB 900, CS for SB 650, SB 652, SB 704, SB 1632.**

Respectfully submitted,
John Thrasher, Chair

The Committee on Budget recommends the following pass: **CS for CS for SB 1194; CS for SB 1300; CS for SB 1610; SB 1942; CS for CS for SB 2086 with 1 amendment**

The Committee on Rules recommends the following pass: **SB 18; SB 322; CS for CS for SB 416; CS for CS for SB 450; SB 474; SB 502; CS for SB 648; SB 722; SB 726; CS for CS for SB 786; CS for CS for SB 1312; SJR 1438; CS for CS for SB 1568; SB 1990; CS for SB 2010**

The bills were placed on the Calendar.

The Committee on Judiciary recommends committee substitutes for the following: **CS for SB 476; SJR 808; CS for SB 1448**

The Committee on Rules recommends a committee substitute for the following: **CS for SB 2088**

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

The Committee on Budget recommends committee substitutes for the following: **CS for SJR 140; SB 1182; CS for SB 1382; SB 1886**

The Committee on Rules recommends committee substitutes for the following: **SB 692; CS for SB 1252; SB 1620; CS for SJR 1954; SB 2170**

The bills with committee substitute attached were placed on the Calendar.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Budget; and Judiciary; and Senator Ring—

CS for CS for SJR 140—A joint resolution proposing an amendment to Section 8 of Article V and the creation of Section 32 of Article XII of the State Constitution to increase the period of time that a person must be a member of The Florida Bar before becoming eligible for the office of circuit court or county court judge, to provide an effective date, and to provide that judges qualified to hold office and in office on that effective date may remain in office and run for reelection, notwithstanding the increase.

By the Committees on Judiciary; and Regulated Industries; and Senator Evers—

CS for CS for SB 476—A bill to be entitled An act relating to public lodging establishments; amending s. 509.032, F.S.; conforming provisions to changes made by the act; prohibiting local governments from regulating vacation rentals based solely on their classification or use; providing an exception; amending ss. 509.221 and 509.241, F.S.; conforming provisions to changes made by the act; amending s. 509.242, F.S.; providing that public lodging establishments formerly classified as resort condominiums and resort dwellings are classified as vacation rentals; defining the term “vacation rental”; amending s. 509.251, F.S.; conforming provisions to changes made by the act; amending s. 509.261, F.S.; revising mandatory education requirements for certain violations; amending s. 509.291, F.S.; revising membership of the advisory council of the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; requiring the Florida Vacation Rental Managers Association to designate a member to serve on the advisory council; amending ss. 381.008 and 386.203, F.S.; conforming provisions to changes made by the act; providing a short title; amending s. 509.144, F.S.; revising the definition of the term “handbill”; providing additional penalties for the offense of unlawfully distributing handbills in a public lodging establishment; specifying that certain items used in committing such offense are subject to seizure and forfeiture under the Florida Contraband Forfeiture Act; creating s. 901.1503, F.S.; authorizing a law enforcement officer to give a notice to appear to a person without a warrant when there is probable cause to believe the person violated s. 509.144, F.S., and the owner or manager of the public lodging establishment, and one additional affiant, signs an affidavit containing information supporting the determination of probable cause; amending s. 932.701, F.S.; revising the definition of the term “contraband article”; providing that specified portions of the act do not affect or impede specified statutory provisions or any protection or right guaranteed by the Second Amendment to the United States Constitution; providing an effective date.

By the Committee on Rules; and Senator Richter—

CS for SB 692—A bill to be entitled An act relating to assisted living facilities; amending s. 429.19, F.S.; removing a requirement that the Agency for Health Care Administration disseminate annually a printed list of assisted living facilities sanctioned or fined to specified agencies and departments; amending s. 429.23, F.S.; removing reporting requirements for assisted living facilities relating to liability claims; amending s. 429.35, F.S.; removing an obsolete reporting requirement; amending s. 429.41, F.S.; removing a provision requiring the Depart-

ment of Elderly Affairs to submit to the Legislature for review and comment a copy of proposed department rules establishing standards for resident care; repealing s. 429.54, F.S., relating to a provision that authorizes the Department of Elderly Affairs to collect information regarding the cost of providing certain services in facilities and to conduct field visits and audits and a provision authorizing a local subsidy; providing an effective date.

By the Committee on Judiciary; and Senator Diaz de la Portilla—

CS for SJR 808—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution to authorize counties and municipalities to limit the assessed value of the homesteads of certain low-income senior citizens.

By the Committee on Budget; and Senator Ring—

CS for SB 1182—A bill to be entitled An act relating to the State Board of Administration; amending s. 215.44, F.S.; authorizing the board to invest the assets of a governmental entity in the Local Government Surplus Funds Trust Fund without a trust agreement with that governmental entity; providing that certain investments made by the board under a trust agreement are subject only to the restrictions and limitations contained in the trust agreement; amending s. 215.444, F.S.; reducing the number of members on the Investment Advisory Council; amending s. 215.4755, F.S.; correcting cross-references; clarifying provisions prohibiting certain conflicts of interest by investment advisers and managers retained by the board; providing an effective date.

By the Committees on Rules; and Budget; and Senator Smith—

CS for CS for SB 1252—A bill to be entitled An act relating to insurance; amending s. 120.80, F.S.; allowing the Division of Administrative Hearings to have final order authority with respect to certain license applicants; amending s. 316.066, F.S.; revising the type of information that must be included in crash reports; authorizing the investigating officer to testify at trial or provide an affidavit concerning the content of the reports; amending ss. 440.12 and 440.20, F.S.; authorizing the payment of workers' compensation benefits through the use of a prepaid card; providing requirements; amending s. 440.49, F.S.; specifying that the assessment for the Special Disability Trust Fund be applied on a calendar year basis; amending s. 624.402, F.S.; revising provisions relating to certain insurers covering nonresidents domiciled outside the United States who are exempt from requirements to obtain a certificate of authority; amending s. 626.207, F.S., relating to penalties; providing definitions; barring persons convicted of certain crimes from licensure as an insurance agent; revising provisions relating to disqualifying periods for persons convicted of other crimes; providing an exemption from the limitation against state employment for persons convicted of certain crimes; amending s. 627.4133, F.S.; changing the designated person or persons who must be notified by an insurer from the "insured" to the "first-named insured" in situations involving the nonrenewal, renewal premium, cancellation, or termination of workers' compensation, employer liability, or certain property and casualty insurance coverage; specifying the effective date for the cancellation of a policy requested in writing by the insured; amending s. 627.4137, F.S.; requiring a claimant's request about insurance coverage to be appropriately served upon the disclosing entity; amending s. 627.442, F.S.; providing that premium audits for workers' compensation coverage is not required; providing exceptions; amending s. 627.7277, F.S.; making a conforming change that specifies the "first-named insured" as the person who is to receive notification of a renewal premium; amending s. 627.728, F.S.; changing the designated person or persons who must be notified by an insurer from the "insured" to the "first-named insured" in certain situations involving the cancellation or nonrenewal of motor vehicle insurance coverage; making a conforming change that specifies the "first-named insured's insurance agent" as a person who is to receive certain notifications relating to motor vehicle insurance coverage; amending s. 627.7281, F.S.; making a conforming change that specifies the "first-named insured" as the person who is to receive notification of cancellation of motor vehicle insurance coverage; amending s. 627.7295, F.S.; providing that a binder or policy for motor vehicle insurance is not effective until a certain amount of the premium is paid; amending s. 628.901, F.S.; providing definitions; repealing s. 628.903, F.S., relating to the definition of the term "industrial insured captive insurer"; amending

s. 628.905, F.S.; requiring a captive insurer to obtain a license and to file evidence that a person or firm with whom it intends to conduct business is reputable; providing that a certificate of insurance for an association captive insurer does not exceed the total funds of the association members; creating s. 628.908, F.S.; requiring a licensed captive insurer to maintain its principal place of business in this state and hold an annual meeting in this state; amending s. 628.909, F.S.; applying additional provisions of the insurance code to captive insurers; amending s. 634.403, F.S.; exempting certain persons from service warranty licensure requirements under certain circumstances; amending s. 817.234, F.S.; providing civil penalties for fraudulent insurance claims; providing effective dates.

By the Committees on Budget; and Governmental Oversight and Accountability; and Senator Bennett—

CS for CS for SB 1382—A bill to be entitled An act relating to rulemaking; amending s. 120.54, F.S.; requiring that an agency include in its notice of intended rulemaking a statement as to whether the proposed rule will require legislative ratification; providing for modification or withdrawal of an adopted rule that is not ratified by the Legislature; clarifying that certain proposed rules are effective only when ratified by the Legislature; amending s. 120.541, F.S.; reducing the time before an agency files a rule for adoption within which the agency must notify the person who submitted a lower cost alternative and the Administrative Procedures Committee; excluding rules adopting federal standards and emergency rulemaking from certain provisions; amending s. 120.56, F.S.; reducing the time within which a substantially affected person may seek an administrative determination of the invalidity of a rule after the statement or revised statement of estimated regulatory costs is available; amending s. 120.80, F.S.; exempting the adoption of certain amendments and the triennial updates to the Florida Building Code from required legislative ratification; exempting the adoption of certain amendments and the triennial updates to the Florida Fire Prevention Code from required legislative ratification; exempting the adoption of rules adjusting rates of certain transportation and expressway tolls from the preparation of a statement of estimated regulatory costs and from submission for legislative ratification; amending s. 120.81, F.S.; excluding the adoption of rules under chapter 2011-1, Laws of Florida, the Student Success Act, from the preparation of a statement of estimated regulatory costs and from submission for legislative ratification; providing an effective date.

By the Committees on Judiciary; and Community Affairs; and Senators Garcia and Lynn—

CS for CS for SB 1448—A bill to be entitled An act relating to the sale or lease of a county, district, or municipal hospital; amending s. 155.40, F.S.; providing that the sale or lease of a county, district, or municipal hospital is subject to approval by the registered voters or by the circuit court; requiring the hospital governing board to determine by certain public advertisements whether there are qualified purchasers or lessees before the sale or lease of such hospital; defining the term "fair market value"; requiring the board to state in writing specified criteria forming the basis of its acceptance of a proposal for sale or lease of the hospital; providing for publication of notice; authorizing submission of written statements of opposition to a proposed transaction, and written responses thereto, within a certain timeframe; requiring the board to file a petition for approval with the circuit court and receive approval before any transaction is finalized; specifying information to be included in such petition; providing for the circuit court to issue an order requiring all interested parties to appear before the court under certain circumstances; requiring the clerk of the court to publish the copy of the order in certain newspapers at specified times; providing that certain parties are made parties defendant to the action by the publication of the order; granting the circuit court jurisdiction to approve sales or leases of county, district, or municipal hospitals based on specified criteria; providing for a party to seek judicial review; requiring that in judicial review the reviewing court affirm the judgment of the circuit court unless the decision is arbitrary, capricious, or not in compliance with the act; requiring the board to pay costs associated with the petition for approval unless a party contests the action; providing an exemption for certain sale or lease transactions completed before a specified date; amending s. 395.3036, F.S.; conforming cross-references; providing an effective date.

By the Committee on Rules; and Senator Flores—

CS for SB 1620—A bill to be entitled An act relating to digital learning; creating s. 1002.321, F.S.; creating the Digital Learning Now Act; providing legislative findings related to the elements to be included in high-quality digital learning; providing digital preparation requirements; providing for customized and accelerated learning; amending s. 1002.33, F.S.; authorizing the establishment of virtual charter schools; providing application requirements for establishment of a virtual charter school; authorizing a charter school to implement blended learning courses; requiring each charter school governing board to appoint a representative and specifying duties; requiring each governing board to hold two public meetings per school year; providing funding for a virtual charter school; establishing administrative fees for a virtual charter school; amending s. 1002.37, F.S.; redefining the term “full-time equivalent student” as it applies to the Florida Virtual School; providing instruction, eligibility, funding, assessment, and accountability requirements; amending s. 1002.45, F.S.; revising the definition of the term “virtual instruction program”; revising school district requirements for providing virtual instruction programs; requiring full-time and part-time virtual instruction program options; authorizing a school district to enter into an agreement with a virtual charter school to provide virtual instruction to district students; authorizing virtual charter school contracts; providing additional provider qualifications relating to curriculum, student performance accountability, and disclosure; revising student eligibility requirements; providing funding and accountability requirements; creating s. 1002.455, F.S.; establishing student eligibility requirements for K-12 virtual instruction; amending s. 1003.428, F.S.; requiring at least one course required for high school graduation to be completed through online learning; creating s. 1003.498, F.S.; authorizing school districts to offer virtual courses and blended learning courses; amending s. 1008.22, F.S.; requiring all statewide end-of-course assessments to be administrated online beginning with the 2014-2015 school year; amending s. 1011.61, F.S.; redefining the term “full-time equivalent student” for purposes of virtual instruction; amending s. 1012.57, F.S.; authorizing school districts to issue adjunct teaching certificates to qualified applicants to provide online instruction; revising requirements for adjunct teaching certificateholders; providing for annual contracts; amending ss. 1000.04, 1002.20, and 1003.03, F.S.; conforming provisions to changes made by the act; requiring the Department of Education to submit a report to the Governor and the Legislature relating to school district offering of, and student access to, digital learning; providing an effective date.

By the Committee on Budget; and Senator Wise—

CS for SB 1886—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; including certain hallucinogenic substances on the list of controlled substances in Schedule I; reenacting ss. 893.13(1), (2), (4), and (5), 893.135(1)(l), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties regarding controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

By the Committees on Rules; and Community Affairs; and Senator Garcia—

CS for CS for SJR 1954—A joint resolution proposing an amendment to Section 6 of Article VIII of the State Constitution to authorize amendments or revisions to the home rule charter of Miami-Dade County by special law approved by a vote of the electors; providing requirements for a bill proposing such a special law; authorizing the Miami-Dade County charter to provide for fixed term limits of commissioners.

By the Committees on Rules; Rules Subcommittee on Ethics and Elections; and Rules; and Senator Gaetz—

CS for CS for SB 2088—A bill to be entitled An act relating to ethics; amending s. 112.312, F.S.; redefining the term “gift” to exclude contributions or expenditures reported under federal election law; creating s. 112.3142, F.S.; providing for qualified blind trusts; providing legislative findings; providing conditions when a public officer has no conflict of interest; prohibiting a public officer from influencing or exercising con-

trol over the management of the blind trust; providing exceptions; providing conditions for certain communications between the public officer or other persons having a beneficial interest and the trustee; providing that the public officer report certain information relating to the blind trust; providing requirements for the public officer in creating a qualified blind trust; prohibiting the trustee from disclosing certain information to the public officer or other persons having a beneficial interest in the trust; requiring the public officer to provide notice and specified information to the Commission on Ethics; amending s. 112.3143, F.S.; providing for an exception to a provision authorizing a state public officer to vote in an official capacity on any matter, to conform to changes made by the act; creating s. 112.31435, F.S.; defining the term “relative”; prohibiting a member of the Legislature from voting upon any legislation inuring to his or her special private gain or loss; prohibiting a member of the Legislature from voting upon any legislation that the member knows would inure to the special private gain or loss of a principal by whom the member is retained or the corporate parent or subsidiary of a corporate principal by which the member is retained; prohibiting a member of the Legislature from voting upon legislation that the member knows would inure to the special private gain or loss of a relative, a business associate, an employer, or a board upon which the member sits; requiring that a member disclose all such interests to the applicable legislative body or committee before the legislation is considered; requiring that the member disclose the specific nature of any such interests within a specified period after the date on which a vote on the legislation occurs; requiring that such disclosure be made by written memorandum and filed with the Secretary of the Senate or the Clerk of the House of Representatives; requiring that the memorandum be recorded in the journal of the house of which the legislator is a member; providing that the act does not prevent a member from voting on legislation that inures to the special private gain or loss of the member’s employer, principal, or board upon which the member sits, if such entity is an agency; providing that a member’s vote does not inure to the member’s special private gain or loss under certain circumstances; providing that the act does not require disclosure if a member’s vote will inure to the special private gain or loss of a member’s employer, principal, or board upon which the member sits, if such entity is an agency; providing that a member of the Legislature who is serving as an independent contractor attorney or “of counsel” attorney in a law firm is not prohibited from voting on and is not required to make a disclosure concerning legislation that would inure to the special private gain or loss of any of the firm’s clients; authorizing a member to request an advisory opinion from the general counsel of the house of which he or she is a member; providing that the act does not prevent the member from voting on a General Appropriations Act or implementing legislation; amending s. 112.3144, F.S.; requiring the Commission on Ethics to review certain filings of full and public disclosure of financial interests made by certain public officers, including supporting documentation; requiring the commission to provide notice of the sufficiency of the financial disclosure; requiring that an amended or corrected disclosure be filed if the filing is insufficient; providing that the amended or corrected disclosure is not subject to sufficiency review; providing for a fine if the amended or corrected disclosure is not filed by a certain date; relieving an officer of liability for fines and penalties if a complete and sufficient full and public disclosure of financial interests is filed by September 1; specifying that any full and public financial disclosure that is not timely received is not entitled to review; permitting the commission to delegate to the commission’s staff the responsibilities to review and provide notices relating to the disclosure filings; amending s. 112.3145, F.S.; redefining the term “local officer” for the purposes of disclosing financial interests to include members of a community redevelopment agency board and any finance director of a county, municipality, or other political subdivision; amending s. 838.014, F.S.; deleting the definition of the term “corruptly” or “with corrupt intent” to conform provisions to changes made by the act; amending s. 838.015, F.S.; redefining the term “bribery” as it relates to the requisite mental state for the offense of bribery; amending s. 838.016, F.S.; revising provisions relating to the requisite mental state for the offenses of unlawful compensation and reward for official behavior and official misconduct, to conform to changes made by the act; amending s. 838.022, F.S.; revising provisions relating to the requisite mental state for the offenses of unlawful compensation and reward for official behavior and official misconduct, to conform to changes made by the act; adding actions by a public servant that are illegal; requiring the section be strictly enforced without discretion; amending s. 839.24, F.S.; revising the public servants who are affected and duties for which failure of performance is a misdemeanor of the first degree; requiring that the act be strictly enforced without discretion; amending s. 843.0855, F.S.; adding certain actions

under color of law by a public servant or employee to be unlawful; providing penalties; requiring that the act be strictly enforced without discretion; providing an effective date.

By the Committees on Rules; and Judiciary—

CS for SB 2170—A bill to be entitled An act relating to judicial nominating commissions; amending s. 43.291, F.S.; providing for termination of the terms of all current members of judicial nominating commissions; providing for staggered terms of newly appointed members; providing an effective date.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 97; has passed as amended CS for CS for HB 7095; has passed by the required constitutional three-fifths vote of the membership CS for HJR 1179 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Health & Human Services Access Subcommittee and Representative(s) Gaetz, Ahern, Albritton, Baxley, Brandes, Brodeur, Corcoran, Costello, Drake, Grant, Horner, Ingram, Perry, Plakon, Porter, Renuart, Smith, Stargel, Tobia, Trujillo, Van Zant, Weatherford—

CS for HB 97—A bill to be entitled An act relating to health insurance; creating ss. 627.64995, 627.66996, and 641.31099, F.S.; prohibiting certain health insurance policies and health maintenance contracts from providing coverage for abortions; providing exceptions; defining the term "state"; amending s. 627.6515, F.S.; providing that certain restrictions on coverage for abortions apply to certain group health insurance policies issued or delivered outside the state which provide coverage to residents of the state; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

By Appropriations Committee, Judiciary Committee, Health & Human Services Committee and Representative(s) Schenck—

CS for CS for HB 7095—A bill to be entitled An act relating to controlled substances; amending s. 456.072, F.S.; making failure to comply with the requirements of s. 456.44, F.S., grounds for disciplinary action; providing mandatory administrative penalties for certain violations related to prescribing; amending s. 456.42, F.S.; requiring prescriptions for controlled substances to be written on a counterfeit-resistant pad produced by an approved vendor or electronically prescribed; providing conditions for being an approved vendor; creating s. 456.44, F.S.; providing definitions; requiring certain physicians to designate themselves as controlled substance prescribing practitioners on their practitioner profiles; providing an effective date; requiring registered physicians to meet certain standards of practice; requiring a physical examination; requiring a written protocol; requiring an assessment of risk for aberrant behavior; requiring a treatment plan; requiring specified informed consent; requiring consultation and referral in certain circumstances; requiring medical records meeting certain criteria; providing an exemption for physicians meeting certain criteria; amending s. 458.3265, F.S., relating to regulation of pain-management clinics and medical doctors; amending the definition of a pain-management clinic; providing definitions; providing an exemption from registration for clinics owned and operated by physicians or medical specialists meeting certain criteria; allowing physician assistants and advanced registered nurse practitioners to perform medical examinations; requiring physicians in pain-management clinics to ensure compliance with certain requirements; imposing facility and physical operations requirements; imposing infection control requirements; imposing health and safety

requirements; imposing quality assurance requirements; imposing data collection and reporting requirements; amending rulemaking authority; conforming provisions to changes made by the act; providing for future expiration of provisions; amending s. 458.327, F.S.; providing that dispensing certain controlled substances in violation of specified provisions is a third-degree felony; providing penalties; amending s. 458.331, F.S.; providing that dispensing certain controlled substances in violation of specified provisions is grounds for disciplinary action; providing penalties; amending s. 459.0137, F.S., relating to regulation of pain-management clinics and osteopathic physicians; providing definitions; providing an exemption from registration for clinics owned and operated by physicians meeting certain criteria; allowing physician assistants and advanced registered nurse practitioners to perform medical examinations; requiring osteopathic physicians in pain-management clinics to ensure compliance with certain requirements; imposing facility and physical operations requirements; imposing infection control requirements; imposing health and safety requirements; imposing quality assurance requirements; amending rulemaking authority; conforming provisions to changes made by the act; providing for future expiration of provisions; amending s. 459.013, F.S.; providing that dispensing certain controlled substances in violation of specified provisions is a third-degree felony; providing penalties; amending s. 459.015, F.S.; providing that dispensing certain controlled substances in violation of specified provisions is grounds for disciplinary action; providing penalties; amending s. 465.015, F.S.; requiring a pharmacist to report to the sheriff within a specified period any instance in which a person fraudulently obtained or attempted to fraudulently obtain a controlled substance; providing criminal penalties; providing requirements for reports; amending s. 465.016, F.S.; providing additional grounds for denial of or disciplinary action against a pharmacist license; amending s. 465.018, F.S.; providing grounds for permit denial or discipline; requiring applicants to pay or make arrangements to pay amounts owed to the Department of Health; requiring an inspection; requiring permittees to maintain certain records; requiring community pharmacies to obtain a permit under chapter 465, F.S., as amended by the act by March 1, 2012, in order to dispense Schedule II and III controlled substances; amending s. 465.022, F.S.; requiring the Department of Health to adopt rules related to procedures for dispensing controlled substances; providing requirements for the issuance of a pharmacy permit; requiring disclosure of financial interests; requiring submission of policies and procedures and providing for grounds for permit denial based on them; allowing the Department of Health to phase-in the policies and procedures requirement over an 18-month period beginning July 1, 2011; requiring the Department of Health to deny a permit to applicants under certain circumstances; requiring permittees to provide notice of certain management changes; requiring prescription department managers to meet certain criteria; imposing duties on prescription department managers; limiting the number of locations a prescription department manager may manage; requiring the board to adopt rules related to recordkeeping; providing that permits are not transferable; increasing the fee for a change of location; amending s. 465.0276, F.S.; prohibiting registered dispensing practitioners from dispensing certain controlled substances; providing an exception for dispensing controlled substances in the health care system of the Department of Corrections; providing an exception for dispensing within 7 days after surgery which used general anesthesia; deleting a provision establishing a 72-hour supply limit on dispensing certain controlled substances to certain patients in registered pain-management clinics; amending s. 499.0051, F.S.; providing criminal penalties for violations of certain provisions of s. 499.0121, F.S.; amending s. 499.012, F.S.; requiring wholesale distributor permit applicants to submit documentation of credentialing policies; amending s. 499.0121, F.S.; providing reporting requirements for wholesale distributors of certain controlled substances; requiring the Department of Health to share the reported data with law enforcement agencies; requiring the Department of Law Enforcement to make investigations based on the reported data; providing credentialing requirements for distribution of controlled substances to certain entities by wholesale distributors; requiring distributors to identify suspicious transactions; requiring distributors to determine the reasonableness of orders for controlled substances over certain amounts; requiring distributors to report certain transactions to the Department of Health; prohibiting distribution to entities with certain criminal histories; limiting monthly distribution amounts of certain controlled substances to retail pharmacies; requiring the department to assess data; requiring the department to report certain data to the Governor, President of the Senate, and Speaker of the House of Representatives by certain dates; prohibiting distribution to entities with

certain criminal backgrounds; amending s. 499.05, F.S.; authorizing rulemaking concerning specified controlled substance wholesale distributor reporting requirements and credentialing requirements; amending s. 499.067, F.S.; authorizing the Department of Health to take disciplinary action against wholesale distributors failing to comply with specified credentialing or reporting requirements; amending s. 810.02, F.S.; authorizing separate judgments and sentences for burglary with the intent to commit theft of a controlled substance under specified provisions and for any applicable possession of controlled substance offense under specified provisions in certain circumstances; amending s. 812.014, F.S.; authorizing separate judgments and sentences for theft of a controlled substance under specified provisions and for any applicable possession of controlled substance offense under specified provisions in certain circumstances; amending s. 893.055, F.S., relating to the prescription drug monitoring program; deleting obsolete dates; deleting references to the Office of Drug Control; requiring reports to the prescription drug monitoring system to be made in 7 days rather than 15 days; prohibiting the use of certain funds to implement the program; requiring the State Surgeon General to appoint a board of directors for the direct-support organization; conforming provisions to changes made by the act; amending s. 893.065, F.S.; conforming provisions to changes made by the act; amending s. 893.07, F.S.; providing that law enforcement officers are not required to obtain a subpoena, court order, or search warrant in order to obtain access to or copies of specified controlled substance inventory records; requiring reporting of the discovery of the theft or loss of controlled substances to the sheriff within a specified period; providing criminal penalties; repealing s. 2 of chapter 2009-198, Laws of Florida, relating to the Program Implementation and Oversight Task Force in the Executive Office of the Governor concerning the electronic system established for the prescription drug monitoring program; providing a buyback program for undispensed controlled substance inventory held by specified licensed physicians; requiring certain certifications by the physician returning inventory to a distributor; providing an exemption to pedigree paper requirements; requiring reports of the program; providing for a declaration of a public health emergency; requiring certain actions relating to dispensing practitioners identified as posing the greatest threat to public health; providing an appropriation; providing for future repeal of program provisions; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; and Budget.

By Health & Human Services Committee and Representative(s) Baxley, Adkins, Albritton, Broxson, Corcoran, Costello, Davis, Gaetz, Grant, Metz, Moraitis, Plakon, Porter, Renuart, Smith, Stargel, Tobia, Van Zant, Weatherford, Weinstein, Williams, T.—

CS for HJR 1179—House Joint Resolution A joint resolution proposing the creation of Section 28 of Article I of the State Constitution to generally prohibit public funding of abortions and prohibit the State Constitution from being interpreted to create broader rights to an abortion than those contained in the United States Constitution.

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

CONFEREES APPOINTED

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Representatives to the conference committee for HB 5011, CS for CS for SB 1292, CS for CS for SB 1314, CS for SB 1738, SB 2000, SB 2002, SB 2094, SB 2096, SB 2098, SB 2104, SB 2106, and SB 2110:

House/Senate Budget Conference: Chair: Rep. Grimsley: At-Large – Reps. Aubuchon, Chestnut, Hukill, Kreegel, Legg, Lopez-Cantera, McKeel, Proctor, Rouson, Sands, Saunders, Schenck, Snyder, Weatherford

Robert L. "Bob" Ward, Clerk

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the Speaker has appointed the following Representatives to serve as managers on the part of the House for the Conference Committee on SB 2100:

FRS/Retirement: Lead House Manager: Workman

Robert L. "Bob" Ward, Clerk

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Representatives to the conference committee for CS for HB 5005 and CS for HB 5007:

Professional Deregulation: Lead House Manager: Hukill

Robert L. "Bob" Ward, Clerk

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Representatives to the conference committee for SB 2156 and SB 2162:

Governmental Reorganization: Lead House Manager: Legg

Robert L. "Bob" Ward, Clerk

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Representatives to the conference committee for HB 7205 and HB 7207:

SEED Fund: Lead House Manager: Aubuchon

Robert L. "Bob" Ward, Clerk

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Representatives to the conference committee for CS for HB 143, CS for HB 641, CS for HB 733, CS for CS for HB 873, and HB 7203:

House Finance & Tax Committee/Senate Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations: Rep. Precourt, Chair: House Conferees - Reps. Bernard, Dorworth, Holder, Ray

Robert L. "Bob" Ward, Clerk

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Representatives to the conference committee for SB 2152, SB 2154, and SB 2160:

House Transportation & Economic Development Appropriations Subcommittee/Senate Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations: Rep. Horner, Chair: House Conferees - Reps. Berman, Bernard, Brandes, Broxson, Caldwell, Dorworth, Drake, Ray, Rogers, Workman

Robert L. "Bob" Ward, Clerk

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Representatives to the conference committee for SB 2122, SB 2130, and SB 2142:

House Agriculture & Natural Resources Appropriations Subcommittee/Senate Budget Subcommittee on General Government Appropriations: Rep. Williams, T., Chair: House Conferees - Reps. Albritton, Artiles, Bemby, Crisafulli, Goodson, Ingram, Porter, Rooney, Sands

Robert L. "Bob" Ward, Clerk

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Representatives to the conference committee for SB 2124, SB 2126, SB 2128, SB 2132, SB 2134, and SB 2136:

House Government Operations Appropriations Subcommittee/Senate Budget Subcommittee on General Government Appropriations: Rep. Hooper, Chair: House Conferees - Reps. Campbell, Costello, Gaetz, Gibbons, Julien, Mayfield, Nelson, Nuñez, Patronis

Robert L. "Bob" Ward, Clerk

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Representatives to the conference committee for SB 2120:

House Pre K-12 Appropriations Subcommittee/Senate Budget Subcommittee on Education Pre K-12 Appropriations: Rep. Coley, Chair: House Conferees - Reps. Adkins, Bileca, Fresen, Kiar, Plakon, Smith, Stargel

Robert L. "Bob" Ward, Clerk

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Representatives to the conference committee for SB 2150:

House Higher Education Appropriations Subcommittee/Senate Budget Subcommittee on Higher Education Appropriations: Rep. O'Toole, Chair: House Conferees - Reps. Ahern, Brodeur, Ford, Gonzalez, Jones, Reed, Trujillo, Williams, A.

Robert L. "Bob" Ward, Clerk

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Representatives to the

conference committee for HB 5303, HB 5305, HB 5309, SB 2108, SB 2144, SB 2146, and SB 2148:

House Health Care Appropriations Subcommittee/Senate Budget Subcommittee on Health and Human Services Appropriations: Rep. Hudson, Chair: House Conferees - Reps. Chestnut, Corcoran, Davis, Diaz, Frishe, Harrell, Jones, Pafford, Roberson, Steube, Wood, Young

Robert L. "Bob" Ward, Clerk

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Representatives to the conference committee for HB 5401, CS for HB 5403, HB 5405, HB 5409, SB 2112, SB 2114, SB 2116, and SB 2118:

House Justice Appropriations Subcommittee/Senate Budget Subcommittee on Criminal and Civil Justice Appropriations: Rep. Glorioso, Chair: House Conferees - Reps. Baxley, Grant, Holder, McBurney, Metz, Nehr, Perry, Pilon, Rouson, Slosberg, Soto

Robert L. "Bob" Ward, Clerk

RETURNING MESSAGES — FINAL ACTION

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 400; adopted SM 484.

Robert L. "Bob" Ward, Clerk

The bills contained in the foregoing messages were ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 7 and April 26 were corrected and approved.

CO-INTRODUCERS

Senators Bullard—CS for CS for SB 1150; Gaetz—CS for SJR 592, CS for SB 1466

RECESS

On motion by Senator Thrasher, the Senate recessed at 5:00 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Thursday, April 28 or upon call of the President.



Journal of the Senate

Number 17—Regular Session

Thursday, April 28, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 9:00 a.m. A quorum present—37:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Thrasher
Dockery	Margolis	Wise
Evers	Montford	
Fasano	Negron	

Excused: Senator Bullard

PRAYER

The following prayer was offered by Rev. David Throckmorton, First Baptist Church, Blountstown:

Our Lord and our God, we are grateful for this opportunity to come before your presence. First of all, Father, we certainly want to remember all who were affected by the storms and the tornadoes in Alabama and Georgia and throughout the South and, Lord, that you will minister and comfort and protect. Father, today we find ourselves with a myriad of needs and concerns. In fact, all of us are overwhelmed with the confusion, the upset, and the pain. Father, we know that none of us can deny that human need is greater than ever, and that the crooked roads of our existence at all levels need to be straightened.

Thankfully Father, you are greater than we are. You are the highest power in all the universe. As we look back over the years of our existence, you have an obvious reputation of helping and providing and illuminating and blessing. If we ever needed you, O God, we need you now. We need your help. We need you to provide. We need you to illuminate us with the bright light of your love in the midst of all the darkness. We need you, O God, to bless us.

Thankfully, we can call upon your name and believe that you will actually hear us, and not just hear, but answer our requests. Thankfully, we can call on you and you will answer and tell us great and unsearchable things that we do not know. Thankfully, there are times you do not give us an answer, but you give us your wonderful, comforting presence.

We call upon you, mighty God, to descend upon this Senate. Lead them, love them, bless them as they conduct the business of this great state of Florida. It is in the name of the Lord that we pray. Amen.

PLEDGE

Senate Pages Mark Cleaver of Grand Island; Stephanie Marxsen of Carrabelle; Carlton Robinson, daughter of former Senator Lisa Carlton of Sidel; Grace Beatty of Ft. Myers; and Hannah Stargel of Lakeland, led the Senate in the pledge of allegiance to the flag of the United States of America.

SPECIAL GUESTS

Senator Detert introduced former Senator Lisa Carlton who was present in the chamber.

ADOPTION OF RESOLUTIONS

At the request of Senator Hill—

By Senators Hill and Gaetz—

SR 188—A resolution recognizing September 2011 as “Prostate Cancer Awareness Month.”

WHEREAS, prostate cancer is the most common cancer diagnosed among men in Florida, and the American Cancer Society estimates that more than 217,730 new cases of prostate cancer were diagnosed among men in the United States during 2010, and

WHEREAS, the American Cancer Society also anticipates that there were more than 2,590 deaths in Florida last year attributed to prostate cancer, and

WHEREAS, Florida has the third-highest incidence rate and the second-highest number of prostate cancer deaths in the United States, and

WHEREAS, African American and black men have the highest prostate cancer death rate in the world, and a mortality rate that is twice that of white men, and

WHEREAS, the American Cancer Society recommends that annual prostate cancer testing begin at age 50, except for men at high-risk, such as African Americans and men having a family history of the disease, who are advised to begin annual screening at age 45, and

WHEREAS, the 5-year survival rate for prostate cancer patients is 100 percent if the disease is diagnosed at the local and regional stages, otherwise known as the early stages, and

WHEREAS, the American Cancer Society supports African American Men’s Health Summits in at least 16 major metropolitan areas across the state in an attempt to increase prostate cancer awareness and prostate screening among African American men in Florida, and

WHEREAS, the Man-to-Man Program of the American Cancer Society attempts to increase prostate cancer awareness, education, and support during the month of September and throughout the year, NOW, THEREFORE,

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

That September 2011 is recognized as “Prostate Cancer Awareness Month” in Florida and all men are urged to understand the risks associated with prostate cancer, to take preventive steps to minimize those risks, and to talk to their doctor about annual prostate cancer screening and compliance with the prostate cancer screening guidelines recommended by the American Cancer Society.

—**SR 188** was introduced, read and adopted by publication.

At the request of Senator Hill—

By Senator Hill—

SR 190—A resolution recognizing April 28, 2011, as “Workers’ Memorial Day” in Florida.

WHEREAS, 39 years ago, the United States Congress passed the Occupational Safety and Health Act, promising every American worker the right to a safe job, and

WHEREAS, unions and their allies have fought hard to make that promise a reality, winning protections that have saved hundreds of thousands of lives and prevented millions of workplace injuries, and

WHEREAS, despite these efforts, the toll of workplace injuries, illnesses, and death remains enormous, with 60,000 American workers dying from job-related injuries each year and another 15.6 million workers injured on the job, and

WHEREAS, the unions of the AFL-CIO are committed to the continuing struggle to make workers’ safety a priority and to keep and create good jobs in America, for American workers, and

WHEREAS, America’s economy and the health and vigor of American society depend on the availability of decent jobs for American workers and on the safety of those jobs, NOW, THEREFORE,

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

That April 28, 2011, is recognized as “Workers’ Memorial Day” in the State of Florida in honor of the many American workers who have suffered injury and death on the job, and in recognition of the work of the unions of the AFL-CIO to protect the safety of American workers and to secure the availability of decent jobs for Americans.

—**SR 190** was introduced, read and adopted by publication.

MOMENT OF SILENCE

On motion by Senator Hill, a moment of silence was observed in honor of Workers’ Memorial Day.

BILLS ON THIRD READING

CS for CS for SB 234—A bill to be entitled An act relating to firearms; amending s. 790.053, F.S.; providing that a person who is licensed to carry a concealed firearm is not in violation of law if the firearm is briefly and openly displayed under certain circumstances; amending s. 790.06, F.S.; allowing the Division of Licensing of the Department of Agriculture and Consumer Services to take fingerprints from concealed carry license applicants; providing that a person may not openly carry a weapon or firearm or carry a concealed weapon or firearm into specified locations; providing that concealed carry licensees shall not be prohibited from carrying or storing a firearm in a vehicle for lawful purposes; providing that a provision limiting the scope of a license to carry a concealed weapon or firearm does not modify certain exceptions to prohibited acts with respect to a person’s right to keep and bear arms in motor vehicles for certain purposes; repealing s. 790.28, F.S., relating to the purchase of rifles and shotguns in contiguous states; amending s. 790.065, F.S.; providing that specified provisions do not apply to certain

firearms transactions by a resident of this state; providing an effective date.

—as amended April 27 was read the third time by title.

On motion by Senator Evers, **CS for CS for SB 234** as amended was passed and certified to the House. The vote on passage was:

Yeas—26

Mr. President	Evers	Lynn
Alexander	Fasano	Negron
Altman	Flores	Norman
Benacquisto	Gaetz	Oelrich
Bennett	Garcia	Richter
Bogdanoff	Gardiner	Simmons
Detert	Hays	Thrasher
Diaz de la Portilla	Hill	Wise
Dockery	Latvala	

Nays—11

Braynon	Margolis	Siplin
Dean	Montford	Smith
Jones	Rich	Sobel
Joyner	Sachs	

Vote after roll call:

Yea—Storms

CS for CS for CS for HB 45—A bill to be entitled An act relating to the regulation of firearms and ammunition; amending s. 790.33, F.S.; clarifying and reorganizing provisions that preempt to the state the entire field of regulation of firearms; prohibiting the knowing and willful violation of the Legislature’s occupation of the whole field of regulation of firearms and ammunition by the enactment or causation of enforcement of any local ordinance or administrative rule or regulation; providing additional intent of the section; eliminating provisions authorizing counties to adopt an ordinance requiring a waiting period between the purchase and delivery of a handgun; providing injunctive relief from the enforcement of an invalid ordinance, regulation, or rule; providing a civil penalty for knowing and willful violation of prohibitions; providing that public funds may not be used to defend or reimburse the unlawful conduct of any person charged with a knowing and willful violation of the act; providing for termination of employment or contract or removal from office of a person acting in an official capacity who knowingly and willfully violates any provision of the act; providing for declaratory and injunctive relief for specified persons or organizations; providing for specified damages and interest; providing exceptions to prohibitions of the section; providing an effective date.

—was read the third time by title.

On motion by Senator Negron, **CS for CS for CS for HB 45** was passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Evers	Montford
Alexander	Fasano	Negron
Altman	Flores	Norman
Benacquisto	Gaetz	Oelrich
Bennett	Gardiner	Richter
Bogdanoff	Hays	Simmons
Dean	Hill	Siplin
Detert	Jones	Storms
Diaz de la Portilla	Latvala	Thrasher
Dockery	Lynn	Wise

Nays—8

Braynon	Margolis	Ring
Joyner	Rich	Sachs

Smith Sobel

CS for CS for HB 155—A bill to be entitled An act relating to the privacy of firearm owners; creating s. 790.338, F.S.; providing that a licensed medical care practitioner or health care facility may not record information regarding firearm ownership in a patient’s medical record; providing an exception for relevance of the information to the patient’s medical care or safety or the safety of others; providing that unless the information is relevant to the patient’s medical care or safety or the safety of others, inquiries regarding firearm ownership or possession should not be made by licensed health care practitioners or health care facilities; providing an exception for emergency medical technicians and paramedics; providing that a patient may decline to provide information regarding the ownership or possession of firearms; clarifying that a physician’s authority to choose his or her patients is not altered by the act; prohibiting discrimination by licensed health care practitioners or facilities based solely upon a patient’s firearm ownership or possession; prohibiting harassment of a patient regarding firearm ownership by a licensed health care practitioner or facility during an examination; prohibiting denial of insurance coverage, increased premiums, or any other form of discrimination by insurance companies issuing policies on the basis of an insured’s or applicant’s ownership, possession, or storage of firearms or ammunition; clarifying that an insurer is not prohibited from considering the fair market value of firearms or ammunition in setting personal property coverage premiums; providing for disciplinary action; amending s. 381.026, F.S.; providing that unless the information is relevant to the patient’s medical care or safety, or the safety of others, inquiries regarding firearm ownership or possession should not be made by licensed health care providers or health care facilities; providing that a patient may decline to provide information regarding the ownership or possession of firearms; clarifying that a physician’s authority to choose his or her patients is not altered by the act; prohibiting discrimination by licensed health care providers or health care facilities based solely upon a patient’s firearm ownership or possession; prohibiting harassment of a patient regarding firearm ownership during an examination by a licensed health care provider or health care facility; amending s. 456.072, F.S.; including the violation of the provisions of s. 790.338, F.S., as grounds for disciplinary action; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **CS for CS for HB 155** was passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Fasano	Norman
Alexander	Garcia	Oelrich
Altman	Gardiner	Richter
Benacquisto	Hays	Simmons
Bennett	Jones	Siplin
Bogdanoff	Latvala	Smith
Dean	Lynn	Storms
Diaz de la Portilla	Montford	Thrasher
Evers	Negron	Wise

Nays—10

Braynon	Joyner	Sachs
Detert	Margolis	Sobel
Dockery	Rich	
Hill	Ring	

Vote after roll call:

Yea—Flores, Gaetz

SENATOR JONES PRESIDING

Consideration of **CS for CS for HB 1231** was deferred.

CS for CS for HB 701—A bill to be entitled An act relating to property rights; amending s. 70.001, F.S.; revising definitions; short-

ening a notice period for certain actions; revising procedures for determining a governmental entity’s final decision identifying the allowable uses for a property; defining what constitutes first application of a law or regulation; clarifying the waiver of sovereign immunity for liability; providing for prospective application; providing an effective date.

—was read the third time by title.

On motion by Senator Simmons, **CS for CS for HB 701** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for CS for HB 1231—A bill to be entitled An act relating to telecommunications; creating the “Regulatory Reform Act”; amending s. 364.01, F.S.; revising legislative intent with respect to the jurisdiction of the Florida Public Service Commission; amending s. 364.011, F.S.; providing that certain basic and nonbasic telecommunication services are exempt from the jurisdiction of the Public Service Commission; amending s. 364.012, F.S.; requiring local exchange telecommunications companies to provide unbundled access to network elements; amending s. 364.0135, F.S.; providing legislative intent relating to the sustainable adoption of broadband Internet service; providing a definition of “sustainable adoption” as it relates to broadband Internet services; removing obsolete legislative intent; authorizing the Department of Management Services to work collaboratively with, and to receive staffing support and other resources from, Enterprise Florida, Inc., state agencies, local governments, private businesses, and community organizations to encourage sustainable adoption of broadband Internet services; authorizing the department to adopt rules; amending s. 364.02, F.S.; removing the definition of the term “monopoly service”; revising the definitions of the terms “basic local telecommunications service” and “nonbasic service”; excluding an operator service provider from the meaning of the term “telecommunications company”; revising the definition of the term “VoIP”; repealing ss. 364.025, 364.0251, and 364.0252, F.S., relating to uniform telecommunications service, a telecommunications consumer information program, and the expansion of consumer information programs, respectively; amending s. 364.04, F.S.; providing that the commission has no jurisdiction over the content, form, or format of rate schedules published by a telecommunications company; providing that a telecommunications company may undertake certain activities; repealing ss. 364.051, 364.052, 364.057, 364.058, 364.059, 364.06, 364.063, 364.07, and 364.08, F.S., relating to price regulation, regulatory methods for small local exchange telecommunications companies, experimental and transitional rates, limited proceedings, procedures for seeking a stay of proceedings, joint rates, tolls, and contracts, rate adjustment orders, intrastate interexchange service contracts, and unlawful charges against consumers, respectively; amending s. 364.10, F.S.; removing obsolete provisions; requiring an eligible telecommunications carrier to provide a Lifeline Assistance Plan to qualified residential subscribers; authorizing the commission to undertake certain consumer education measures; repealing s. 364.15, F.S., relating to repairs, improvements, and additions to telecommunication facilities; amending s. 364.16, F.S., relating to interconnection, unbundling, and resale of telecommunication services; requiring the commission to, upon request, arbitrate and enforce interconnection agreements; prohibiting a telecommunications company from knowingly delivering traffic for which terminating access service charges would otherwise apply; authorizing the commission to adopt rules to prevent the unauthorized changing of a subscriber’s tele-

communications service; removing obsolete provisions relating to local exchange telecommunications companies; repealing ss. 364.161 and 364.162, F.S., relating to unbundling and resale of telecommunication services and negotiated prices for interconnection services, respectively; amending s. 364.163, F.S.; conforming provisions to changes made by the act; amending s. 364.183, F.S.; revising provisions relating to access of the commission to certain records of a telecommunications company; repealing ss. 364.185, 364.19, and 364.27, F.S., relating to powers of the commission to investigate and inspect any premises of a telecommunications company, regulation of telecommunication contracts, and powers and duties as to interstate rates, respectively; amending s. 364.33, F.S., relating to the certificate of authority; prohibiting a person from providing any telecommunications service to the public without a certificate of necessity or a certificate of authority issued by the commission; providing that, after a specified date, the commission will no longer issue certificates of necessity; amending s. 364.335, F.S.; requiring an applicant to provide certain information when applying for a certificate of authority; describing the criteria necessary to be granted a certificate of authority; authorizing a telecommunications company to terminate a certificate of authority; amending s. 364.336, F.S.; requiring the commission to initiate rulemaking to reduce the regulatory assessment fee for telecommunications companies and to produce an annual report describing its efforts to reduce the fee; repealing s. 364.337, F.S., relating to competitive local exchange companies; amending s. 364.3375, F.S., relating to pay telephone service providers; requiring pay telephone providers to obtain a certificate of authority from the commission; repealing ss. 364.3376, 364.3381, 364.3382, 364.339, 364.345, and 364.37, F.S., relating to operator services, cross-subsidization, cost disclosures, certificates for territories served, shared tenant services, and powers of the commission relating to service territories, respectively; amending s. 364.385, F.S.; removing obsolete provisions relating to saving clauses; amending s. 364.386, F.S.; revising the content to be included in the report to be filed with the Legislature; repealing ss. 364.501, 364.503, 364.506, 364.507, 364.508, 364.515, 364.516, 364.601, 364.602, 364.603, and 364.604, F.S., relating to the prevention of damages to underground telecommunication facilities, mergers or acquisitions, a short title for education facilities, legislative intent for advanced telecommunication services to eligible facilities, definitions, infrastructure investments, penalties for failing to provide advanced telecommunication services, the short title for telecommunication consumer protections, definitions, the methodology for protecting consumers for changing telecommunication providers, and billing procedures to inform and protect the consumer, respectively; amending ss. 196.012, 199.183, 212.08, 290.007, 350.0605, 364.105, 364.32, and 489.103, F.S.; revising cross-references to conform to changes made by the act; providing an effective date.

—was read the third time by title.

On motions by Senator Simmons, **CS for CS for HB 1231** was passed and by two-thirds vote was immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Vote after roll call:

Yea to Nay—Fasano

CS for CS for CS for SB 1546—A bill to be entitled An act relating to charter schools; amending ss. 163.3180 and 1002.32, F.S.; conforming cross-references; amending s. 1002.33, F.S.; requiring that the Department of Education provide or arrange for training and technical assistance for charter schools; authorizing a sponsor to require certain governing board members to reside in the school district; providing for the designation of charter schools as high-performing if certain requirements are met; providing definitions relating to the high-performing charter school system; revising provisions to conform to changes made by the act; amending ss. 1002.34, 1011.68, 1012.32, and 1013.62, F.S.; conforming cross-references; requiring that the Office of Program Policy Analysis and Government Accountability conduct a study comparing the funding of charter schools to the funding of public schools; providing requirements for the study; requiring that the office submit its recommendations and findings to the Governor and Legislature by a specified date; providing for severability; providing an effective date.

—as amended April 27 was read the third time by title.

On motions by Senator Thrasher, **CS for CS for CS for SB 1546** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—31

Mr. President	Fasano	Oelrich
Alexander	Flores	Richter
Altman	Gaetz	Ring
Benacquisto	Garcia	Simmons
Bennett	Gardiner	Siplin
Bogdanoff	Hays	Sobel
Dean	Jones	Storms
Detert	Latvala	Thrasher
Diaz de la Portilla	Lynn	Wise
Dockery	Negron	
Evers	Norman	

Nays—8

Braynon	Margolis	Sachs
Hill	Montford	Smith
Joyner	Rich	

SPECIAL GUESTS

Senator Jones introduced former Senator Frank Mann who was present in the chamber.

CS for HB 7087 and HB 7091—A bill to be entitled An act relating to education law repeals; repealing s. 445.049, F.S., relating to the creation of the Digital Divide Council in the Department of Education; repealing s. 817.567, F.S., relating to making false claims of academic degree or title; repealing s. 1001.291, F.S., which provides for implementation of a pilot project relating to discounted computers and Internet access for low-income students; repealing s. 1004.50, F.S., relating to the Institute on Urban Policy and Commerce; amending ss. 1004.51 and 1004.52, F.S.; conforming provisions to changes made by the act; repealing s. 1004.95, F.S., relating to adult literacy centers; repealing s. 1004.97, F.S., relating to the Florida Literacy Corps; providing an effective date.

—was read the third time by title.

On motions by Senator Wise, **CS for HB 7087 and HB 7091** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bogdanoff	Dockery
Alexander	Braynon	Evers
Altman	Dean	Fasano
Benacquisto	Detert	Flores
Bennett	Diaz de la Portilla	Gaetz

Garcia	Margolis	Sachs
Gardiner	Montford	Simmons
Hays	Negron	Siplin
Hill	Norman	Smith
Jones	Oelrich	Sobel
Joyner	Rich	Storms
Latvala	Richter	Thrasher
Lynn	Ring	Wise

Nays—None

Vote after roll call:

Yea to Nay—Braynon, Joyner, Smith

CS for SB 1466—A bill to be entitled An act relating to class size requirements; amending s. 1003.01, F.S.; redefining the terms “core-curricula courses” and “extracurricular courses”; amending s. 1003.03, F.S.; deleting a reference to the State Constitution regarding class size maximums; requiring that class size maximums be satisfied on or before the October student membership survey each year; requiring that the class size maximums be maintained after the October student membership survey unless certain conditions occur; providing that a student who enrolls in a school after the October student membership survey may be assigned to classes that temporarily exceed class size maximums if the school board determines that not assigning the student would be impractical, educationally unsound, or disruptive to student learning; providing for a specified number of students to be assigned above the maximum if the district school board makes this determination; requiring that the district school board develop a plan providing that the school will be in full compliance with the maximum class size requirements by the next October student membership survey; requiring that the Department of Education identify from the Course Code Directory the core-curricula courses for the purpose of satisfying the maximum class size requirement; authorizing the department to adopt rules; amending s. 1011.685, F.S.; revising provisions relating to class size reduction operational categorical funds; authorizing a school district that meets the maximum class size requirement to use the funds for any lawful operating expenditure; providing an effective date.

—as amended April 27 was read the third time by title.

On motion by Senator Simmons, **CS for SB 1466** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—1

Hill

CS for HB 97—A bill to be entitled An act relating to health insurance; creating ss. 627.64995, 627.66996, and 641.31099, F.S.; prohibiting certain health insurance policies and health maintenance contracts from providing coverage for abortions; providing exceptions; defining the term “state”; amending s. 627.6515, F.S.; providing that certain restrictions on coverage for abortions apply to certain group health insurance policies issued or delivered outside the state which provide coverage to residents of the state; providing an effective date.

—as amended April 27 was read the third time by title.

On motion by Senator Gaetz, **CS for HB 97** as amended was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Fasano	Norman
Alexander	Flores	Oelrich
Altman	Gaetz	Richter
Benacquisto	Garcia	Simmons
Bennett	Gardiner	Siplin
Bogdanoff	Hays	Storms
Dean	Jones	Thrasher
Diaz de la Portilla	Latvala	Wise
Dockery	Montford	
Evers	Negron	

Nays—11

Braynon	Lynn	Sachs
Detert	Margolis	Smith
Hill	Rich	Sobel
Joyner	Ring	

Vote after roll call:

Yea to Nay—Jones, Montford

CS for HJR 1179—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution to generally prohibit public funding of abortions and prohibit the State Constitution from being interpreted to create broader rights to an abortion than those contained in the United States Constitution.

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

That the following creation of Section 28 of Article I of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 28. Prohibition on public funding of abortions; construction of abortion rights.—

(a) Public funds may not be expended for any abortion or for health-benefits coverage that includes coverage of abortion. This subsection does not apply to:

- (1) Expenditures required by federal law;*
 - (2) An abortion that is necessary to save the life of the mother; or*
 - (3) Pregnancies that result from rape or incest.*
- (b) This constitution may not be interpreted to create*

broader rights to an abortion than those contained in the United States Constitution.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE I, SECTION 28

PROHIBITION ON PUBLIC FUNDING OF ABORTIONS; CONSTRUCTION OF ABORTION RIGHTS.—This proposed amendment provides that public funds may not be expended for any abortion or for health-benefits coverage that includes coverage of abortion. This prohibition does not apply to expenditures required by federal law, an abor-

tion that is necessary to save the life of the mother, or cases of rape or incest.

This proposed amendment provides that the State Constitution may not be interpreted to create broader rights to an abortion than those contained in the United States Constitution. With respect to abortion, this proposed amendment overrules court decisions which conclude that the right of privacy under Article I, Section 23 of the State Constitution is broader in scope than that of the United States Constitution.

—as amended April 27 was read the third time in full.

On motion by Senator Flores, **CS for HJR 1179** as amended was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Dockery	Negron
Alexander	Evers	Norman
Altman	Fasano	Oelrich
Benacquisto	Flores	Richter
Bennett	Gaetz	Simmons
Bogdanoff	Garcia	Siplin
Dean	Gardiner	Storms
Detert	Hays	Thrasher
Diaz de la Portilla	Latvala	Wise

Nays—12

Braynon	Lynn	Ring
Hill	Margolis	Sachs
Jones	Montford	Smith
Joyner	Rich	Sobel

THE PRESIDENT PRESIDING

CS for CS for HB 395—A bill to be entitled An act relating to the University of Florida J. Hillis Miller Health Center; amending s. 1004.41, F.S.; correcting the name of one of the health center's colleges; specifying that the University of Florida Board of Trustees shall lease Shands Teaching Hospital and Clinics on the Gainesville campus to Shands Teaching Hospital and Clinics, Inc.; specifying the primary purpose of Shands Teaching Hospital and Clinics, Inc.; providing requirements for lease, contract, or agreement between the University of Florida Board of Trustees and Shands Teaching Hospital and Clinics, Inc.; authorizing the creation of corporate subsidiaries and affiliates; providing the right of control; providing for sovereign immunity; providing that Shands Jacksonville Medical Center, Inc., and its parent, Shands Jacksonville HealthCare, Inc., are private not-for-profit corporations organized primarily to support the health affairs mission of the University of Florida Board of Trustees; authorizing the creation of corporate subsidiaries and affiliates; providing requirements for lease, contract, or agreement between the University of Florida Board of Trustees and the corporations; providing the right of control; providing for sovereign immunity; providing for application; providing an effective date.

—was read the third time by title.

On motion by Senator Thrasher, **CS for CS for HB 395** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Dockery	Joyner
Altman	Evers	Latvala
Benacquisto	Fasano	Lynn
Bennett	Flores	Margolis
Bogdanoff	Gaetz	Montford
Braynon	Garcia	Negron
Dean	Gardiner	Norman
Detert	Hays	Oelrich
Diaz de la Portilla	Jones	Rich

Richter	Siplin	Thrasher
Sachs	Smith	Wise
Simmons	Sobel	

Nays—3

Hill	Ring	Storms
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Consideration of **CS for CS for CS for SB 408** was deferred.

CS for SB 1992—A bill to be entitled An act relating to background screening; amending s. 394.4572, F.S.; providing that mental health personnel working in a facility licensed under ch. 395, F.S., who work on an intermittent basis for less than 15 hours per week of direct, face-to-face contact with patients are exempt from the fingerprinting and screening requirements; providing an exception; amending s. 409.1757, F.S.; adding law enforcement officers who have a good moral character to the list of professionals who are not required to be reprinted or rescreened; amending s. 430.0402, F.S.; including volunteers within the definition of the term “direct service provider” for purposes of required background screening; exempting a volunteer who meets certain criteria and a client’s relative or spouse from the screening requirement; exempting certain licensed professionals and persons screened as a licensure requirement from further screening under certain circumstances; requiring direct service providers working as of a certain date to be screened within a specified period; providing a phase-in for screening direct service providers; requiring that employers of direct service providers and certain other individuals be rescreened every 5 years unless fingerprints are retained electronically by the Department of Law Enforcement; removing an offense from the list of disqualifying offenses for purposes of background screening; amending s. 435.04, F.S.; requiring vendors who submit fingerprints on behalf of employers to meet specified criteria; requiring that fingerprints be retained for any person screened by a certain date; amending s. 435.06, F.S.; authorizing an employer to hire an employee to a position that otherwise requires background screening before the completion of the screening process for the purpose of training the employee; prohibiting the employee from having direct contact with vulnerable persons until the screening process is complete; amending s. 435.07, F.S.; providing that personnel of a qualified entity as defined in ch. 943, F.S., may apply for an exemption from screening; amending s. 408.809, F.S.; eliminating a rule that requires the Agency for Health Care Administration to stagger rescreening schedules; providing a rescreening schedule; amending s. 464.203, F.S.; requiring the Board of Nursing to waive background screening requirements for certain certified nursing assistants; requiring the establishment of a statewide interagency workgroup relating to statewide background screening procedures and information sharing; providing for membership; requiring the workgroup to submit a report to the Legislature by a specified date; setting forth the topics that, at a minimum, the workgroup must address in its work plan; providing an effective date.

—as amended April 27 was read the third time by title.

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

Amendment 1 (665250)—Delete line 189 and insert: *shall be retained for any person who is screened on or after*

On motion by Senator Storms, **CS for SB 1992** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Hill
Alexander	Dockery	Jones
Altman	Evers	Joyner
Benacquisto	Fasano	Latvala
Bennett	Flores	Lynn
Bogdanoff	Gaetz	Margolis
Braynon	Garcia	Montford
Dean	Gardiner	Negron
Detert	Hays	Norman

Oelrich	Sachs	Sobel
Rich	Simmons	Storms
Richter	Siplin	Thrasher
Ring	Smith	Wise

Nays—None

CS for CS for SB 1150—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 20.24, F.S.; specifying that the executive director of the department serves at the pleasure of the Governor and Cabinet; creating a Division of Motorist Services within the department; eliminating the Division of Driver Licenses and the Division of Motor Vehicles; amending s. 261.03, F.S.; conforming cross-references; amending s. 288.816, F.S., relating to Consul Corps license plates; conforming a reference; amending s. 316.003, F.S.; revising the definition of the term “motor vehicle” to include durable medical equipment and swamp buggies; revising the definition of the term “electric personal assistive mobility device”; defining the terms “swamp buggy,” “road rage,” and “durable medical equipment”; amending s. 316.008, F.S.; deleting the powers of local authorities to regulate assistive mobility devices on sidewalks; providing that mobility-impaired persons have the rights and responsibilities provided to pedestrians in s. 316.130, F.S., with respect to traffic regulations; amending s. 316.1905, F.S.; providing that certain traffic citations may not be issued or prosecuted unless a law enforcement officer used an electrical, mechanical, or other speed-calculating device that has been tested and approved; providing an exception; amending s. 316.1933, F.S.; authorizing a health care provider to notify a law enforcement agency after detecting the presence of a controlled substance in the blood of a person injured in a motor vehicle crash; amending s. 316.1957, F.S., relating to parking violations; conforming a reference; amending s. 316.2015, F.S.; prohibiting the operator of a pickup truck or flatbed truck from permitting a child who is younger than 6 years of age from riding within the open body of the truck under certain circumstances; providing for certain exceptions; making technical and grammatical changes; amending s. 316.2065, F.S.; revising safety standard requirements for bicycle helmets that must be worn by certain riders and passengers; clarifying provisions relating to when a bicycle operator must ride in a bicycle lane or along the curb or edge of the roadway; providing for enforcement of requirements for bicycle lighting equipment; providing penalties for violations; providing for dismissal of the charge following a first offense under certain circumstances; amending s. 316.2085, F.S.; requiring that license tags for mopeds and motorcycles be affixed so that the letters and numbers are legible from the rear; specifying that the tags may be displayed horizontally or vertically to the ground so that the numbers and letters read from left to right or from top to bottom; amending ss. 316.2122, 316.2124, 316.21265, 316.3026, and 316.550, F.S., relating to the operation of low-speed vehicles, motorized disability access vehicles, and all-terrain or utility vehicles, the unlawful operation of motor carriers, and special permits, respectively; conforming cross-references; amending s. 316.545, F.S.; providing for the regulation of apportionable vehicles; amending s. 316.613, F.S.; providing child-restraint requirements for children ages 4 through 7 years of age who are less than a specified height; providing certain exceptions; redefining the term “motor vehicle” to exclude certain vehicles from such requirements; providing that parents and others are responsible for complying with child-restraint requirements in certain chauffeur-driven vehicles; providing a grace period; amending s. 317.0003, F.S., relating to off-highway vehicles; conforming a cross-reference; amending s. 317.0016, F.S.; eliminating a requirement that the department provide expedited service for certificates of repossession; amending s. 318.14, F.S.; clarifying provisions authorizing a person cited for a noncriminal traffic infraction to elect to attend a driver improvement course or enter a plea of nolo contendere; amending s. 318.15, F.S., relating to the suspension of driving privileges; conforming a reference; providing that a person charged with a traffic infraction may request a hearing that the clerk must set; providing criteria; amending s. 319.14, F.S.; prohibiting a person from knowingly offering for sale, selling, or exchanging certain vehicles unless the department has stamped in a conspicuous place on the certificate of title words stating that the vehicle is a custom vehicle or street rod vehicle; defining the terms “custom vehicle” and “street rod”; amending s. 319.225, F.S.; revising the requirements for the transfer and reassignment forms for vehicles; requiring that a dealer selling a vehicle out of state mail a copy of the power of attorney form to the department; providing for the electronic transfer of a vehicle title; amending s. 319.23, F.S.; providing for the application for a certificate of title, cor-

rected certificate, or assignment or reassignment to be filed from the consummation of the sale of a mobile home; authorizing the department to accept a bond if the applicant for a certificate of title is unable to provide a title that assigns the prior owner’s interest in the motor vehicle; providing requirements for the bond and the affidavit; providing for future expiration of the bond; amending s. 319.28, F.S.; eliminating certain requirements that a lienholder obtain a certificate of repossession following repossession of a vehicle or mobile home; providing that a dealer of certain farm or industrial equipment is not subject to licensure as a recovery agent or agency under certain conditions; amending s. 319.323, F.S., relating to title offices for expedited service; conforming provisions to changes made by the act; amending s. 319.40, F.S.; authorizing the department to issue electronic certificates of title and use electronic mail addresses for purposes of notification, except for any notice regarding the potential forfeiture or foreclosure of an interest in property; amending s. 320.01, F.S.; revising the definition of the term “motor vehicle” to include special mobile equipment and swamp buggies; deleting an obsolete definition; revising the gross vehicle weight for purposes of defining the terms “apportionable vehicle” and “commercial motor vehicle”; defining the term “swamp buggy”; amending s. 320.02, F.S.; providing that an active-duty military member is exempt from the requirement to provide an address on an application for vehicle registration; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to End Hunger in Florida, Autism Services and Supports, the Auto Club South Traffic Safety Foundation, Support Our Troops and Take Stock in Children; requiring that the department retain certain records for a specified period; amending s. 320.023, F.S.; authorizing the department to retain certain proceeds derived from the voluntary contributions program to cover certain specified costs to the department; amending s. 320.03, F.S., relating to the International Registration Plan; conforming provisions to changes made by the act; providing for an electronic filing system agent to operate in a county other than the county in which the agent is located; providing for the division of fees; deleting obsolete provisions; amending s. 320.05, F.S.; deleting a provision requiring that the department provide a procedures manual for a fee; clarifying that the creation and maintenance of records by the Division of Motorist Services is not a law enforcement function of agency recordkeeping; amending s. 320.06, F.S.; authorizing the department to conduct a pilot program to evaluate alternative license plate technologies for use on government-owned motor vehicles; specifying that all license plates issued by the department are the property of the state; amending s. 320.061, F.S.; providing that it is a noncriminal traffic infraction to alter a temporary license plate; amending s. 320.071, F.S.; providing for the renewal of registration for an apportionable vehicle that is registered under the International Registration Plan; amending s. 320.0715, F.S.; clarifying provisions requiring the registration of apportionable vehicles under the International Registration Plan; amending s. 320.08, F.S., relating to license taxes; conforming cross-references; creating s. 320.08051, F.S.; providing for the approval of certain specialty license plate applications; providing conditions; requiring the organization to submit certain information to the department for the specialty plate; requiring the department to begin production of any approved specialty plate within a certain time; providing for a fee; requiring compliance with all other provisions relating to specialty plates; amending s. 320.08058, F.S.; changing the recipient of the proceeds for the Live the Dream license plates to the Florida Dream Foundation, Inc.; amending s. 320.08068, F.S.; revising use of funds received from the sale of motorcycle specialty license plates; amending s. 320.0847, F.S., relating to license plates for mini trucks and low-speed vehicles; conforming cross-references; amending s. 320.0848, F.S.; revising the requirements for disabled parking permit renewals; requiring a permitholder to personally appear to obtain a renewal or replacement permit; revising the requirements for the deposit of fee proceeds from temporary disabled parking permits; amending s. 320.275, F.S., relating to the Automobile Dealers Industry Advisory Board; conforming provisions to the elimination of the Division of Motor Vehicles within the department; amending s. 320.771, F.S.; specifying circumstances under which certain dealers may apply for a certificate of title to a recreational vehicle using a manufacturer’s statement of origin; amending s. 320.95, F.S.; authorizing the department to use electronic mail addresses for the purpose of providing license renewal notices; amending s. 321.02, F.S.; designating the director of the Division of Highway Patrol of the department as the Colonel of the Florida Highway Patrol; amending s. 322.02, F.S.; providing for a director of the Division of Motorist Services; amending s. 322.04, F.S.; revising provisions exempting a nonresident from the requirement to obtain a driver’s license

under certain circumstances; amending s. 322.051, F.S.; revising the means by which an applicant for an identification card may prove non-immigrant classification; clarifying the validity of an identification card based on specified documents; providing for the department to waive the fees for issuing or renewing an identification card to persons who present good cause for such waiver; amending s. 322.058, F.S.; conforming a cross-reference; amending s. 322.065, F.S.; revising the period of expiration that constitutes the offense of driving with an expired driver's license; amending s. 322.07, F.S.; clarifying the qualifications for obtaining a temporary commercial instruction permit; amending s. 322.08, F.S.; revising requirements by which an applicant for a driver's license may prove nonimmigrant classification; clarifying the validity of a license based on specified documents; providing for driver's license application forms to allow the applicant to make a voluntary contribution to Autism Services and Supports, the Auto Club South Traffic Safety Foundation, and Support Our Troops; authorizing the department to use electronic mail addresses for the purposes of providing license renewal notices; amending s. 322.081, F.S.; authorizing the department to retain certain proceeds derived from the voluntary contributions made on driver's license applications to cover certain specified costs to the department; amending s. 322.12, F.S.; deleting provisions requiring a separate examination for applicants for a license to operate a motorcycle; requiring that the motorcycle safety course for a first-time applicant include a final examination; requiring that completion of the course be indicated on the license; amending s. 322.121, F.S.; clarifying provisions authorizing the automatic extension of a license for members of the Armed Forces or their dependents while serving on active duty outside the state; amending s. 322.14, F.S.; deleting a requirement that applicants for specified licenses appear in person for issuance of a color photographic or digital imaged driver's license; creating s. 322.1415, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to issue a specialty driver's license or identification card to qualified applicants; specifying that, at a minimum, the specialty driver's licenses and identification cards must be available for certain state and independent universities and professional sports teams and all of the branches of the United States military; requiring that the design of each specialty driver's license and identification card be approved by the department; creating s. 322.145, F.S.; requiring the Department of Highway Safety and Motor Vehicles to implement a system providing for the electronic authentication of driver's licenses; providing criteria for a token for security authenticity; requiring that the department contract for implementation of the electronic verification; amending s. 322.20, F.S., relating to department records; conforming provisions to changes made by the act; amending s. 322.202, F.S.; clarifying that the Division of Motorist Services is not a law enforcement agency; amending s. 322.21, F.S.; providing for the distribution of funds collected from the specialty driver's license and identification card fees; conforming provisions to changes made by the act; authorizing a driver to renew his or her driver's license during a specified period before the license expiration date; amending s. 322.53, F.S.; revising provisions exempting certain farmers and drivers who operate straight trucks from the requirement to obtain a commercial driver's license; amending s. 322.54, F.S.; requiring that the weight of a commercial motor vehicle be based on the vehicle's actual weight under certain circumstances; repealing s. 322.58, F.S., relating to holders of chauffeur's licenses; amending s. 322.59, F.S.; requiring that the department disqualify a driver holding a commercial driver's license who fails to comply with specified federal certification requirements; amending s. 322.61, F.S.; providing that the holder of a commercial driver's license is permanently disqualified from operating a commercial motor vehicle following two violations of specified offenses committed while operating any vehicle; amending s. 322.64, F.S.; providing that a notice of disqualification from operating a commercial motor vehicle acts as a conviction for purposes of certain federal restrictions imposed for the offense of operating a commercial motor vehicle while under the influence of alcohol; deleting provisions authorizing the department to impose certain alternative restrictions for such offense; amending s. 328.30, F.S.; authorizing the department to issue electronic certificates of title for vessels and use electronic mail addresses for purposes of providing renewal notices; amending s. 413.012, F.S., relating to a prohibition on disclosing confidential records held by the department; conforming provisions to changes made by the act; amending s. 713.78, F.S.; conforming a cross-reference; creating the "Highway Safety Act"; providing legislative intent relating to road rage and aggressive careless driving; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an ag-

gressive careless driver; providing specified punishments for aggressive careless driving, including imposition of an increased fine; amending s. 318.121, F.S.; revising the preemption of additional fees, fines, surcharges, and court costs to allow imposition of the increased fine for aggressive careless driving; amending s. 318.18, F.S.; specifying the amount of the fine and the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; requiring the Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver's license educational materials; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate; providing qualifications and requirements for the plate; providing for the use of proceeds from the sale of the plate; amending ss. 318.1451 and 322.095, F.S.; requiring the curricula of driver improvement schools and education programs for driver's license applicants to include instruction on the dangers of driving while distracted, which must specifically include the use of technology while driving; amending s. 320.27, F.S.; exempting salvage motor vehicle dealers from certain insurance requirements; amending s. 316.6135, F.S.; clarifying the criteria under which a child may not be left unattended in a vehicle; providing a short title; providing for a voluntary emergency contact information program established by the department; amending s. 320.08058, F.S.; providing that proceeds from the sale of Support Soccer license plates shall be distributed to the Florida Soccer Foundation, Inc.; providing effective dates.

—as amended April 27 was read the third time by title.

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

Amendment 1 (894990) (with title amendment)—Between lines 3657 and 3658 insert:

Section 91. Subsection (10) of section 402.305, Florida Statutes, is amended to read:

402.305 Licensing standards; child care facilities.—

(10) TRANSPORTATION SAFETY.—

(a) Minimum standards shall include requirements for child restraints or seat belts in vehicles used by child care facilities and large family child care homes to transport children, requirements for annual inspections of the vehicles, limitations on the number of children in the vehicles, and accountability for children being transported.

(b)1. *On or before January 1, 2012, such vehicles must be equipped with an alarm system approved by the department which prompts the driver to inspect the vehicle for children before exiting such vehicle.*

2. *The department shall adopt rules to administer this paragraph and shall maintain a list of alarm manufacturers and alarm systems that are approved to be installed in such vehicles.*

And the title is amended as follows:

Between lines 346 and 347 insert: amending s. 402.305, F.S.; requiring vehicles used by child care facilities and large family child care homes to be equipped with an alarm system that prompts the driver to inspect the vehicle for children before exiting the vehicle; requiring the Department of Children and Family Services to adopt rules and maintain a list of approved alarm systems;

On motion by Senator Latvala, **CS for CS for SB 1150** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Braynon	Evers
Altman	Dean	Fasano
Benacquisto	Detert	Flores
Bennett	Diaz de la Portilla	Gaetz
Bogdanoff	Dockery	Garcia

Gardiner	Montford	Simmons
Hays	Negron	Siplin
Hill	Norman	Smith
Jones	Oelrich	Sobel
Joyner	Rich	Storms
Latvala	Richter	Thrasher
Lynn	Ring	Wise
Margolis	Sachs	

Nays—None

Vote after roll call:

Yea—Mr. President

CS for SB 900—A bill to be entitled An act relating to special license plates; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate; providing qualifications and requirements for the plate; providing for the use of proceeds from the sale of the plate; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **CS for SB 900** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 650—A bill to be entitled An act relating to mobile home park lot tenancies; creating s. 723.024, F.S.; providing for local code and ordinance violations to be cited to the responsible party; prohibiting liens, penalties, fines, or other administrative or civil proceedings against one party or that party's property for a duty or responsibility of the other party; amending s. 723.061, F.S.; revising provisions relating to grounds and proceedings for eviction; revising procedures for mobile home owners being provided eviction notice due to a change in use of the land comprising the mobile home park or the portion thereof from which mobile homes are to be evicted; providing requirements of the park owner and requirements and rights of an applicable homeowners' association with respect to the sale of the mobile home park under a change in use eviction; deleting a provision relating to governmental action affecting the removal of mobile home owners; providing an effective date.

—was read the third time by title.

Senator Detert moved the following amendment which failed to receive the required two-thirds vote:

Amendment 1 (402260) (with title amendment)—Between lines 23 and 24 insert:

Section 1. Paragraph (b) of subsection (1) of section 723.012, Florida Statutes, is amended to read:

723.012 Prospectus or offering circular.—The prospectus or offering circular, which is required to be provided by s. 723.011, must contain the following information:

- (1) The front cover or the first page must contain only:
- (b) The following statements in conspicuous type:

1. THIS PROSPECTUS CONTAINS VERY IMPORTANT INFORMATION REGARDING YOUR LEGAL RIGHTS AND YOUR FINANCIAL OBLIGATIONS IN LEASING A MOBILE HOME LOT. MAKE SURE THAT YOU READ THE ENTIRE DOCUMENT AND SEEK LEGAL ADVICE IF YOU HAVE ANY QUESTIONS REGARDING THE INFORMATION SET FORTH IN THIS DOCUMENT.

2. THE STATEMENTS CONTAINED HEREIN ARE ONLY SUMMARY IN NATURE. A PROSPECTIVE LESSEE SHOULD REFER TO ALL REFERENCES, ALL EXHIBITS HERETO, THE CONTRACT DOCUMENTS, AND SALES MATERIALS.

3. ORAL REPRESENTATIONS SHOULD NOT BE RELIED UPON AS CORRECTLY STATING THE REPRESENTATIONS OF THE PARK OWNER OR OPERATOR. REFER TO THIS PROSPECTUS (OFFERING CIRCULAR) AND ITS EXHIBITS FOR CORRECT REPRESENTATIONS.

4. UPON DELIVERY OF THE PROSPECTUS TO A PROSPECTIVE LESSEE, THE RENTAL AGREEMENT IS VOIDABLE BY THE LESSEE FOR A PERIOD OF 15 DAYS.

5. UPON A CHANGE OF LAND USE, YOU MAY BE EVICTED AND ORDERED TO MOVE YOUR MOBILE HOME WITHIN 6 MONTHS OR FORFEIT YOUR MOBILE HOME.

And the title is amended as follows:

Between lines 2 and 3 insert: amending s. 723.012, F.S.; requiring that additional information be provided in the prospectus or offering brochure which advises the customer of consequences if the land use is changed;

On motion by Senator Jones, **CS for SB 650** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 652—A bill to be entitled An act relating to the liability of spaceflight entities; amending s. 331.501, F.S.; revising the definition of the term "spaceflight entity" to include certain manufacturers and suppliers for purposes of specified provisions for immunity from liability; saving a provision from future repeal which provides spaceflight entities with immunity from liability for the loss, damage, or death of a participant resulting from the inherent risks of spaceflight activities; providing an effective date.

—as amended April 27 was read the third time by title.

On motion by Senator Simmons, **SB 652** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Altman	Bennett
Alexander	Benacquisto	Bogdanoff

Braynon	Hays	Richter
Dean	Hill	Ring
Detert	Jones	Sachs
Diaz de la Portilla	Joyner	Simmons
Dockery	Lynn	Siplin
Evers	Margolis	Smith
Fasano	Montford	Sobel
Flores	Negron	Storms
Gaetz	Norman	Thrasher
Garcia	Oelrich	Wise
Gardiner	Rich	

Storms Thrasher Wise
Nays—None

Nays—None

SB 704—A bill to be entitled An act relating to special observances; creating s. 683.146, F.S.; designating August 7 of each year as “Purple Heart Day”; providing an effective date.

—was read the third time by title.

On motion by Senator Sachs, **SB 704** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **SB 704**.

HB 4033—A bill to be entitled An act relating to the Florida Industrial Development Corporation; repealing provisions of chapter 289, F.S., relating to the Florida Industrial Development Corporation; amending ss. 212.08, 220.183, 220.62, 440.491, and 658.67, F.S.; deleting references to conform to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Lynn, **HB 4033** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Montford
Alexander	Flores	Negron
Altman	Gaetz	Norman
Benacquisto	Garcia	Oelrich
Bennett	Gardiner	Rich
Bogdanoff	Hays	Richter
Braynon	Hill	Ring
Dean	Jones	Sachs
Detert	Joyner	Simmons
Diaz de la Portilla	Latvala	Siplin
Dockery	Lynn	Smith
Evers	Margolis	Sobel

SPECIAL ORDER CALENDAR

Consideration of **CS for CS for SB 830** and **CS for CS for SB 818** was deferred.

On motion by Senator Benacquisto—

CS for SB 844—A bill to be entitled An act relating to violations of probation or community control; creating the “Officer Andrew Widman Act”; amending s. 948.06, F.S.; authorizing a circuit court judge, after making a certain finding, to issue a warrant for the arrest of a probationer or offender who has violated the terms of probation or community control; requiring that the court inform the probationer or offender of the violation; authorizing the court to order the person taken before the court that granted the probation or community control; authorizing the court to commit or release the probationer or offender under certain circumstances; authorizing the court, in determining whether to require or set the amount of bail, to consider the likelihood that the person will be imprisoned for the violation of probation or community control; providing an effective date.

—was read the second time by title.

Senator Benacquisto moved the following amendment which was adopted:

Amendment 1 (512344) (with title amendment)—Delete line 50 and insert:

(c) If a judge finds reasonable grounds to

And the title is amended as follows:

Delete lines 4 and 5 and insert: Act”; amending s. 948.06, F.S.; authorizing a judge, after making a certain finding, to issue

Pursuant to Rule 4.19, **CS for SB 844** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SM 954—A memorial to the Congress of the United States, urging Congress to propose to the states for ratification an amendment to the United States Constitution relating to parental rights.

WHEREAS, the right of parents to direct the upbringing and education of their children is a fundamental right protected by the Constitutions of the United States and the State of Florida, and

WHEREAS, our nation has historically relied first and foremost on parents to meet the real and constant needs of children, and

WHEREAS, the interests of children are best served when parents are free to make childrearing decisions about education, religion, and other areas of a child’s life without state interference, and

WHEREAS, the United States Supreme Court in *Wisconsin v. Yoder* held that “This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition,” and

WHEREAS, the United States Supreme Court in *Troxel v. Granville* produced six different opinions on the nature and enforceability of parental rights under the United States Constitution, creating confusion and ambiguity about the fundamental nature of parental rights in the laws and society of the several states, and

WHEREAS, a number of members of Congress have introduced joint resolutions that propose an amendment to the United States Constitution to prevent erosion of the enduring American tradition of treating parental rights as fundamental rights, commonly referred to as the Parental Rights Amendment, and

WHEREAS, the Parental Rights Amendment will add explicit text to the Constitution of the United States to forever protect the rights of parents as they are now enjoyed, without substantive change to current state or federal laws respecting these rights, and

WHEREAS, such enumeration of these rights in the text of the United States Constitution will preserve them from being infringed upon by the shifting ideologies and interpretations of the United States Supreme Court, NOW, THEREFORE,

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

That the Florida Legislature respectfully petitions the Congress of the United States to propose to the states an amendment to the Constitution of the United States to read as follows:

ARTICLE ____

Section 1. The liberty of parents to direct the upbringing and education of their children is a fundamental right.

Section 2. Neither the United States nor any State shall infringe upon this right without demonstrating that its governmental interest as applied to the person is of the highest order and not otherwise served.

Section 3. No treaty may be adopted nor shall any source of international law be employed to supersede, modify, interpret, or apply to the rights guaranteed by this article.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Flores, **SM 954** was adopted and certified to the House. The vote on adoption was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

Vote after roll call:

Nay—Rich

Yea to Nay—Braynon, Joyner, Smith, Sobel

SENATOR FASANO PRESIDING

On motion by Senator Detert—

CS for CS for SB 1346—A bill to be entitled An act relating to obsolete references and programs; amending s. 14.2015, F.S.; removing an obsolete reference to the Department of Commerce; amending s. 20.18, F.S.; updating a reference to the Department of Commerce to refer instead to the Office of Tourism, Trade, and Economic Development; amending s. 45.031, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 69.041, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 112.044, F.S.; removing obsolete references to the Department of Labor and Employment Security; amending

s. 252.85, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 252.87, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 252.937, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 287.09431, F.S.; updating references to the Department of Labor and Employment Security; amending s. 287.09451, F.S.; removing references to the Department of Labor and Employment Security; amending s. 287.0947, F.S.; removing a reference to the Department of Labor and Employment Security; correcting a cross-reference; amending s. 288.021, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 288.035, F.S.; removing a reference to the Department of Commerce; repealing s. 288.038, F.S., relating to agreements of the Department of Labor and Employment Security with county tax collectors; amending s. 288.1168, F.S.; updating obsolete references to the Department of Commerce; amending s. 288.1229, F.S.; removing a reference to the Department of Commerce; amending s. 331.369, F.S.; updating references to the Workforce Development Board of Enterprise Florida, Inc.; amending s. 377.711, F.S.; removing a reference to the Department of Commerce; providing for standard compact provisions regarding recommendations by the Southern States Energy Board; amending s. 377.712, F.S.; clarifying provisions governing participation in the compact by the state and its agencies; amending s. 409.2576, F.S.; removing references to the Department of Labor and Employment Security; amending s. 414.24, F.S.; updating references to the Department of Labor and Employment Security; amending s. 414.40, F.S.; updating provisions governing the Stop Inmate Fraud Program; updating a reference to the Department of Labor and Employment Security; amending s. 440.385, F.S.; updating a reference to the Department of Labor and Employment Security; removing obsolete provisions; amending s. 440.49, F.S.; removing a reference to the Department of Labor and Employment Security; removing obsolete provisions; repealing s. 446.60, F.S., relating to assistance for displaced local exchange telecommunications company workers; amending s. 450.161, F.S.; updating a reference to the Division of Jobs and Benefits; amending s. 464.203, F.S.; updating a reference to the Enterprise Florida Jobs and Education Partnership Grant; amending s. 489.1455, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 489.5335, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 553.62, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 597.006, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 944.012, F.S.; updating a reference to the Florida State Employment Service; amending s. 944.708, F.S.; removing a reference to the Agency for Workforce Innovation; repealing ss. 255.551-255.563, F.S., relating to the asbestos management program; amending s. 469.002, F.S.; conforming a cross-reference to changes made by the act; repealing s. 469.003(2)(b), F.S., relating to obsolete provisions governing the licensure of asbestos surveyors; repealing s. 39.0015, F.S., relating to child abuse prevention training in the district school system; repealing s. 39.305, F.S., relating to the development by the Department of Children and Family Services of a model plan for community intervention and treatment in intrafamily sexual abuse cases; repealing ss. 39.311, 39.312, 39.313, 39.314, 39.315, 39.316, 39.317, and 39.318, F.S., relating to the Family Builders Program; repealing s. 39.816, F.S., relating to authorization for pilot and demonstration projects; repealing s. 39.817, F.S., relating to a foster care privatization demonstration project; repealing s. 383.0115, F.S., relating to the Commission on Marriage and Family Support Initiatives; repealing s. 393.22, F.S., relating to financial commitment to community services programs; repealing s. 393.503, F.S., relating to respite and family care subsidy expenditures and funding recommendations; repealing s. 394.922, F.S., relating to constitutional requirements regarding long-term control, care, and treatment of sexually violent predators; repealing s. 402.3045, F.S., relating to a requirement that the Department of Children and Family Services adopt distinguishable definitions of child care programs by rule; repealing s. 402.50, F.S., relating to the development of administrative infrastructure standards by the Department of Children and Family Services; repealing s. 402.55, F.S., relating to the management fellows program; repealing s. 409.1672, F.S., relating to performance incentives for department employees with respect to the child welfare system; repealing s. 409.1673, F.S., relating to legislative findings regarding the foster care system and the development of alternate care plans; repealing s. 409.1685, F.S., relating to an annual report to the Legislature by the Department of Children and Family Services with respect to children in foster care; repealing ss. 409.801 and 409.802, F.S., relating to the

Family Policy Act; repealing s. 409.803, F.S., relating to pilot programs to provide shelter and foster care services to dependent children; amending ss. 20.195, 39.00145, 39.0121, 39.301, 39.3031, 49.011, 381.006, 381.0072, 390.01114, 409.1685, 411.01013, 753.03, and 877.22, F.S.; conforming references to changes made by the act; repealing s. 288.386, F.S., relating to the Florida-Caribbean Basin Trade Initiative; repealing s. 288.9618, F.S., which relates to an economic development program for microenterprises; repealing s. 288.982, F.S., which relates to a public records requirement for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 409.946, F.S., which relates to the Inner City Redevelopment Review Panel; amending ss. 288.012 and 311.07, F.S.; revising requirements for the operating plans of the state's foreign offices and the use of program funds of the Florida Seaport Transportation and Economic Development Program, to delete provisions relating to the Florida Trade Data Center; amending s. 402.35, F.S.; removing a provision prohibiting a federal, state, county, or municipal officer from serving as an employee of the Department of Children and Family Services; providing an effective date.

—was read the second time by title.

Senator Detert moved the following amendment which was adopted:

Amendment 1 (100696) (with title amendment)—Delete line 1402 and insert: *255.555, 255.556, 255.557, 255.558, 255.559, 255.56,*

And the title is amended as follows:

Delete line 74 and insert: *repealing ss. 255.551, 255.552, 255.553, 255.5535, 255.555, 255.556, 255.557, 255.558, 255.559, 255.56, 255.561, 255.562, and 255.563, F.S., relating to the*

MOTION

On motion by Senator Bennett, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bennett moved the following amendment which was adopted:

Amendment 2 (134066) (with title amendment)—Between lines 1693 and 1694 insert:

Section 59. *Subsection (8) of section 14.31, Florida Statutes, is repealed.*

And the title is amended as follows:

Delete line 142 and insert: *Services; repealing s. 14.31(8), F.S.; abrogating the repeal of provisions governing the Florida Faith-based and Community-based Advisory Council; providing an effective date.*

Pursuant to Rule 4.19, **CS for CS for SB 1346** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Bogdanoff—

CS for CS for SB 1196—A bill to be entitled An act relating to construction liens; amending s. 713.10, F.S.; specifying that a lessor's interest in property is not subject to a construction lien for improvements made by a lessee if certain documents containing specific information and meeting certain criteria are recorded in the official records of the county before the recording of a notice of commencement; authorizing certain contractors and lienors to demand that a lessor serve verified copies of a lease prohibiting liability for improvements made by a lessee; subjecting the interest of a lessor to a specified lien for failing to serve such verified copies or serving a false or fraudulent copy; requiring that the demand include a specified warning; amending s. 713.13, F.S.; revising the form for notice of commencement to include information relating to the obligations of a lessee who contracts for improvements to property; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1196** was placed on the calendar of Bills on Third Reading.

CS for SCR 4—A concurrent resolution urging Congress to call a convention for the purpose of proposing amendments to the Constitution of the United States to achieve and maintain a balanced federal budget.

WHEREAS, fiscal discipline and economic integrity have been core principles of American governance, and

WHEREAS, the American people have historically demanded the same prudent, responsible, and intellectually honest financial behavior from their elected representatives as ultimately compels individual behavior, and

WHEREAS, it is the firm conviction of the Legislature of the State of Florida that it is wrong to fund the prosperity of the present generation by robbing future Americans of their own, and

WHEREAS, mortgaging the birthright of our children and grandchildren is a dangerous departure from traditional American values which threatens to permanently undermine the strength of our nation, and

WHEREAS, in the 8 months between May 1, 2010, and December 31, 2010, the national debt grew by more than \$1 trillion, and as of April 1, 2011, the total public debt outstanding for the United States was \$14,251,174,516,308, and

WHEREAS, Congress has voted to raise the debt limit 10 times since 2001, and the United States Secretary of the Treasury has called on the Congress to immediately consider voting to raise it again, and

WHEREAS, our debt is owed increasingly to the governments of foreign nations, not to the citizens of the United States; therefore, our wealth is transferred to others and will not be available to supply the means for America's future growth and prosperity, and

WHEREAS, this generation will bequeath to its children one of the world's most indebted industrial democracies, and

WHEREAS, high federal deficits cause increasingly high payments for debt interest in the future, make future borrowing more costly, reduce investment activity, and thus reduce the size of the future economy, and

WHEREAS, the people of Florida recognized the wisdom of fiscal discipline and enshrined in its State Constitution the requirement for a balanced budget to place a prudent limit on the tendencies of government, and

WHEREAS, the Florida Legislature has made fiscally responsible decisions, maintaining a balanced budget and saving the citizens of this state from crippling deficits, massive debt burdens, and bankruptcy, and

WHEREAS, we the Legislature of the State of Florida call for the Constitution of the United States to be amended to require the Federal Government to operate with fiscal responsibility, common sense, and within the revenues granted to it by the people, and

WHEREAS, the Federal Government has for too long relied on revenue increases and borrowing against our future, rather than on prudent spending decisions within the limits of current revenues, and

WHEREAS, lasting resolution of this nation's budget deficit will be achieved only by addressing the spending habits of our Federal Government, not by increasing the tax burden under which our citizens already labor, and

WHEREAS, Article V of the Constitution of the United States makes provision for amending the Constitution on the application of the legislatures of two-thirds of the several states, calling a convention for proposing amendments that shall be valid to all intents and purposes if ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That the Legislature of the State of Florida, with all due respect and great reluctance, does hereby make application to the Congress of the United States pursuant to Article V of the Constitution of the United

States to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States to achieve and maintain a balanced budget by, among other things:

- (1) Requiring that total outlays not exceed total receipts for any fiscal year;
- (2) Requiring the setting of a fiscal year total outlay limit;
- (3) Prohibiting increases in taxes or other revenue sources;
- (4) Providing that, for reasons other than war or military conflict, the limits of this amendment may be waived by law for any fiscal year if approved by at least two-thirds of both houses of Congress;
- (5) Allowing for provisions of the amendment to take effect within specified time periods;
- (6) Providing for the waiver of the provisions of the amendment for any fiscal year in which a declaration of war is in effect or the United States is engaged in military conflict that causes an imminent and serious military threat to national security; and
- (7) Allowing for congressional enforcement.

BE IT FURTHER RESOLVED that this concurrent resolution supersedes all previous memorials and concurrent resolutions applying to the Congress of the United States to call a convention for the purpose of proposing a balanced budget amendment to the Constitution of the United States, including Senate Memorial 234 and House Memorial 2801, both passed in 1976, and were superseded, revoked, and withdrawn in 1988 by Senate Memorial 302, and Senate Concurrent Resolution 10, passed in 2010, and that such previous memorials and resolutions are hereby revoked and withdrawn, nullified, and superseded to the same effect as if they had never been passed.

BE IT FURTHER RESOLVED that this concurrent resolution is revoked and withdrawn, nullified, and superseded to the same effect as if it had never been passed, and retroactive to the date of passage, if it is used for the purpose of calling a convention or used in support of conducting a convention to amend the Constitution of the United States for any purpose other than requiring a balanced federal budget.

BE IT FURTHER RESOLVED that a copy of this concurrent resolution be dispatched to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, and to the presiding officers of each house of the several state legislatures.

—was read the second time in full.

On motion by Senator Haridopolos, **CS for SCR 4** was adopted and certified to the House. The vote on adoption was:

Yeas—31

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Hays	Simmons
Dean	Jones	Storms
Detert	Latvala	Thrasher
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	
Evers	Montford	

Nays—7

Braynon	Rich	Sobel
Hill	Sachs	
Joyner	Smith	

Vote after roll call:

Yea—Siplin

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **CS for SCR 4**.

THE PRESIDENT PRESIDING

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

BILLS ON THIRD READING

CS for CS for CS for SB 408—A bill to be entitled An act relating to property and casualty insurance; amending s. 215.555, F.S.; revising the definition of “losses,” relating to the Florida Hurricane Catastrophe Fund, to exclude certain losses; providing applicability; amending s. 215.5595, F.S.; authorizing an insurer to renegotiate the terms a surplus note issued before a certain date; providing limitations; amending s. 624.407, F.S.; revising the amount of surplus funds required for domestic insurers applying for a certificate of authority after a certain date; amending s. 624.408, F.S.; revising the minimum surplus that must be maintained by certain insurers; authorizing the Office of Insurance Regulation to reduce the surplus requirement under specified circumstances; amending s. 624.4095, F.S.; excluding certain premiums for federal multiple-peril crop insurance from calculations for an insurer’s gross writing ratio; requiring insurers to disclose the gross written premiums for federal multiple-peril crop insurance in a financial statement; amending s. 624.424, F.S.; revising the frequency that an insurer may use the same accountant or partner to prepare an annual audited financial report; amending s. 626.7452, F.S.; deleting an exception relating to the examination of managing general agents; amending s. 626.852, F.S.; providing an exemption from licensure as an adjuster to persons who provide mortgage-related claims adjusting services to certain institutions; providing an exception to the exemption; amending s. 626.854, F.S.; providing limitations on the amount of compensation that may be received by a public adjuster for a reopened or supplemental claim; providing statements that may be considered deceptive or misleading if made in any public adjuster’s advertisement or solicitation; providing a definition for the term “written advertisement”; requiring that a disclaimer be included in any public adjuster’s written advertisement; providing requirements for such disclaimer; requiring certain persons who act on behalf of an insurer to provide notice to the insurer, claimant, public adjuster, or legal representative for an onsite inspection of the insured property; authorizing the insured or claimant to deny access to the property if notice is not provided; requiring the public adjuster to ensure prompt notice of certain property loss claims; providing that an insurer be allowed to interview the insured directly about the loss claim; prohibiting the insurer from obstructing or preventing the public adjuster from communicating with the insured; requiring that the insurer communicate with the public adjuster in an effort to reach an agreement as to the scope of the covered loss under the insurance policy; prohibiting a public adjuster from restricting or preventing persons acting on behalf of the insured from having reasonable access to the insured or the insured’s property; prohibiting a public adjuster from restricting or preventing the insured’s adjuster from having reasonable access to or inspecting the insured’s property; authorizing the insured’s adjuster to be present for the inspection; prohibiting a licensed contractor or subcontractor from adjusting a claim on behalf of an insured if such contractor or subcontractor is not a licensed public adjuster; providing an exception; amending s. 626.8651, F.S.; requiring that a public adjuster apprentice complete a minimum number of hours of continuing education to qualify for licensure; amending s. 626.8796, F.S.; providing requirements for a public adjuster contract; creating s. 626.70132, F.S.; requiring that notice of a claim, supplemental claim, or reopened claim be given to the insurer within a specified period after a windstorm or hurricane occurs; providing a definition for the terms “supplemental claim” or “reopened claim”; providing applicability; repealing s. 627.0613(4), F.S., relating to the requirement that the consumer advocate for the Chief Financial Officer prepare an annual report card for each personal residential property insurer; amending s. 627.062, F.S.; requiring that the office issue an approval rather than a notice of intent to approve following its approval of a file and use filing; authorizing the office to disapprove a rate filing because the coverage is inadequate or the insurer charges a higher premium due to certain discriminatory factors; extending the expiration date for making a “file and use” filing;

prohibiting the Office of Insurance Regulation from, directly or indirectly, impeding the right of an insurer to acquire policyholders, advertise or appoint agents, or regulate agent commissions; revising the information that must be included in a rate filing relating to certain reinsurance or financing products; deleting a provision that prohibited an insurer from making certain rate filings within a certain period of time after a rate increase; deleting a provision prohibiting an insurer from filing for a rate increase within 6 months after it makes certain rate filings; deleting obsolete provisions relating to legislation enacted during the 2003 Special Session D of the Legislature; providing for the submission of additional or supplementary information pursuant to a rate filing; amending s. 627.06281, F.S.; providing limitations on fees charged for use of the public hurricane model; amending s. 627.0629, F.S.; deleting obsolete provisions; deleting a requirement that the Office of Insurance Regulation propose a method for establishing discounts, debits, credits, and other rate differentials for hurricane mitigation by a certain date; requiring the Financial Services Commission to adopt rules relating to such debits by a certain date; deleting a provision that prohibits an insurer from including an expense or profit load in the cost of reinsurance to replace the Temporary Increase in Coverage Limits; conforming provisions to changes made by the act; amending s. 627.351, F.S.; requiring the Citizens Property Insurance Corporation's logo to include certain language; requiring policies issued by the corporation to include a provision that prohibits policyholders from engaging the services of a public adjuster until after the corporation has tendered an offer; limiting an adjuster's fee for a claim against the corporation; renaming the "high-risk account" as the "coastal account"; revising the conditions under which the Citizens policyholder surcharge may be imposed; providing that members of the Citizens Property Insurance Corporation Board of Governors are not prohibited from practicing in a certain profession if not prohibited by law or ordinance; limiting coverage for damage from sinkholes after a certain date and providing that the corporation must require repair of the property as a condition of any payment; prohibiting board members from voting on certain measures; exempting sinkhole coverage from the corporation's annual rate increase requirements; deleting a requirement that the board reduce the boundaries of certain high-risk areas eligible for wind-only coverages under certain circumstances; amending s. 627.3511, F.S.; conforming provisions to changes made by the act; amending s. 627.4133, F.S.; revising the requirements for providing an insured with notice of non-renewal, cancellation, or termination of personal lines or commercial residential property insurance; authorizing an insurer to cancel policies after 45 days' notice if the Office of Insurance Regulation determines that the cancellation of policies is necessary to protect the interests of the public or policyholders; authorizing the Office of Insurance Regulation to place an insurer under administrative supervision or appoint a receiver upon the consent of the insurer under certain circumstances; creating s. 627.43141, F.S.; providing definitions; requiring the delivery of a "Notice of Change in Policy Terms" under certain circumstances; specifying requirements for such notice; specifying actions constituting proof of notice; authorizing policy renewals to contain a change in policy terms; providing that receipt of payment by an insurer is deemed acceptance of new policy terms by an insured; providing that the original policy remains in effect until the occurrence of specified events if an insurer fails to provide notice; providing intent; amending s. 627.7011, F.S.; requiring the insurer to pay the actual cash value of an insured loss for a dwelling, less any applicable deductible; requiring a policyholder to enter into a contract for the performance of building and structural repairs unless waived by the insurer; restricting insurers and contractors from requiring advance payments for repairs and expenses; requiring the insurer to offer coverage under which the insurer is obligated to pay replacement costs; authorizing the insurer to offer coverage that limits the initial payment for personal property to the actual cash value of the property to be replaced and to require the insured to provide receipts for purchases; requiring the insurer to provide notice of this process in the insurance contract; prohibiting an insurer from requiring the insured to advance payment; amending s. 627.70131, F.S.; specifying application of certain time periods to initial or supplemental property insurance claim notices and payments; providing legislative findings with respect to 2005 statutory changes relating to sinkhole insurance coverage and statutory changes in this act; amending s. 627.706, F.S.; authorizing an insurer to limit coverage for catastrophic ground cover collapse to the principal building and to have discretion to provide additional coverage; allowing the deductible to include costs relating to an investigation of whether sinkhole activity is present; revising definitions; defining the term "structural damage"; providing an insurer with discretion to provide a policyholder with an opportunity to purchase an endorsement to sink-

hole coverage; placing a 2-year statute of repose on claims for sinkhole coverage; amending s. 627.7061, F.S.; conforming provisions to changes made by the act; repealing s. 627.7065, F.S., relating to the establishment of a sinkhole database; amending s. 627.707, F.S.; revising provisions relating to the investigation of sinkholes by insurers; deleting a requirement that the insurer provide a policyholder with a statement regarding testing for sinkhole activity; providing a time limitation for demanding sinkhole testing by a policyholder and entering into a contract for repairs; requiring all repairs to be completed within a certain time; providing exceptions; providing a criminal penalty on a policyholder for accepting rebates from persons performing repairs; amending s. 627.7073, F.S.; revising provisions relating to inspection reports; providing that the presumption that the report is correct shifts the burden of proof; revising the reports that an insurer must file with the clerk of the court; requiring the policyholder to file certain reports as a precondition to accepting payment; requiring the professional engineer responsible for monitoring sinkhole repairs to issue a report and certification to the property owner and file such report with the court; providing that the act does not create liability for an insurer based on a representation or certification by the engineer; amending s. 627.7074, F.S.; revising provisions relating to neutral evaluation; requiring evaluation in order to make certain determinations; requiring that the neutral evaluator be allowed access to structures being evaluated; providing grounds for disqualifying an evaluator; allowing the Department of Financial Services to appoint an evaluator if the parties cannot come to agreement; revising the timeframes for scheduling a neutral evaluation conference; authorizing an evaluator to enlist another evaluator or other professionals; providing a time certain for issuing a report; providing that certain information is confidential; revising provisions relating to compliance with the evaluator's recommendations; providing that the evaluator is an agent of the department for the purposes of immunity from suit; requiring the department to adopt rules; amending s. 627.711, F.S.; deleting the requirement that the insurer pay for verification of a uniform mitigation verification form that the insurer requires; amending s. 627.712, F.S.; conforming provisions to changes made by the act; providing for applicability; providing effective dates.

—as amended April 27 was read the third time by title.

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

Amendment 1 (885590) (with title amendment)—Delete line 3175 and insert: the terms of the policy. *If a covered building suffers a sinkhole loss or a catastrophic ground cover collapse, the insured must repair such damage or loss in accordance with the insurer's professional engineer's recommended repairs. However, if the insurer's professional engineer determines that the repair cannot be completed within policy limits, the insurer must pay to complete the repairs recommended by the insurer's professional engineer or tender the policy limits to the policyholder.*

And the title is amended as follows:

Delete line 204 and insert: testing for sinkhole activity; requiring the insurer to provide repairs in accordance with the insurer's engineer's recommendations or tender the policy limits to the policyholder; providing a time

MOTION

On motion by Senator Smith, by the required two-thirds vote, consideration of the following amendment was allowed:

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

Amendment 2 (793532)—Delete lines 3615-3621 and insert:

Section 34. *The amendments made by this act to ss. 627.706-627.7074, Florida Statutes, and the accompanying legislative findings related to those statutes, which affect procedural rights, do not apply to insurance claims reported to an insurer before February 1, 2011, but do apply to claims reported to an insurer on or after that date. Amendments made by this act to ss. 627.706-627.7074, Florida Statutes, and the accompanying legislative findings related to those statutes, which affect substantive rights, apply to claims reported to an insurer on or after July 1, 2011.*

SENATOR BENNETT PRESIDING

THE PRESIDENT PRESIDING

On motion by Senator Richter, **CS for CS for CS for SB 408** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Gardiner	Richter
Alexander	Hays	Ring
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Dean	Latvala	Smith
Detert	Lynn	Thrasher
Diaz de la Portilla	Montford	Wise
Evers	Negron	
Gaetz	Oelrich	

Nays—12

Altman	Fasano	Margolis
Benacquisto	Flores	Rich
Braynon	Garcia	Sobel
Dockery	Joyner	Storms

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Thrasher, the rules were waived and the Special Order Calendar Group was granted permission to meet this day from 5:00 p.m. until completion.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for SB 920** was withdrawn from the Committee on Agriculture; **CS for SB 1340** was withdrawn from the Committee on Banking and Insurance; **CS for SB 332, CS for CS for SB 1460, and CS for SB 1772** were withdrawn from the Committee on Community Affairs; **SB 1046** was withdrawn from the Committee on Governmental Oversight and Accountability; **CS for SB 1922** was withdrawn from the Committee on Health Regulation; **SB 1918** was withdrawn from the Committee on Judiciary; **CS for SB 1332** was withdrawn from the Committee on Rules.

RECESS

On motion by Senator Thrasher, the Senate recessed at 11:47 a.m. to reconvene at 1:30 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by President Haridopolos at 1:30 p.m. A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

SPECIAL ORDER CALENDAR

On motion by Senator Fasano, the Senate resumed consideration of—

CS for CS for SB 818—A bill to be entitled An act relating to controlled substances; amending s. 400.9905, F.S.; redefining the terms “clinic” and “portable equipment provider” within the Health Care Clinic Act; amending s. 456.013, F.S.; authorizing certain health care practitioners to complete a continuing education course relating to the prescription drug monitoring program; providing requirements for the course; requiring the Department of Health or a board that is authorized to exercise regulatory or rulemaking functions within the department to approve the course offered through a facility licensed under ch. 395, F.S., under certain circumstances; providing for application of the course requirements; requiring a board or the Department of Health to adopt rules; amending s. 458.305, F.S.; defining the term “dispensing physician” as it relates to the practice of medicine in this state; prohibiting certain persons from using titles or displaying signs that would lead the public to believe that they engage in the dispensing of controlled substances; prohibiting certain persons, firms, or corporations from using a trade name, sign, letter, or advertisement that implies that the persons, firms, or corporations are licensed or registered to dispense prescription drugs; prohibiting certain persons, firms, or corporations from holding themselves out to the public as licensed or registered to dispense controlled substances; providing penalties; amending s. 458.3191, F.S.; revising the information in the physician survey that is submitted by persons who apply for licensure renewal as a physician under ch. 458 or ch. 459, F.S.; amending s. 458.3192, F.S.; requiring the Department of Health to provide nonidentifying information to the prescription drug monitoring program’s Implementation and Oversight Task Force regarding the number of physicians that are registered with the prescription drug monitoring program and that use the database from the program in their practice; amending s. 458.3265, F.S.; revising the list of entities that are not required to register as a pain-management clinic; deleting certain requirements for a physician to practice medicine in a pain-management clinic; requiring a physician, an advanced registered nurse practitioner, or a physician assistant to perform an appropriate medical examination of a patient on the same day that the physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic; requiring a physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third degree for any person to register or attempt to register a pain-management clinic through misrepresentation or fraud; amending s. 458.327, F.S.; providing additional penalties; amending s. 458.331, F.S.; providing additional grounds for disciplinary action by the Board of Medicine; amending s. 459.003, F.S.; defining the term “dispensing physician” as it relates to the practice of osteopathic medicine in this state; amending s. 459.013, F.S.; providing additional penalties; amending s. 459.0137, F.S.; providing an exemption from the requirement that all privately owned pain-management clinics, facilities, or offices that advertise in any medium for any type of pain-management services, or employ an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the Department of Health; requiring a physician, an advanced registered nurse practitioner, or a physician assistant to perform an appropriate medical examination of a patient on the same day that the physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic; requiring an osteopathic physician who works in a pain-management clinic to document the reason a prescription for a certain dosage of a controlled substance is within the proper standard of care; creating a felony of the third degree for a licensee or other person who serves as the designated physician of a pain-management clinic to register a pain-management clinic through misrepresentation or fraud; amending s. 459.015, F.S.; providing additional grounds for disciplinary action by the Board of Osteopathic Medicine; amending s. 465.015, F.S.; prohibiting certain persons from knowingly failing to report to the local county sheriff’s office the commission of a felony involving a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge under certain conditions; providing penalties; providing requirements for reporting the commission of a felony that involves a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge; providing that a licensed pharmacist or other person employed by or at a pharmacy is not subject to disciplinary action for reporting; amending s. 465.0276, F.S.; requiring a practitioner to register as a dispensing practitioner in

order to dispense controlled substances; amending s. 766.101, F.S.; conforming a cross-reference; amending s. 810.02, F.S.; redefining the offense of burglary to include the theft of a controlled substance within a structure or conveyance; amending s. 812.014, F.S.; redefining the offense of theft to include the theft of a controlled substance; creating s. 893.021, F.S.; providing conditions in which a drug is considered adulterated; providing that a physician is not prevented from directing or prescribing a change to the recognized manufactured recommendations for use of any controlled substance for a patient under certain circumstances; requiring a prescribing physician to indicate on the original prescription any deviation of the recognized manufacturer's recommended use of a controlled substance; requiring a pharmacist or physician to indicate such deviation on the label of the prescription upon dispensing; amending s. 893.04, F.S.; revising the required information that must appear on the face of a prescription or written record of a controlled substance before it is dispensed by a pharmacist; amending s. 893.055, F.S.; requiring that the prescription drug monitoring program comply with the minimum requirements of the National All Schedules Prescription Electronic Reporting Act; requiring the Department of Health to establish a method to allow corrections to the database of the prescription drug monitoring program; requiring the number of refills ordered and whether the drug was dispensed as a refill or a first-time request to be included in the database of the prescription drug monitoring program; revising the number of days in which a dispensed controlled substance must be reported to the department through the prescription drug monitoring program; revising the list of acts of dispensing or administering which are exempt from reporting; requiring a pharmacy, prescriber, practitioner, or dispenser to register with the department by submitting a registering document in order to have access to certain information in the prescription drug monitoring program's database; requiring the department to approve the registering document before granting access to information in the prescription drug monitoring program's database; requiring criminal background screening for those persons who have direct access to the prescription drug monitoring program's database; authorizing the Attorney General to obtain confidential and exempt information for Medicaid fraud cases and Medicaid investigations; requiring certain documentation to be provided to the program manager in order to release confidential and exempt information from the prescription drug monitoring program's database to a patient, legal guardian, or a designated health care surrogate; authorizing the Agency for Health Care Administration to obtain confidential and exempt information from the prescription drug monitoring program's database for Medicaid fraud cases and Medicaid investigations involving controlled substances; deleting a provision requiring that administrative costs of the prescription drug monitoring program be funded through federal grants and private sources; requiring the State Surgeon General to enter into reciprocal agreements for the sharing of information in the prescription drug monitoring program with other states that have a similar prescription drug monitoring program; requiring the State Surgeon General to annually review a reciprocal agreement to determine its compatibility; providing requirements for compatibility; prohibiting the sharing of certain information; amending s. 893.0551, F.S.; requiring the Department of Health to disclose confidential and exempt information pertaining to the prescription drug monitoring program to the Attorney General and designee when working on Medicaid fraud cases and Medicaid investigations involving prescribed controlled substances or when the Attorney General has initiated a review of specific identifiers that warrant a Medicaid investigation regarding prescribed controlled substances; prohibiting the Attorney General's Medicaid investigators from direct access to the prescription drug monitoring program's database; authorizing the Department of Health to disclose certain confidential and exempt information in the prescription drug monitoring program's database under certain circumstances involving reciprocal agreements with other states; prohibiting the sharing of information from the prescription drug monitoring program's database which is not for the purpose that is statutorily authorized or according to the State Surgeon General's determination of compatibility; amending s. 893.07, F.S.; requiring that a person report to the local sheriff's office the theft or loss of a controlled substance within a specified time; providing penalties; providing legislative intent; amending s. 893.13, F.S.; prohibiting a person from obtaining or attempting to obtain from a practitioner a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohibiting a health care provider from providing a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact; prohi-

biting a person from adulterating a controlled substance for certain use without authorization by a prescribing physician; authorizing a law enforcement officer to seize as evidence the adulteration or off-label use of a prescribed controlled substance; providing that such adulterated or off-label use of the controlled substance may be returned to its owner only under certain conditions; providing penalties; prohibiting a prescribing practitioner from writing a prescription for a controlled substance and authorizing or directing the adulteration of the dispensed form of the controlled substance for the purpose of ingestion by means not medically necessary; amending s. 893.138, F.S.; providing circumstances in which a pain-management clinic may be declared a public nuisance; providing definitions; requiring the Board of Pharmacy to create a list of opioid analgesic drugs; providing requirements for the list of opioid analgesic drugs; providing an effective date.

—which was previously considered April 27 with pending **Amendment 1 (229300)**.

SENATOR BENNETT PRESIDING

THE PRESIDENT PRESIDING

Pending **Amendment 1 (229300)** by Senator Bogdanoff failed.

Senator Bogdanoff moved the following amendments which were adopted:

Amendment 2 (491388) (with directory and title amendments)—Delete lines 501-524 and insert:

(1) REGISTRATION.—

(a) All privately owned pain-management clinics, facilities, or offices, hereinafter referred to as "clinics," which advertise in any medium for any type of pain-management services, or employ a physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the department unless:

1. That clinic is licensed as a facility pursuant to chapter 395;
2. The majority of the physicians who provide services in the clinic primarily provide surgical services *or interventional pain procedures of the type routinely billed using surgical codes*;
3. The clinic is owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded \$50 million;
4. The clinic is affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;
5. The clinic does not prescribe or dispense controlled substances for the treatment of pain; or
6. The clinic is owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3).

(f) If the department finds *upon a hearing by the probable cause panel of the appropriate board* that a pain-management clinic does not meet the requirement of paragraph (d) or is owned, directly or indirectly, by a person meeting any criteria listed in paragraph (e), the department shall revoke the certificate of registration previously issued by the department. As determined by rule, the department may grant an exemption to denying a registration or revoking a previously issued registration if more than 10 years have elapsed since adjudication. As used in this subsection, the term "convicted" includes an adjudication of guilt following a plea of guilty or nolo contendere or the forfeiture of a bond when charged with a crime.

(g) The department may revoke the clinic's certificate of registration and prohibit all physicians associated with that pain-management clinic from practicing at that clinic location based upon an annual inspection and evaluation of the factors described in subsection (3) *and upon a final determination by the probable cause panel of the appropriate board that any physician associated with that pain-management clinic knew or*

should have known of any violations of the factors described in subsection (3).

(h)1. If the registration of a pain-management clinic is revoked or suspended, the designated physician of the pain-management clinic, the owner or lessor of the pain-management clinic property, the manager, and the proprietor shall cease to operate the facility as a pain-management clinic as of the effective date of the suspension or revocation.

2. *Notwithstanding subparagraph 1., the clinic's registration shall not be revoked or suspended if the clinic, within 24 hours after notification of suspension or revocation, appoints another designated physician who has a full, active, and unencumbered license under this chapter or chapter 459 to operate a pain-management clinic.*

(k) If the clinic's registration is revoked, any person named in the registration documents of the pain-management clinic, including persons owning or operating the pain-management clinic, may not, as an individual or as a part of a group, apply to operate a pain-management clinic for 5 years after the date the registration is revoked *upon a finding by the probable cause panel of the appropriate board, and an opportunity to be heard, that the persons operating such clinic knew or should have known of violations causing such revocation.*

And the directory clause is amended as follows:

Delete line 496 and insert:

Section 7. Paragraphs (a), (f), (g), (h), and (k) of subsection (1) and paragraphs

And the title is amended as follows:

Delete line 42 and insert: as a pain-management clinic; authorizing the department to revoke the certificate of registration of a pain-management clinic based upon a finding by a probable cause panel of a board that the clinic does not meet certain requirements; authorizing the department to revoke a clinic's certificate of registration and prohibit all physicians associated with that clinic from practicing at that clinic location based upon an annual inspection and evaluation and upon a final determination by the probable cause panel of the appropriate board that any physician associated with that pain-management clinic knew or should have known of certain violations; prohibiting the department from revoking or suspending a clinic's registration if the clinic appoints another designated physician; prohibiting persons owning or operating a pain-management clinic that has a revoked registration from applying to operate another pain-management clinic within a specified number of years upon a finding by the probable cause panel of the appropriate board, and an opportunity to be heard, that the persons operating such clinic knew or should have known of violations causing such revocation; deleting certain

Amendment 3 (351822) (with title amendment)—Delete lines 502-507 and insert:

(a) *"Pain-management clinic," hereinafter referred to as "clinic," means a publicly or privately owned facility where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or carisoprodol, for the treatment of chronic nonmalignant pain. "Chronic nonmalignant pain" means pain unrelated to cancer or rheumatoid arthritis which persists beyond the usual course of disease or the injury that is the cause of the pain or more than 90 days after surgery. All privately owned pain-management clinics, facilities, or offices, hereinafter referred to as "clinics," which advertise in any medium for any type of pain-management services, or employ a physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the department unless:*

And the title is amended as follows:

Delete line 40 and insert: their practice; amending s. 458.3265, F.S.; redefining the term "pain-management clinic" and defining the term "chronic nonmalignant pain"; revising

Senator Fasano moved the following amendments which were adopted:

Amendment 4 (415758)—Delete lines 514-517 and insert: 3. The clinic is owned, *directly or indirectly*, by a publicly held corporation

whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded \$50 million;

Amendment 5 (175812) (with title amendment)—Delete lines 653-771 and insert:

Section 11. Paragraph (a) of subsection (1) of section 459.0081, Florida Statutes, is amended to read:

459.0081 Physician survey.—

(1) Each person who applies for licensure renewal as a physician under chapter 458 or this chapter must, in conjunction with the renewal of such license under procedures adopted by the Department of Health and in addition to any other information that may be required from the applicant, furnish the following to the Department of Health in a physician survey:

(a) Licensee information, including, but not limited to:

1. Frequency and geographic location of practice within the state.
2. Practice setting.
3. Percentage of time spent in direct patient care.
4. Anticipated change to license or practice status.
5. Areas of specialty or certification.

6. *Whether the department has ever approved or denied the physician's registration for access to a patient's information in the database of the prescription drug monitoring program.*

7. *Whether the physician uses the prescription drug monitoring program with patients in his or her medical practice.*

Section 12. Subsection (3) is added to section 459.0082, Florida Statutes, to read:

459.0082 Analysis of survey results; report.—

(3) *By November 1 of each year, the Department of Health shall provide nonidentifying information to the Implementation and Oversight Task Force of the prescription drug monitoring program regarding the number of physicians who are registered with the prescription drug monitoring program and who also use the database from the prescription drug monitoring program for their patients in their medical practice.*

Section 13. Paragraphs (f) and (g) are added to subsection (1), paragraphs (e) and (f) are added to subsection (2), and paragraphs (d) and (e) are added to subsection (3) of section 459.013, Florida Statutes, to read:

459.013 Penalty for violations.—

(1) Each of the following acts constitutes a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084:

(f) *Failing to perform a physical examination of a patient on the same day that the osteopathic physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic occurring three or more times within a 6-month period, or failing to perform a physical examination on three or more different patients on the same day that the osteopathic physician dispenses or prescribes a controlled substance to each patient at a pain-management clinic within a 6-month period.*

(g) *Prescribing or dispensing in excess of a 72-hour dose of controlled substances at a pain-management clinic for the treatment of chronic nonmalignant pain of a patient occurring three or more times within a 6-month period without documenting in the patient's record the reason that such dosage is within the standard of care. For the purpose of this paragraph, the standard of care is set forth in rule 64B15-14.005(3), Florida Administrative Code.*

(2) Each of the following acts constitutes a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083:

(e) Failing to perform a physical examination of a patient on the same day that the osteopathic physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic occurring two times within a 6-month period, or failing to perform a physical examination on two different patients on the same day that the osteopathic physician dispenses or prescribes a controlled substance to each patient at a pain-management clinic within a 6-month period.

(f) Prescribing or dispensing in excess of a 72-hour dose of controlled substances at a pain-management clinic for the treatment of chronic nonmalignant pain of a patient occurring two times within a 6-month period without documenting in the patient's record the reason that such dosage is within the standard of care. For the purpose of this paragraph, the standard of care is set forth in rule 64B15-14.005(3), Florida Administrative Code.

(3) Each of the following constitutes a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083:

(d) A first offense of failing to perform a physical examination of a patient on the same day that the osteopathic physician dispenses or prescribes a controlled substance to the patient at a pain-management clinic.

(e) A first offense of failing to document in a patient's record the reason that such dosage is within the standard of care for prescribing or dispensing in excess of a 72-hour dose of controlled substances at a pain-management clinic for the treatment of chronic nonmalignant pain. For the purpose of this paragraph, the standard of care is set forth in rule 64B15-14.005(3), Florida Administrative Code.

Section 14. Paragraph (a) of subsection (1) and paragraphs (a) and (c) of subsection (2) of section 459.0137, Florida Statutes, are amended, and paragraphs (f) and (g) are added to subsection (5) of that section, to read:

459.0137 Pain-management clinics.—

(1) REGISTRATION.—

(a) All privately owned pain-management clinics, facilities, or offices, hereinafter referred to as “clinics,” which advertise in any medium for any type of pain-management services, or employ an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the department unless:

1. That clinic is licensed as a facility pursuant to chapter 395;
2. The majority of the physicians who provide services in the clinic primarily provide surgical services or interventional pain procedures of the type routinely billed using surgical codes;
3. The clinic is owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded \$50 million;
4. The clinic is affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;
5. The clinic does not prescribe or dispense controlled substances for the treatment of pain; or
6. The clinic is owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3).

(2) PHYSICIAN RESPONSIBILITIES.—These responsibilities apply to any osteopathic physician who provides professional services in a pain-management clinic that is required to be registered in subsection (1).

(a) An osteopathic physician may not practice medicine in a pain-management clinic, as described in subsection (4), if:

1. The pain-management clinic is not registered with the department as required by this section. ~~or~~

2. ~~Effective July 1, 2012, the physician has not successfully completed a pain medicine fellowship that is accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic~~

~~Association or a pain medicine residency that is accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association or, prior to July 1, 2012, does not comply with rules adopted by the board.~~

Any physician who qualifies to practice medicine in a pain-management clinic pursuant to rules adopted by the Board of Osteopathic Medicine as of July 1, 2012, may continue to practice medicine in a pain-management clinic as long as the physician continues to meet the qualifications set forth in the board rules. An osteopathic physician who violates this paragraph is subject to disciplinary action by his or her appropriate medical regulatory board.

(c) An osteopathic physician, an advanced registered nurse practitioner, or a physician assistant must perform an appropriate medical ~~a~~ physical examination of a patient on the same day that ~~the physician he~~ or she dispenses or prescribes a controlled substance to a patient at a pain-management clinic. If the osteopathic physician prescribes or dispenses more than a 72-hour dose of controlled substances for the treatment of chronic nonmalignant pain, the osteopathic physician must document in the patient's record the reason for which prescribing or dispensing a dosage in excess of a 72-hour dose of controlled substances for the treatment of chronic nonmalignant pain is within the standard of care ~~for prescribing or dispensing that quantity.~~

(5) PENALTIES; ENFORCEMENT.—

(f) A licensee or other person who serves as the designated physician of a pain-management clinic as defined in s. 458.3265 or s. 459.0137 and registers a pain-management clinic through intentional misrepresentation or fraud or procures or attempts to procure the registration of a pain-management clinic for any other person by making or causing to be made any false or fraudulent representation commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(g) Any person who registers a pain-management clinic through misrepresentation or fraud or who procures or attempts to procure the registration of a pain-management clinic for any other person by making or causing to be made any false or fraudulent representation, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

And the title is amended as follows:

Delete lines 62-71 and insert: this state; amending s. 459.0081, F.S.; revising the information that must be furnished in a physician survey to the Department of Health in order to renew a license to practice osteopathic medicine; amending s. 459.0082, F.S.; requiring the department to provide certain nonidentifying information to the Implementation and Oversight Task Force of the prescription drug monitoring program; amending s. 459.013, F.S.; providing additional penalties; amending s. 459.0137, F.S.; providing an exemption from the requirement that all privately owned pain-management clinics, facilities, or offices that advertise in any medium for any type of pain-management services, or employ an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the Department of Health; revising the responsibilities of an osteopathic physician who provides professional services in a pain-management clinic; requiring an osteopathic physician, an advanced registered

Senator Bogdanoff moved the following amendment which was adopted:

Amendment 6 (853130) (with directory and title amendments)—Delete lines 715-739 and insert:

(1) REGISTRATION.—

(a) “Pain-management clinic,” hereinafter referred to as “clinic,” means a publicly or privately owned facility where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or carisoprodol for the treatment of chronic nonmalignant pain. “Chronic nonmalignant pain” means pain unrelated to cancer or rheumatoid arthritis which persists beyond the usual course of a disease or the injury that is the cause of the pain or more than 90 days after surgery. All privately owned pain-management clinics, facilities, or offices, hereinafter referred to as “clinics,” which advertise in any medium for any type

~~of pain management services, or employ an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the department unless:~~

1. That clinic is licensed as a facility pursuant to chapter 395;
2. The majority of the physicians who provide services in the clinic primarily provide surgical services *or interventional pain procedures of the type routinely billed using surgical codes*;
3. The clinic is owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded \$50 million;
4. The clinic is affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;
5. The clinic does not prescribe or dispense controlled substances for the treatment of pain; or
6. The clinic is owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3).

(f) If the department finds *upon a hearing by the probable cause panel of the appropriate board* that a pain-management clinic does not meet the requirement of paragraph (d) or is owned, directly or indirectly, by a person meeting any criteria listed in paragraph (e), the department shall revoke the certificate of registration previously issued by the department. As determined by rule, the department may grant an exemption to denying a registration or revoking a previously issued registration if more than 10 years have elapsed since adjudication. As used in this subsection, the term "convicted" includes an adjudication of guilt following a plea of guilty or nolo contendere or the forfeiture of a bond when charged with a crime.

(g) The department may revoke the clinic's certificate of registration and prohibit all physicians associated with that pain-management clinic from practicing at that clinic location based upon an annual inspection and evaluation of the factors described in subsection (3) *and upon a final determination by the probable cause panel of the appropriate board that any physician associated with that pain-management clinic knew or should have known of any violations of the factors described in subsection (3)*.

(h)1. If the registration of a pain-management clinic is revoked or suspended, the designated physician of the pain-management clinic, the owner or lessor of the pain-management clinic property, the manager, and the proprietor shall cease to operate the facility as a pain-management clinic as of the effective date of the suspension or revocation.

2. *Notwithstanding subparagraph 1., the clinic's registration shall not be revoked or suspended if the clinic, within 24 hours after notification of suspension or revocation, appoints another designated physician who has a full, active, and unencumbered license under this chapter or chapter 458 to operate a pain-management clinic.*

(k) If the clinic's registration is revoked, any person named in the registration documents of the pain-management clinic, including persons owning or operating the pain-management clinic, may not, as an individual or as a part of a group, make application for a permit to operate a pain-management clinic for 5 years after the date the registration is revoked *upon a finding by the probable cause panel of the appropriate board, and an opportunity to be heard, that the persons operating such clinic knew or should have known of violations causing such revocation.*

And the directory clause is amended as follows:

Delete line 710 and insert:

Section 12. Paragraphs (a), (f), (g), (h), and (k) of subsection (1) and paragraph

And the title is amended as follows:

Delete lines 63-71 and insert: additional penalties; amending s. 459.0137, F.S.; redefining the term "pain-management clinic" and de-

fining the term "chronic nonmalignant pain"; providing an exemption from the requirement that all privately owned pain-management clinics, facilities, or offices that advertise in any medium for any type of pain-management services, or employ an osteopathic physician who is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications, must register with the Department of Health; authorizing the department to revoke the certificate of registration of a pain-management clinic based upon a finding by a probable cause panel of a board that the clinic does not meet certain requirements; authorizing the department to revoke a clinic's certificate of registration and prohibit all physicians associated with that clinic from practicing at that clinic location based upon an annual inspection and evaluation and upon a final determination by the probable cause panel of the appropriate board that any physician associated with that pain-management clinic knew or should have known of certain violations; prohibiting the department from revoking or suspending a clinic's registration if the clinic appoints another designated physician; prohibiting persons owning or operating a pain-management clinic that has a revoked registration from applying to operate another pain-management clinic within a specified number of years upon a finding by the probable cause panel of the appropriate board, and an opportunity to be heard, when the persons operating such clinic knew or should have known of violations causing such revocation; requiring a physician, an advanced registered

Senator Fasano moved the following amendments which were adopted:

Amendment 7 (796860) (with title amendment)—Delete lines 790-817 and insert:

(3)(a) *A licensed pharmacist may not knowingly fail to timely report to the local county sheriff's office the name of any person who obtains or attempts to obtain a substance controlled by s. 893.03 which the licensed pharmacist knows or reasonably should have known was obtained or attempted to be obtained from the pharmacy through any fraudulent method or representation. A licensed pharmacist who fails to make such a report within 24 hours after learning of the fraud or attempted fraud commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.*

(b) *A sufficient report of the fraudulent obtaining of or attempt to obtain a controlled substance under this subsection must contain, at a minimum, a copy of the prescription used or presented and a narrative, including all information available to the pharmacy regarding:*

1. *The transaction, such as the name and telephone number of the prescribing physician;*
2. *The name, description, and any personal identification information pertaining to the person presenting the prescription; and*
3. *All other material information, such as photographic or video surveillance of the transaction.*

A licensed pharmacist is not subject to disciplinary action for reporting under this subsection.

And the title is amended as follows:

Delete lines 87-100 and insert: 465.015, F.S.; prohibiting a licensed pharmacist from knowingly failing to report to the local county sheriff's office the commission of a felony involving a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge under certain conditions; providing penalties; providing requirements for reporting the commission of a felony that involves a person who acquires or obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge; providing that a licensed pharmacist is not subject to disciplinary action for reporting; amending

Amendment 8 (780864) (with title amendment)—Delete lines 802-806 and insert:

(b) *A sufficient report of the fraudulent obtaining of or attempt to obtain a controlled substance under this subsection may contain, at a minimum, a copy of the prescription used or presented and a narrative, including all information available to the pharmacy regarding:*

And the title is amended as follows:

Delete line 94 and insert: suggested criteria for reporting the commission of a felony

Amendment 9 (548234) (with title amendment)—Between lines 828 and 829 insert:

Section 16. Paragraph (t) of subsection (2) of section 499.01, Florida Statutes, is amended to read:

499.01 Permits.—

(2) The following permits are established:

(t) *Health care clinic establishment permit.*—Effective January 1, 2009, a health care clinic establishment permit is required for the purchase of a prescription drug by a place of business at one general physical location that provides health care or veterinary services, which is owned and operated by a business entity that has been issued a federal employer tax identification number. For the purpose of this paragraph, the term “qualifying practitioner” means a licensed health care practitioner defined in s. 456.001, or a veterinarian licensed under chapter 474, who is authorized under the appropriate practice act to prescribe and administer a prescription drug.

1. An establishment must provide, as part of the application required under s. 499.012, designation of a qualifying practitioner who will be responsible for complying with all legal and regulatory requirements related to the purchase, recordkeeping, storage, and handling of the prescription drugs. In addition, the designated qualifying practitioner shall be the practitioner whose name, establishment address, and license number is used on all distribution documents for prescription drugs purchased or returned by the health care clinic establishment. Upon initial appointment of a qualifying practitioner, the qualifying practitioner and the health care clinic establishment shall notify the department on a form furnished by the department within 10 days after such employment. In addition, the qualifying practitioner and health care clinic establishment shall notify the department within 10 days after any subsequent change.

2. The health care clinic establishment must employ a qualifying practitioner at each establishment.

3. In addition to the remedies and penalties provided in this part, a violation of this chapter by the health care clinic establishment or qualifying practitioner constitutes grounds for discipline of the qualifying practitioner by the appropriate regulatory board.

4. The purchase of prescription drugs by the health care clinic establishment is prohibited during any period of time when the establishment does not comply with this paragraph.

5. A health care clinic establishment permit is not a pharmacy permit or otherwise subject to chapter 465. A health care clinic establishment that meets the criteria of a modified Class II institutional pharmacy under s. 465.019 is not eligible to be permitted under this paragraph.

6. This paragraph does not apply to the purchase of a prescription drug by a licensed practitioner under his or her license. A professional corporation or limited liability company composed of dentists and operating as authorized in s. 466.0285 may pay for prescription drugs obtained by a practitioner licensed under chapter 466, and the licensed practitioner is deemed the purchaser and owner of the prescription drugs.

And the title is amended as follows:

Delete line 103 and insert: dispense controlled substances; amending s. 499.01, F.S.; authorizing certain business entities to pay for prescription drugs obtained by practitioners licensed under ch. 466, F.S.; amending s. 766.101,

Amendment 10 (741416) (with title amendment)—Delete lines 1134-1143 and insert: in Pharmacy (ASAP). The electronic system shall also comply with the Health Insurance Portability and Accountability Act (HIPAA) as it pertains to protected health information (PHI), electronic protected health information (EPHI), *minimum requirements as established by the department for authentication of a practitioner who*

requests information in the prescription drug monitoring program database and certification of the purpose for which information is requested, and all other relevant state and federal privacy and security laws and regulations. The department shall establish

And the title is amended as follows:

Delete lines 124-127 and insert: pharmacist; amending s. 893.055, F.S.; requiring that the prescription drug monitoring program comply with the minimum requirements established by the Department of Health; requiring the

Amendment 11 (892760) (with title amendment)—Between lines 1669 and 1670 insert:

Section 22. *The sum of \$1.75 million is appropriated from the General Revenue Fund to the Department of Health for the purpose of paying salaries and other administrative expenses necessary to carry out the implementation of the prescription drug monitoring program.*

And the title is amended as follows:

Delete line 172 and insert: the sharing of certain information; providing an appropriation; amending s.

Senator Bogdanoff moved the following amendment which failed:

Amendment 12 (840024)—Delete lines 1791-1810 and insert: *substances. This subsection requires a law enforcement officer to obtain a subpoena, court order, or search warrant in order to obtain access to or copies of such records.*

(5) Each person shall maintain a record ~~which shall contain~~ a detailed list of controlled substances lost, destroyed, or stolen, if any; the kind and quantity of such controlled substances; and the date of the discovering of such loss, destruction, or theft. *If a person discovers the theft or loss of a controlled substance, such person shall report the theft or loss to a local county sheriff's office within 48 hours after the discovery of such theft or loss. A person who fails to report the theft or loss of a controlled substance under this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. However, a person who fails to report the theft or loss of a Schedule II controlled substance commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.*

(6) *The Legislature finds that the opinions rendered in State v. Carter, 23 So. 3d 798 (Fla. 1st DCA 2009), and State v. Tamulonis, 39 So. 3d 524 (Fla. 2nd DCA 2010), do not correctly construe*

Senator Fasano moved the following amendment:

Amendment 13 (811318) (with title amendment)—Delete lines 1794-1807 and insert:

(5) Each person shall maintain a record ~~which shall contain~~ a detailed list of controlled substances lost, destroyed, or stolen, if any; the kind and quantity of such controlled substances; and the date of the discovering of such loss, destruction, or theft. *If a person discovers the theft or significant loss of a controlled substance, such person shall report the theft or significant loss to a local county sheriff's office within 48 hours after the discovery of such theft or loss. A person who fails to report the theft or significant loss of a controlled substance under this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. However, a person who fails to report the theft or loss of a Schedule II controlled substance commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.*

And the title is amended as follows:

Delete lines 194-196 and insert: amending s. 893.07, F.S.; requiring that a person report to the local sheriff's office the theft or significant loss of a controlled substance within a specified time;

Senator Fasano moved the following amendment to **Amendment 13** which was adopted:

Amendment 13A (709452)—Delete line 17 and insert: *theft or significant loss of a Schedule II controlled substance commits a*

Amendment 13 as amended was adopted.

Senator Fasano moved the following amendment which was adopted:

Amendment 14 (899940) (with title amendment)—Delete lines 1989-2035 and insert:

Section 26. Subsection (9) is added to section 465.025, Florida Statutes, to read:

465.025 Substitution of drugs.—

(9) *The board shall establish by rule a list of opioid drugs that incorporate tamper-resistant technology. Inclusion of a drug on the list does not require that the drug bear a labeling claim with respect to reduction of tampering, abuse, or abuse potential at the time of listing. The board shall make a determination whether to include a drug on the list based on a submission of evidence by the drug manufacturer or distributor that the drug:*

(a) *Incorporates a tamper-resistance technology; and*

(b) *Has been approved by the United States Food and Drug Administration pursuant to an application that includes at least one study on human tampering or abuse potential or a laboratory study comparing the tamper-resistant or abuse-resistant properties of the drug to one or more opioid drugs that have been approved by the United States Food and Drug Administration and serve as a positive control.*

Notwithstanding subsection (2), a pharmacist may not substitute an opioid analgesic drug, either the brand name drug or generic drug, for an opioid analgesic drug incorporating a tamper-resistance technology which was originally prescribed and is listed by the board pursuant to this subsection.

And the title is amended as follows:

Delete lines 222-225 and insert: clinic may be declared a public nuisance; amending s. 465.025, F.S.; requiring the Board of Pharmacy to create a list of opioid analgesic drugs; providing requirements for the list of opioid analgesic drugs; prohibiting a pharmacist from substituting an opioid analgesic drug for an opioid analgesic drug that incorporates a tamper-resistant technology;

Pursuant to Rule 4.19, **CS for CS for SB 818** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SPECIAL GUESTS

The President recognized former Lieutenant Governor Jeff Kottkamp and former Senator Skip Campbell who were present in the gallery.

Consideration of **CS for SB 2170** was deferred.

On motion by Senator Bogdanoff—

SJR 2084—A joint resolution proposing an amendment to Section 2 of Article V of the State Constitution to reduce the vote threshold required for the Legislature to enact a law repealing a rule of court and to prohibit the Supreme Court from readopting a rule repealed by the Legislature for a prescribed period.

—was read the second time by title.

Amendments were considered and adopted to conform **SJR 2084** to **CS for HJR 7111**.

Pending further consideration of **SJR 2084** as amended, on motion by Senator Bogdanoff, by two-thirds vote **CS for HJR 7111** was withdrawn from the Committees on Judiciary; and Budget.

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

CS for HJR 7111—A joint resolution proposing a revision of Article V of the State Constitution, relating to the judiciary, consisting of

amendments to Sections 2, 3, 4, 7, 11, 12, and 14 of Article V, and the creation of Section 21 of Article V, of the State Constitution to divide the current Supreme Court into two divisions, one hearing civil cases and the other hearing criminal cases; providing for administration of the divisions; defining the jurisdiction of the divisions; providing for transition from the present Supreme Court; revising provisions relating to repeal of court rules; limiting re-adoption of a repealed court rule; providing for Senate confirmation of Supreme Court justices; expanding the jurisdiction of the Supreme Court; requiring the Judicial Qualifications Commission to make all of its files available to the Speaker of the House of Representatives; revising provisions relating to repeal of commission rules; requiring that a specified minimum percentage of general revenue funds be appropriated to the courts; making other conforming and modernizing changes to the State Constitution regarding the judicial system.

—a companion measure, was substituted for **SJR 2084** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HJR 7111** was placed on the calendar of Bills on Third Reading.

RECONSIDERATION OF BILL

On motion by Senator Bennett, the Senate recalled from Engrossing—

CS for CS for SB 1346—A bill to be entitled An act relating to obsolete references and programs; amending s. 14.2015, F.S.; removing an obsolete reference to the Department of Commerce; amending s. 20.18, F.S.; updating a reference to the Department of Commerce to refer instead to the Office of Tourism, Trade, and Economic Development; amending s. 45.031, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 69.041, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 112.044, F.S.; removing obsolete references to the Department of Labor and Employment Security; amending s. 252.85, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 252.87, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 252.937, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 287.09431, F.S.; updating references to the Department of Labor and Employment Security; amending s. 287.09451, F.S.; removing references to the Department of Labor and Employment Security; amending s. 287.0947, F.S.; removing a reference to the Department of Labor and Employment Security; correcting a cross-reference; amending s. 288.021, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 288.035, F.S.; removing a reference to the Department of Commerce; repealing s. 288.038, F.S., relating to agreements of the Department of Labor and Employment Security with county tax collectors; amending s. 288.1168, F.S.; updating obsolete references to the Department of Commerce; amending s. 288.1229, F.S.; removing a reference to the Department of Commerce; amending s. 288.1169, F.S.; updating references to the Department of Commerce; amending s. 331.369, F.S.; updating references to the Workforce Development Board of Enterprise Florida, Inc.; amending s. 377.711, F.S.; removing a reference to the Department of Commerce; providing for standard compact provisions regarding recommendations by the Southern States Energy Board; amending s. 377.712, F.S.; clarifying provisions governing participation in the compact by the state and its agencies; amending s. 409.2576, F.S.; removing references to the Department of Labor and Employment Security; amending s. 414.24, F.S.; updating references to the Department of Labor and Employment Security; amending s. 414.40, F.S.; updating provisions governing the Stop Inmate Fraud Program; updating a reference to the Department of Labor and Employment Security; amending s. 440.385, F.S.; updating a reference to the Department of Labor and Employment Security; removing obsolete provisions; amending s. 440.49, F.S.; removing a reference to the Department of Labor and Employment Security; removing obsolete provisions; repealing s. 446.60, F.S., relating to assistance for displaced local exchange telecommunications company workers; amending s. 450.161, F.S.; updating a reference to the Division of Jobs and Benefits; amending s. 464.203, F.S.; updating a reference to the Enterprise Florida Jobs and Education Partnership Grant; amending s. 489.1455, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 489.5335, F.S.; updating a reference to the Department of Labor and

Employment Security; amending s. 553.62, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 597.006, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 944.012, F.S.; updating a reference to the Florida State Employment Service; amending s. 944.708, F.S.; removing a reference to the Agency for Workforce Innovation; repealing ss. 255.551-255.563, F.S., relating to the asbestos management program; amending s. 469.002, F.S.: conforming a cross-reference to changes made by the act; repealing s. 469.003(2)(b), F.S., relating to obsolete provisions governing the licensure of asbestos surveyors; repealing s. 39.0015, F.S., relating to child abuse prevention training in the district school system; repealing s. 39.305, F.S., relating to the development by the Department of Children and Family Services of a model plan for community intervention and treatment in intrafamily sexual abuse cases; repealing ss. 39.311, 39.312, 39.313, 39.314, 39.315, 39.316, 39.317, and 39.318, F.S., relating to the Family Builders Program; repealing 39.816, F.S., relating to authorization for pilot and demonstration projects; repealing s. 39.817, F.S., relating to a foster care privatization demonstration project; repealing s. 383.0115, F.S., relating to the Commission on Marriage and Family Support Initiatives; repealing s. 393.22, F.S., relating to financial commitment to community services programs; repealing s. 393.503, F.S., relating to respite and family care subsidy expenditures and funding recommendations; repealing s. 394.922, F.S., relating to constitutional requirements regarding long-term control, care, and treatment of sexually violent predators; repealing s. 402.3045, F.S., relating to a requirement that the Department of Children and Family Services adopt distinguishable definitions of child care programs by rule; repealing s. 402.50, F.S., relating to the development of administrative infrastructure standards by the Department of Children and Family Services; repealing s. 402.55, F.S., relating to the management fellows program; repealing s. 409.1672, F.S., relating to performance incentives for department employees with respect to the child welfare system; repealing s. 409.1673, F.S., relating to legislative findings regarding the foster care system and the development of alternate care plans; repealing s. 409.1685, F.S., relating to an annual report to the Legislature by the Department of Children and Family Services with respect to children in foster care; repealing ss. 409.801 and 409.802, F.S., relating to the Family Policy Act; repealing s. 409.803, F.S., relating to pilot programs to provide shelter and foster care services to dependent children; amending ss. 20.195, 39.00145, 39.0121, 39.301, 39.3031, 49.011, 381.006, 381.0072, 390.01114, 409.1685, 411.01013, 753.03, and 877.22, F.S.; conforming references to changes made by the act; repealing s. 288.386, F.S., relating to the Florida-Caribbean Basin Trade Initiative; repealing s. 288.9618, F.S., which relates to an economic development program for microenterprises; repealing s. 288.982, F.S., which relates to a public records requirement for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 409.946, F.S., which relates to the Inner City Redevelopment Review Panel; amending ss. 288.012 and 311.07, F.S.; revising requirements for the operating plans of the state's foreign offices and the use of program funds of the Florida Seaport Transportation and Economic Development Program, to delete provisions relating to the Florida Trade Data Center; amending s. 402.35, F.S.; removing a provision prohibiting a federal, state, county, or municipal officer from serving as an employee of the Department of Children and Family Services; providing an effective date.

—for further consideration as amended this day.

On motion by Senator Bennett, the Senate reconsidered the vote by which **Amendment 2 (134066)** was adopted.

Amendment 2 (134066) was withdrawn.

Pursuant to Rule 4.19, **CS for CS for SB 1346** as amended was ordered engrossed and placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Thrasher, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Friday, April 29.

On motion by Senator Thrasher, a deadline of 8:00 a.m. Friday, April 29, was set for filing amendments to Bills on Third Reading to be considered that day.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for SB 524** and **CS for SB 1072** were withdrawn from the Committee on Budget; **SB 898** was withdrawn from the Committee on Community Affairs; **CS for SB 1246** and **CS for SB 1748** were withdrawn from the Committee on Criminal Justice; **CS for SB 828**, **CS for SB 1168**, **SCR 1558**, and **SJR 1704** were withdrawn from the Committee on Governmental Oversight and Accountability; **SB 1146** was withdrawn from the Committee on Judiciary; **CS for SJR 592**, **CS for CS for SB 1198**, **CS for CS for SB 1254**, **SB 1398**, **SCR 1558**, **CS for CS for SB 1696**, **SB 690**, **CS for SB 822**, **CS for SB 1410**, **SJR 1704**, and **CS for CS for SB 1836** were withdrawn from the Committee on Rules; **SB 1144** was withdrawn from the Committee on Transportation; and **SB 1742** was withdrawn from the Committee on Health Regulation.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Thursday, April 28, 2011: **CS for SB 844**, **SM 954**, **CS for CS for SB 1346**, **CS for CS for SB 1196**, **CS for SCR 4**, **CS for SB 2170**, **SJR 2084**.

Respectfully submitted,
John Thrasher, Chair

The Committee on Budget recommends a committee substitute for the following: **CS for CS for SB 530**

The Committee on Rules recommends committee substitutes for the following: **SB 42**; **SB 54**

The bills with committee substitute attached were placed on the Calendar.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Joyner—

SB 752—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending chapter 23559, Laws of Florida, 1945, as amended; revising the General Employees' Pension Plan for the City of Tampa; revising the definitions of the terms "Salaries or Wages," "Employee," and "Military Service Time"; revising application of the term "Actuarial Equivalent"; defining the term "Limitation Year"; providing that all employee contributions to the pension fund after a certain date are mandatory and that the city shall pay such contributions to the fund on behalf of the employee; providing certain beneficiaries an option to roll over certain death benefits; providing for a refund of employee contributions; revising the provision that addresses the reemployment of retired employees; revising construction of the act; allowing DROP members the opportunity to elect an investment option, as determined by the board of trustees, to be applied to the participant's account for the plan year entering the DROP program and for each subsequent plan year; revising benefit limitations; revising requirements for distribution of benefits; providing a default distribution when a member fails to elect a distribution option; revising direct rollover options; revising the definitions of the terms "eligible rollover distribution," "eligible rollover plan," and "distributee"; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Senator Joyner—

SB 754—A bill to be entitled An act relating to the City Pension Fund for Firefighters and Police Officers in the City of Tampa, Hillsborough County; authorizing the City of Tampa to enter into a supplemental contract with certain firefighters and police officers to comply with

chapter 2009-97, Laws of Florida; revising the manner in which elective trustees are elected; increasing the maximum length of time prior to term commencement in which to conduct trustee elections; allowing the board to retain the services of more than one nationally recognized professional investment counselor; increasing the investment cap on foreign securities; providing that the investment cap on foreign securities may not be revised, amended, increased, or repealed except as provided by general law; allowing retired members to elect to receive a reduced retirement benefit in order to provide a surviving spouse benefit under certain circumstances; allowing members to purchase up to an additional 5 years of credited service based upon prior service as a full-time certified firefighter or certified police officer or for military service in the Armed Forces of the United States subject to certain conditions; allowing DROP participants upon entering DROP and annually thereafter to elect an option for accruing annual interest at a low-risk variable rate selected annually by the board of trustees, in its sole discretion, in lieu of a rate reflecting the fund's net investment performance, as determined by the board of trustees; prohibiting members from selecting certain pension contract changes and rejecting others; confirming in part the City of Tampa Firefighters and Police Officers Pension Contract; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Senator Joyner—

SB 756—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue an alcoholic beverage license to the City of Tampa for use within the buildings and adjoining grounds of Curtis Hixon Waterfront Park and Kiley Garden Park; providing for payment of the license fee; authorizing the sale of alcoholic beverages for consumption within the buildings and their adjoining grounds; prohibiting sales for consumption off premises; providing for construction of the act; authorizing the transfer and providing for subsequent reversion of the license under certain circumstances; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

Senate Bills 758-1444—Previously referenced.

By Senator Jones—

SB 1446—A bill to be entitled An act relating to the Pinellas Planning Council, Pinellas County; codifying, amending, reenacting, and repealing special acts relating to the district; reorganizing the council; setting forth the purpose of the council; providing legislative intent that the countywide plan be broadly defined and policy-based; providing that the primary focus of the council will be land use and transportation planning; providing definitions; providing that the membership of the council shall be the same as that of the Pinellas County Metropolitan Planning Organization; providing for the election of officers, meetings of the council, requirements of a quorum, and member expenses; providing for the powers and duties of the council, including revising the required components of the countywide plan, consistent with the stated legislative intent; providing for countywide staff and committees; providing for a budget and annual independent audit; recognizing the countywide planning authority of the Pinellas County Board of County Commissioners as provided by the Pinellas County Charter; providing for the repeal of the existing countywide plan, adoption of a new countywide plan, future amendment of the plan, and standards and procedures for such actions; providing a timetable for consistency review after adoption of a new countywide plan; providing for public hearing and notice requirements; requiring the authority to adopt specific notice standards in the countywide rules; providing for compliance with part II of chapter 163, Florida Statutes; repealing chapters 73-594, 74-584, 74-586, 76-473, 88-464, and 90-396, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

Senate Bills 1448-1524—Previously referenced.

By Senator Richter—

SB 1526—A bill to be entitled An act relating to the Southwest Florida Fire Control and Rescue District, Collier County; creating the district as an independent special district; providing for future merger of districts; providing legislative intent; providing purpose of the district; providing boundaries; providing for a governing body; providing powers of the district; providing that the district may levy ad valorem taxes and non-ad valorem assessments; authorizing the district to borrow money; providing for impact fees; providing for elections; providing that the district may exercise the power of eminent domain; providing for effect of municipal annexation or incorporation; providing immunity from tort liability; providing for transition; providing for transfer of powers; providing for a referendum on merger of districts; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

Senate Bills 1528-1738—Previously referenced.

By Senator Dean—

SB 1740—A bill to be entitled An act relating to Citrus County; providing for codification of special laws relating to the Citrus County Hospital Board, an independent special district in Citrus County; providing legislative intent; codifying, amending, reenacting, and repealing chapters 99-442 and 2001-308, Laws of Florida, as the "Citrus County Hospital and Medical Nursing and Convalescent Home Act"; deleting obsolete provisions; making technical revisions; providing definitions; authorizing the board to enter into a lease or contract with a not-for-profit corporation for the purpose of operating and managing the hospital and its facilities; providing requirements for such lease or contract; declaring a need for governance authority to fulfill the hospital board's public responsibilities; providing for a board of directors; providing for membership; requiring that the not-for-profit corporation conform all governance documents to certain requirements, if necessary; authorizing ad valorem taxation; requiring that the not-for-profit corporation separately account for the expenditure of all ad valorem tax moneys provided by the hospital board; requiring that the expenditure of all public tax funds be approved in a public meeting and maintained in a separate account; providing for the hospital board's approval or rejection of the not-for-profit corporation's articles of incorporation or bylaws, selection of a new chief executive officer or renewal of his or her employment contract, the annual operating and capital budgets, additional loan indebtedness or leases in excess of a specified amount, and the not-for-profit corporation's policies for travel reimbursements and contract bid procedures; providing that all records of the not-for-profit corporation are public records unless exempt; providing that any dispute between the hospital board and the not-for-profit corporation is subject to court action; providing for interpretation and implementation of the act and for court enforcement; providing application; repealing chapters 99-442 and 2001-308, Laws of Florida, relating to the Citrus County Hospital Board; providing severability; providing construction; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

Senate Bills 1742-1978—Previously referenced.

By Senator Latvala—

SB 1980—A bill to be entitled An act relating to the Lealman Special Fire Control District, Pinellas County; amending chapter 2000-426, Laws of Florida, as amended; reducing the maximum ad valorem millage

rate that may be levied by the district; providing requirements for the annexation of the unincorporated territory of the district by a municipality; requiring the approval of an annexation by a referendum of the electors within the district; providing for future expiration of the requirements for annexation; providing an effective date.

—was referred to the Committee on Rules.

By Senator Alexander—

SB 1982—A bill to be entitled An act relating to the Polk County Historical Commission, Polk County; amending chapter 96-462, Laws of Florida; revising the number of commission members; providing for membership eligibility, terms of membership, meetings, attendance at meetings, and rules of procedure; providing for staff; providing powers and duties; providing for a historical preservation manager; providing for funding and the creation of dedicated accounts for the Polk County Historical Museum and the Genealogical Library; deleting provisions relating to the Polk County Historical Association; requiring the board of county commissioners to provide a repository for certain materials; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

Senate Bills 1984-2068—Previously referenced.

By Senator Joyner—

SB 2070—A bill to be entitled An act relating to Hillsborough County; amending chapter 2004-414, Laws of Florida, as amended, which relates to projects for which payment and performance bonds may be waived for the construction of a public building, for the prosecution and completion of a public work, or for repairs on a public building or public work when the cost of the project is at or below a certain threshold and the contract for the construction, completion, or repair is awarded pursuant to an economic development program established to encourage local small businesses to participate in county procurement programs; deferring the future repeal of the law; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Senator Fasano—

SB 2072—A bill to be entitled An act relating to the East Lake Tarpon Community, Pinellas County; providing requirements for the municipal annexation of the East Lake Tarpon Community; requiring a referendum of the electors within the community before such annexation; providing exceptions; describing the community boundaries; providing for expiration; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Senator Fasano—

SB 2074—A bill to be entitled An act relating to Pinellas County; amending chapter 61-2681, Laws of Florida, as amended; redefining the term “family day care home” and defining the term “large family child care home”; revising and providing requirements for licensing and regulating such homes; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

Senate Bills 2076-2204—Previously referenced.

By Senator Alexander—

SB 2206—A bill to be entitled An act relating to Sebring Airport Authority, Highlands County; amending chapter 2005-300, Laws of Florida; revising powers of the authority; providing that the authority may acquire, lease as lessee or lessor, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain, and operate commercial and industrial facilities; providing that the authority may establish, operate, and maintain foreign-trade zone status under the alternative site framework in DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee Counties and the Cities of Belle Glade, Pahokee, and South Bay; expanding the power of the authority to purchase commodities or contractual services; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Rules; and Senator Benacquisto—

CS for SB 42—A bill to be entitled An act for the relief of Eric Brody by the Broward County Sheriff's Office; providing for an appropriation to compensate Eric Brody for injuries sustained as a result of the negligence of the Broward County Sheriff's Office; authorizing the Sheriff of Broward County, in lieu of payment, to execute to Eric Brody and his legal guardians an assignment of all claims that the Broward County Sheriff's Office has against its insurer arising out of the insurer's handling of the claim against the sheriff's office; clarifying that such assignment does not impair the ability or right of the assignees to pursue the final judgment and cost judgment against the insurer; providing a limitation on the payment of fees and costs related to the claim against the Broward County Sheriff's Office and an exception to that limitation as to any assigned claims brought against the insurer; providing an effective date.

By the Committee on Rules; and Senator Storms—

CS for SB 54—A bill to be entitled An act for the relief of Melvin and Alma Colindres by the City of Miami; providing for an appropriation to compensate them for the wrongful death of their son, Kevin Colindres, sustained as a result of the negligence of police officers of the City of Miami; providing a limitation on the payment of fees and costs; providing an effective date.

By the Committees on Budget; Community Affairs; and Regulated Industries; and Senators Fasano and Sachs—

CS for CS for CS for SB 530—A bill to be entitled An act relating to condominium, cooperative, and homeowners' associations; creating s. 468.439, F.S.; authorizing a claim of lien to secure reasonable expenses for collection services rendered by a community association manager or community management firm on behalf of a community association for a delinquent account; amending s. 633.0215, F.S.; exempting certain residential buildings from a requirement to install a manual fire alarm system; amending s. 718.111, F.S.; revising provisions relating to the official records of condominium associations; providing for disclosure of employment agreements or compensation paid to association employees; amending s. 718.112, F.S.; revising provisions relating to bylaws; providing that board of administration meetings discussing personnel matters are not open to unit members; revising requirements for electing the board of directors; providing for continued office and for filling vacancies under certain circumstances; specifying unit owner eligibility for board membership; requiring that certain educational curriculum be completed within a specified time before the election or appointment of a board director; amending s. 718.113, F.S.; authorizing the board of a condominium association to install impact glass or other code-compliant windows under certain circumstances; amending s. 718.114, F.S.; requiring the vote or written consent of a majority of the voting interests before a condominium association may enter into certain agreements to acquire leaseholds, memberships, or other possessory or use interests; amending s. 718.116, F.S.; revising provisions relating to condominium

assessments; providing that an association that acquires title to a unit through the foreclosure of its lien for assessments is not liable for unpaid assessments, late fees, interest, or attorney's fees and costs under specified circumstances; conforming a cross-reference; revising provisions authorizing an association to collect rent from the tenant of a unit owner that owes money to the association; amending s. 718.117, F.S.; providing a procedure for the termination of ownership of a condominium if the units have been totally destroyed or demolished; providing procedures and requirements for partial termination of a condominium property; requiring that a lien against a condominium unit being terminated be transferred to the proceeds of sale for that property; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner or occupant; providing for the suspension of certain rights of use or voting rights; forbidding a voting interest or consent right allocated to a unit or member which has been suspended from being counted toward the total number of voting interests; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 718.703, F.S.; redefining the term "bulk assignee" for purposes of the Distressed Condominium Relief Act; amending s. 718.704, F.S.; revising provisions relating to the assignment of developer rights by a bulk assignee; amending s. 718.705, F.S.; revising provisions relating to the transfer of control of a condominium board of administration to unit owners; amending s. 718.706, F.S.; revising provisions relating to the offering of units by a bulk assignee or bulk buyer; amending s. 718.707, F.S.; revising the time limitation for classification as a bulk assignee or bulk buyer; amending s. 719.108, F.S.; deleting a provision authorizing an association to add administrative late fees and costs for collection services to a lien against a cooperative parcel for unpaid rents and assessments; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner or occupant; providing for the suspension of certain rights of use or voting rights; forbidding a voting interest or consent right allocated to a unit or member which has been suspended from being counted toward the total number of voting interests; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 720.301, F.S.; revising the definition of the term "declaration of covenants"; amending s. 720.303, F.S.; revising provisions relating to records that are not accessible to members of a homeowners' association; providing for disclosure of employment agreements and compensation paid to association employees; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a delinquent member of a homeowners' association; forbidding a voting interest or consent right allocated to a parcel or member which has been suspended from being counted toward the total number of voting interests; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 720.306, F.S.; providing limitations on who may serve on the board of directors of a homeowners' association; amending s. 720.3085, F.S.; revising provisions relating to the payment of assessments; providing that an association that acquires title to a unit through the foreclosure of its lien for assessments is not liable for unpaid assessments, late fees, interest, or attorney's fees and costs under specified circumstances; amending s. 720.309, F.S.; providing for the allocation of communication services by a homeowners' association; providing for the cancellation of communication contracts; providing that hearing-impaired or legally blind owners and owners receiving certain supplemental security income or food stamps may discontinue the service without incurring costs; providing that residents may not be denied access to available franchised, licensed, or certificated cable or video service providers; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Secretary of Transportation	
Appointee: Prasad, Ananth, Tallahassee	Pleasure of Governor

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, University of Central Florida	
Appointees: Crotty, Richard T., Orlando	01/06/2015
Florez, Alan, Flagler Beach	01/06/2016
Board of Trustees, Florida International University	
Appointee: de la Vega, Mayi, Coral Gables	01/06/2016
Referred to the Rules Subcommittee on Ethics and Elections.	

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 39, CS for CS for HB 95, CS for CS for HB 99, CS for HB 227, HB 229, CS for HB 231, HB 233, CS for CS for HB 277, CS for HB 325, HB 331, HB 347, CS for HB 407, CS for HB 437, HB 469, HB 529, CS for HB 555, CS for CS for HB 563, HB 657, HB 659, HB 699, HB 741, CS for HB 745, HB 767, HB 797, HB 861, HB 865, HB 867, CS for HB 869, CS for CS for CS for HB 887, CS for HB 901, HB 951, HB 985, CS for HB 997, HB 1009, HB 1045, CS for HB 1063, HB 1165, CS for HB 1293, HB 1307, HB 1311, CS for HB 1317, CS for HB 1329, CS for HB 1345, HB 1351, CS for HB 1489, HB 4023, CS for HB 4045, **HB 4047, HB 4049, HB 4051, HB 4053**, HB 4121, HB 4191, HB 4197, HB 4203, HB 4205, HB 7075, HB 7077, HB 7081, HB 7083, HB 7085, HB 7101, HB 7161, HB 7225; has passed as amended CS for HB 253, CS for CS for CS for CS for HB 353, CS for CS for CS for HB 1145, CS for HB 7213; has passed as amended by the required constitutional three-fifths vote of the membership CS for HJR 7111; has passed by the required constitutional two-thirds vote of the members present CS for HB 409, CS for HB 411, CS for HB 579, CS for HB 667, CS for HB 913, HB 7079 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Adkins, Rouson, Ahern, Baxley, Broxson, Glorioso, McBurney, Pilon, Porter, Porth, Van Zant—

CS for CS for HB 39—A bill to be entitled An act relating to controlled substances; amending s. 893.02, F.S.; defining the term "homologue" for purposes of the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 893.03, F.S.; including certain hallucinogenic substances on the list of controlled substances in Schedule I; amending s. 893.13, F.S.; providing that it is a misdemeanor of the first degree to be in possession of not more than a specified amount of certain hallucinogenic substances; providing an exception for the powdered form of such substances; reenacting ss. 893.13(1), (2), (4), and (5), 893.135(1)(l), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties regarding controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; Judiciary; and Budget.

By Appropriations Committee, State Affairs Committee and Representative(s) Bemby, Brandes, Abruzzo, Baxley, Caldwell, Mayfield, Perry, Van Zant, Williams, T.—

CS for CS for HB 95—A bill to be entitled An act relating to state parks; amending s. 258.0145, F.S.; providing for the parents of certain deceased veterans to receive annual entrance passes to state parks at no charge; amending s. 380.0685, F.S., relating to a surcharge imposed on admission fees to state parks in areas of critical state concern located in certain counties; providing for certain municipalities to use the proceeds of the surcharge for land acquisition or beach renourishment or restoration; providing limitations for purposes of determining state

matching funds; exempting the state from specified liability provisions with respect to parks within the state park system that have free-roaming animal populations; designating Jack Mashburn Marina in Bay County; directing the Department of Environmental Protection to erect suitable markers; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Environmental Preservation and Conservation; Budget Subcommittee on General Government Appropriations; and Budget.

By Economic Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Drake, Van Zant—

CS for CS for HB 99—A bill to be entitled An act relating to commercial insurance rates; amending s. 627.062, F.S.; exempting additional categories or kinds of insurance and types of commercial lines risks from being subject to certain otherwise applicable rate filing requirements; deleting a requirement that an insurer's rate change notice include total premium written for an exempt class of insurance; removing a requirement that specified types of records and information related to a rate change be retained by an insurer; requiring actuarial data regarding a rate change for an exempt class of insurance be retained by an insurer for a specified time; requiring the insurer to incur examination expenses; removing a requirement that a rating organization maintain certain statistics related to changes to loss cost for exempt classes of insurance; requiring certain actuarial data related to loss cost be retained by a rating organization for a specified time; requiring a rating organization to incur examination expenses; deleting authority for the Office of Insurance Regulation to require all necessary information from an insurer in order to evaluate a rate change; amending s. 627.0651, F.S.; expanding an exemption from certain otherwise applicable rate filing requirements to include all commercial motor vehicle insurance; deleting a requirement that a commercial motor vehicle insurer's rate change notice include total premium written; removing a requirement that specified types of records and information related to a commercial motor vehicle insurance rate change be retained by an insurer; requiring actuarial data regarding a commercial motor vehicle insurance rate change be retained by an insurer for a specified time; requiring an insurer for commercial motor vehicle insurance to incur examination expenses; removing a requirement that a rating organization maintain certain statistics related to changes to loss cost for commercial motor vehicle insurance; requiring actuarial data related to loss cost for commercial motor vehicle insurance be retained by a rating organization for a specified time; requiring a rating organization for commercial motor vehicle insurance to incur examination expenses; deleting authority for the Office of Insurance Regulation to require all necessary information from an commercial motor vehicle insurer in order to evaluate a rate change; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Brandes, Adkins, Ahern, Artiles, Baxley, Corcoran, Ford, Horner, Metz, Renuart, Smith, Steube, Van Zant—

CS for HB 227—A bill to be entitled An act relating to the federal write-in absentee ballot; amending s. 101.6952, F.S.; authorizing absent uniformed services voters and overseas voters to use the federal write-in absentee ballot to vote in any federal and certain state or local elections, under certain circumstances; prescribing requirements for designating candidate choices; providing for the disposition of valid votes involving joint candidacies; allowing for abbreviations, misspellings, and other minor variations in the name of an office, candidate, or political party; authorizing the submission of multiple ballots under certain circumstances; detailing circumstances under which votes in federal, state, and local races on the federal write-in absentee ballot will be canvassed; amending s. 101.5614, F.S.; establishing certain canvassing procedures for federal write-in absentee ballots; amending s. 102.166, F.S.; directing the Department of State to adopt rules to determine what constitutes a valid vote on a federal write-in absentee ballot; providing restrictions; providing minimum requirements; reenacting s. 102.166(5), F.S., to incorporate the amendment to s. 101.5614, F.S., in a reference thereto; amending s. 104.18, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; and Budget.

By Representative(s) Young, Cruz—

HB 229—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending chapter 23559, Laws of Florida, 1945, as amended; revising the General Employees' Pension Plan for the City of Tampa; revising the definitions of the terms "Salaries or Wages," "Employee," and "Military Service Time"; revising application of the term "Actuarial Equivalent"; defining the term "Limitation Year"; providing that all employee contributions to the pension fund after a certain date are mandatory and that the city shall pay such contributions to the fund on behalf of the employee; providing certain beneficiaries an option to roll over certain death benefits; providing for a refund of employee contributions; revising the provision that addresses the reemployment of retired employees; revising construction of the act; allowing DROP members the opportunity to elect an investment option, as determined by the board of trustees, to be applied to the participant's account for the plan year entering the DROP program and for each subsequent plan year; revising benefit limitations; revising requirements for distribution of benefits; providing a default distribution when a member fails to elect a distribution option; revising direct rollover options; revising the definitions of the terms "eligible rollover distribution," "eligible rollover plan," and "distributee"; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Community & Military Affairs Subcommittee and Representative(s) Young, Cruz, Reed—

CS for HB 231—A bill to be entitled An act relating to the City Pension Fund for Firefighters and Police Officers in the City of Tampa, Hillsborough County; authorizing the City of Tampa to enter into a supplemental contract with certain firefighters and police officers to comply with chapter 2009-97, Laws of Florida; revising the manner in which elective trustees are elected; increasing the maximum length of time prior to term commencement in which to conduct trustee elections; allowing the board to retain the services of more than one nationally recognized professional investment counselor; increasing the investment cap on foreign securities; providing that the investment cap on foreign securities is measured on a market value basis and may not be revised, amended, increased, or repealed except as provided by general law; allowing retired members to elect to receive a reduced retirement benefit in order to provide a surviving spouse benefit under certain circumstances; allowing members to purchase up to an additional 5 years of credited service based upon prior service as a full-time certified firefighter or certified police officer or for military service in the Armed Forces of the United States subject to certain conditions; allowing DROP participants upon entering DROP and annually thereafter to elect an option for accruing annual interest at a low-risk variable rate selected annually by the board of trustees, in its sole discretion, in lieu of a rate reflecting the fund's net investment performance, as determined by the board of trustees; prohibiting members from selecting certain pension contract changes and rejecting others; confirming in part the City of Tampa Firefighters and Police Officers Pension Contract; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Young, Cruz, Reed—

HB 233—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue an alcoholic beverage license to the City of Tampa for use within the buildings and adjoining grounds of Curtis Hixon Waterfront Park and Kiley Garden Park; providing for payment of the license fee; authorizing sale of alcoholic beverages for consumption within the buildings and their adjoining grounds; prohibiting sales for consumption off premises; providing for construction of this act; authorizing transfer and

providing for subsequent reversion of the license under certain circumstances; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Judiciary Committee, Civil Justice Subcommittee and Representative(s) Goodson, Costello—

CS for CS for HB 277—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; requiring that a claim in a wrongful death case be presented to the Department of Financial Services within 2 years after the claim accrues; providing that failure of the Department of Financial Services or the appropriate agency to make final disposition of a claim for wrongful death within 90 days after it is filed is deemed to be a final denial of the claim; tolling the statute of limitations for the period of time taken by the Department of Financial Services or other agency to deny a medical malpractice or wrongful death claim; providing that actions for wrongful death against the state or one of its agencies or subdivisions must be brought within the period applicable to actions brought against other defendants; providing for the application of the act to causes of action accruing on or after the effective date; providing an effective date.

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

By Judiciary Committee and Representative(s) Wood—

CS for HB 325—A bill to be entitled An act relating to estates; creating s. 90.5021, F.S.; providing a fiduciary lawyer-client privilege; providing that the section is inapplicable to a specified crime or fraud exception to lawyer-client privilege; amending s. 732.102, F.S.; revising provisions relating to the intestate share of a surviving spouse; creating s. 732.615, F.S.; providing a right to reform the terms of a will to correct mistakes; creating s. 732.616, F.S.; providing a right to modify the terms of a will to achieve tax objectives; creating s. 733.1061, F.S.; providing for a court to award fees and costs in reformation and modification proceedings either against a party's share in the estate or in the form of a personal judgment against a party individually; amending s. 732.5165, F.S.; clarifying that a revocation of a will is subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 732.518, F.S.; specifying that a challenge to the revocation of a will may not be commenced before the testator's death; amending s. 733.212, F.S.; providing for notice of fiduciary lawyer-client privilege in a notice of administration; amending s. 736.0207, F.S.; clarifying when a challenge to the revocation of a revocable trust may be brought; amending s. 736.0406, F.S.; providing that the creation of a trust amendment or trust restatement and the revocation of a trust are subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 736.0813, F.S.; providing for notice of fiduciary lawyer-client privilege by a trustee; amending s. 744.441, F.S.; limiting the circumstances under which a guardian of an incapacitated person may bring a challenge to a settlor's revocation of a revocable trust; amending s. 736.0201, F.S.; clarifying that certain payments by a trustee from trust assets are not taxation of attorney's fees and costs subject to a specified Rule of Civil Procedure; providing effective dates.

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

By Representative(s) Weinstein—

HB 331—A bill to be entitled An act relating to firesafety; amending s. 633.01, F.S.; revising the rulemaking authority and responsibilities of the State Fire Marshal relating to educational and ancillary plants; amending s. 633.021, F.S.; revising the definition of the term "firesafety inspector"; amending s. 633.081, F.S.; revising requirements and procedures for inspections of buildings and equipment; abolishing special state firesafety inspector classifications and certifications; providing criteria, procedures, and requirements for special state firesafety inspectors to be certified as firesafety inspectors; amending s. 1013.12, F.S.; revising procedures and requirements for certain standards and

inspection of educational property; providing procedures, criteria, and requirements for inspections of charter schools; providing reporting requirements; revising requirements for inspections of public post-secondary education facilities; deleting a provision requiring that the State Fire Marshal publish an annual report; amending s. 1013.371, F.S.; revising firesafety inspection requirements for educational institution boards to conform to certain codes; revising certain code enforcement authority of such boards; amending s. 1013.38, F.S.; requiring educational institution boards to submit certain facility site plans to certain local governmental entities for review; authorizing such entities to review site plans for compliance with certain provisions of the Florida Fire Prevention Code; specifying that site plans are not subject to local ordinances or local amendments to the Florida Fire Prevention Code; providing criteria for approving site plans and correcting firesafety compliance deficiencies; providing for referral of disputes to the State Fire Marshal; authorizing such boards to use certain firesafety inspectors for certain compliance reviews; imposing additional requirements for such boards relating to construction, renovation, or remodeling of educational facilities; providing an effective date.

—was referred to the Committees on Banking and Insurance; Education Pre-K - 12; Community Affairs; Higher Education; and Budget.

By Representative(s) Diaz, Trujillo, Porth, Slosberg—

HB 347—A bill to be entitled An act relating to vehicle crashes involving death; providing a short title; amending s. 316.027, F.S.; requiring a defendant who was arrested for leaving the scene of a crash involving death be held in custody until brought before a judge for admittance to bail in certain circumstances; reenacting s. 921.0022(3)(g), F.S., relating to the Criminal Punishment Code, to incorporate the amendments made to s. 316.027, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Community & Military Affairs Subcommittee and Representative(s) Perry, Brandes, Caldwell, Costello, Diaz—

CS for HB 407—A bill to be entitled An act relating to residential building permits; amending s. 553.79, F.S.; prohibiting local enforcing agencies and building code officials or entities from requiring certain inspections of buildings, structures, or real property as a condition of issuance of certain residential building permits; providing for application; providing for conditional repeal; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; and Budget.

By Transportation & Highway Safety Subcommittee and Representative(s) Holder—

CS for HB 437—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.60, F.S.; redefining the term "line-make vehicles" to clarify circumstances under which vehicles sold or leased under multiple brand names or marks constitute a single line-make; amending s. 320.6992, F.S.; revising the application of provisions relating to franchise agreements; providing an effective date.

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

By Representative(s) Stargel, Ford—

HB 469—A bill to be entitled An act relating to individual retirement accounts; amending s. 222.21, F.S.; clarifying the exemption of inherited individual retirement accounts from legal processes; providing intent; providing for retroactive application; providing an effective date.

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

By Representative(s) Caldwell, Williams, T.—

HB 529—A bill to be entitled An act relating to the Lee County Sheriff's Office; amending chapter 74-522, Laws of Florida, as amended; providing that certain retirement health insurance benefits shall not be available to specified employees; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Community & Military Affairs Subcommittee and Representative(s) Mayfield—

CS for HB 555—A bill to be entitled An act relating to Indian River Mosquito Control District, Indian River County; amending chapter 2006-344, Laws of Florida; revising the powers of the board of commissioners relating to the employment of certain persons; specifying the provisions of law governing the election of commissioners and removing obsolete provisions for the staggering of initial terms; requiring the district to pay for the surety bonds required of commissioners before they assume office; requiring commissioners to elect a secretary/treasurer for the board; revising per diem and travel expense provisions for commissioners and employees; revising powers of the board relating to the control of mosquitoes and sandflies and deleting the power of the board to eliminate all species of mosquitoes and sandflies in the district; revising provisions relating to the board's purchasing, borrowing, and insurance requirements; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Jones, Bullard—

CS for CS for HB 563—A bill to be entitled An act relating to injunctions for protection against domestic violence, repeat violence, sexual violence, or dating violence; amending ss. 741.30 and 784.046, F.S.; subject to available funding, directing the Florida Association of Court Clerks and Comptrollers to develop an automated process by which a petitioner for an injunction for protection may request notification of service of the injunction or notice of other court actions related to the injunction; requiring that notice be given to the petitioner within a specified time; providing for the content of the notice; authorizing the association to apply for grants to fund the development of the automated process; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Representative(s) Harrell—

HB 657—A bill to be entitled An act relating to Martin County; amending chapter 63-1619, Laws of Florida, as amended; limiting the issuance of special alcoholic beverage licenses to restaurants that serve a certain number of patrons, occupy a certain amount of floor space, and are located within the legal boundaries of the community redevelopment areas of the county; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Harrell—

HB 659—A bill to be entitled An act relating to Martin County; amending chapter 65-1906, as amended; revising the membership of the County Health Care Review Board; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Taylor—

HB 699—A bill to be entitled An act relating to the Southeast Volusia Hospital District, Volusia County; amending chapter 2003-310, Laws of Florida; expanding the representation of the Southeast Volusia Hospital District governing body; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Berman—

HB 741—A bill to be entitled An act relating to the Lake Worth Drainage District, Palm Beach County; amending chapter 2009-258, Laws of Florida; authorizing the district to develop and operate water supply sources and facilities and to enter into interlocal agreements with local governments and public and private utilities for such purpose; providing for issuance of notes and bonds; prohibiting the district from engaging in retail water sales; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Community & Military Affairs Subcommittee and Representative(s) Wood—

CS for HB 745—A bill to be entitled An act relating to the Polk County Historical Commission, Polk County; amending chapter 96-462, Laws of Florida; revising the number of commission members; providing for membership eligibility, terms of membership, meetings, attendance at meetings, and rules of procedure; providing for staff; providing powers and duties; providing for funding and the creation of dedicated accounts for the Polk County Historical Museum and the Genealogical Library; deleting provisions relating to the Polk County Historical Association; requiring the board of county commissioners to provide a repository for certain materials; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Rooney—

HB 767—A bill to be entitled An act relating to local government; amending s. 125.35, F.S.; authorizing a board of county commissioners to negotiate the lease of certain real property for a limited period; amending s. 337.29, F.S.; authorizing transfers of right-of-way between local governments by deed; providing an effective date.

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

By Representative(s) Perry, Adkins, Baxley, Corcoran, Costello, Pasidomo, Porter, Van Zant, Weinstein—

HB 797—A bill to be entitled An act relating to interscholastic and intrascholastic sports; amending s. 1006.15, F.S.; removing certain provisions relating to a pilot program in which a middle school student or a high school student in a private school may participate in athletics at a public school; providing for statewide implementation of the program; requiring that the athletic director of each public school maintain the records of students participating in the program; requiring that any private school that is not a member of the Florida High School Athletic Association make the records of participating students available to the association upon request; requiring that a student apply to participate in the program through the appropriate application process; limiting participation in the program to students who are enrolled in non-FHSAA member private schools consisting of a maximum number of students; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; and Budget.

By Representative(s) Jenne—

HB 861—A bill to be entitled An act relating to the North Springs Improvement District, Broward County; amending chapter 2005-341, Laws of Florida, as amended; extending and enlarging the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Jenne—

HB 865—A bill to be entitled An act relating to the Town of Southwest Ranches, Broward County; amending chapter 2000-475, Laws of Florida; amending the town's charter to remove inapplicable provisions and to make ministerial changes; providing further description of the town's rural residential character; eliminating previously repealed language; providing additional language relating to filling council vacancies; clarifying that only the town council is required to vote by roll call; clarifying that a roll call vote is required by the town council on all land use and quasi-judicial items; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Jenne—

HB 867—A bill to be entitled An act relating to Broward County; amending chapter 75-350, Laws of Florida, as amended; revising provisions relating to the governing of municipal elections in the county; revising the dates on which municipal candidates must file qualification papers and pay certain fees with respect to certain elections; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Community & Military Affairs Subcommittee and Representative(s) Boyd, Steube—

CS for HB 869—A bill to be entitled An act relating to the Manatee County Port Authority; amending chapter 2003-351, Laws of Florida; providing for the conveyance of title to submerged lands adjacent to the port authority's boundaries from the Board of Trustees of the Internal Improvement Trust Fund; defining the territorial boundaries of the submerged lands; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By State Affairs Committee, Finance & Tax Committee, Energy & Utilities Subcommittee and Representative(s) Dorworth, Van Zant, Williams, T.—

CS for CS for CS for HB 887—A bill to be entitled An act relating to communications services tax; amending s. 202.16, F.S.; requiring that a dealer compute the communications services tax based on a rounding algorithm; providing criteria; providing for application of the tax; providing options to the dealer for applying the rounding algorithm; authorizing a dealer to apply the rounding algorithm to the aggregate tax amount under certain conditions; providing that a dealer is not required to collect the tax based on a bracket system; removing the provision requiring the Department of Revenue to make available tax amounts and applicable brackets; providing that the provisions of the act are remedial in nature and apply retroactively; providing that the act does not provide a basis for assessment of any tax not paid or create a right to certain refunds or credits; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Budget Subcommittee on Finance and Tax; Budget; and Rules.

By Economic Affairs Committee and Representative(s) Horner, Weinstein—

CS for HB 901—A bill to be entitled An act relating to household moving services; amending s. 507.01, F.S.; redefining the term "storage"; amending s. 507.03, F.S.; providing for the biennial renewal of mover and moving broker registrations; authorizing the Department of Agriculture and Consumer Services to extend registration expiration dates in order to establish staggered dates; requiring the calculation of biennial registration fees based on an annual rate; deleting a provision requiring certain movers and moving brokers to obtain a local license or registration and pay the state registration fee; amending s. 507.07, F.S.; prohibiting a mover or moving broker from conducting business without being registered with the department; providing penalties; amending s. 507.13, F.S.; preempting local ordinances and regulations except in certain counties; restricting the levy or collection of local registration fees and taxes of movers and moving brokers; providing for local registration and bonding; exempting local business taxes from preemption; providing for retroactive application; providing an effective date.

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

By Representative(s) Albritton—

HB 951—A bill to be entitled An act relating to the recording of real property documents; creating s. 695.28, F.S.; establishing that certain electronic documents accepted for recordation are validly recorded; providing legislative intent; providing for prospective and retroactive application; providing an effective date.

—was referred to the Committees on Judiciary; Banking and Insurance; Budget Subcommittee on General Government Appropriations; and Budget.

By Representative(s) Burgin—

HB 985—A bill to be entitled An act relating to Hillsborough County; amending chapter 2004-414, Laws of Florida, as amended, which relates to projects for which payment and performance bonds may be waived for the construction of a public building, for the prosecution and completion of a public work, or for repairs on a public building or public work when the cost of the project is at or below a certain threshold and the contract for the construction, completion, or repair is awarded pursuant to an economic development program established to encourage local small businesses to participate in county procurement programs; deferring the future repeal of the law; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Justice Appropriations Subcommittee and Representative(s) Pilon, Grant, Metz, Van Zant—

CS for HB 997—A bill to be entitled An act relating to juvenile civil citations; amending s. 985.12, F.S.; requiring the Department of Juvenile Justice to encourage and assist in the implementation and improvement of civil citation and similar diversion programs; requiring that a juvenile civil citation or similar diversion program be established at the local level with the concurrence of the chief judge of the circuit and other designated persons; authorizing a law enforcement agency, the Department of Juvenile Justice, a juvenile assessment center, the county or municipality, or an entity selected by the county or municipality to operate the civil citation or similar diversion program; requiring the entity operating the program to be selected in consultation and agreement with the state attorney and the local law enforcement agencies; authorizing a law enforcement officer, upon making contact with a juvenile who admits to having committed a misdemeanor, to require participation in intervention services based upon an assessment of the

needs of the juvenile; restricting eligibility of participants for the civil citation or similar diversion program to first-time misdemeanor offenders unless the participation is approved by the state attorney or assistant state attorney; requiring the agency operating the program to report on the outcome to the Department of Juvenile Justice at the conclusion of a youth's civil citation or similar diversion program; providing that the issuance of a civil citation is not considered a referral to the department; requiring the department to develop guidelines for the civil citation program which include intervention services that are based upon proven civil citation or similar diversion programs within the state; requiring a juvenile probation officer to process the original delinquent act as a referral to the department in specified circumstances and to refer certain reports to the state attorney for review; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Representative(s) McBurney—

HB 1009—A bill to be entitled An act relating to the City of Jacksonville, Duval County; amending chapter 87-471, Laws of Florida; adding a special zone in downtown Jacksonville; providing exception for space and seating requirements for liquor licenses for restaurants in the zone; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Clemens—

HB 1045—A bill to be entitled An act relating to the Loxahatchee Groves Water Control District, Palm Beach County; amending chapter 99-425, Laws of Florida, as amended; providing for the dedication of the width of roads to the public; providing requirements for such dedication; providing for prima facie evidence of public road easements; exempting certain property of an electric utility; assigning traffic control jurisdiction on all public roads within the district to the Town of Loxahatchee Groves; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Community & Military Affairs Subcommittee and Representative(s) Goodson—

CS for HB 1063—A bill to be entitled An act relating to the Canaveral Port District, Brevard County; amending chapter 2003-335, Laws of Florida, as amended; increasing the amount for which the Canaveral Port Authority may encumber personal properties and facilities of the authority; increasing the amount for which contracts for construction, improvement, repair, or building may be entered into or goods, supplies, or materials may be purchased by the district or authority; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Holder—

HB 1165—A bill to be entitled An act relating to driver's licenses and identification cards; amending ss. 322.14 and 322.051, F.S.; providing for a person's status as a veteran to be indicated on his or her driver's license or identification card upon payment of an additional fee and presentation of the person's Form DD 214; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Transportation; and Budget.

By Community & Military Affairs Subcommittee and Representative(s) Tobia—

CS for HB 1293—A bill to be entitled An act relating to Brevard County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue an alcoholic beverage license to the Brevard Art Museum, Inc., for use within the museum's buildings; requiring payment of a license fee; providing for the sale of beverages for consumption at the museum; providing for transfer of the license; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Metz—

HB 1307—A bill to be entitled An act relating to the City of Mount Dora, Lake County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue up to a specified number of temporary permits to a nonprofit civic organization to sell alcoholic beverages for consumption on the premises at outdoor events on public right-of-way in the downtown area of Mount Dora; providing that such events require a street-closure permit from the City of Mount Dora; providing that the permits authorized by the act are in addition to certain other authorized temporary permits; requiring the nonprofit civic organization to comply with certain statutory requirements in obtaining the permits authorized by the act; requiring the division to adopt rules; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Coley, Patronis—

HB 1311—A bill to be entitled An act relating to Walton County; providing that certain rigid coastal armoring structures constructed during a specified time may remain without the need to obtain a Department of Environmental Protection permit; providing conditions applicable to such structures; providing definitions; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Community & Military Affairs Subcommittee and Representative(s) Adkins—

CS for HB 1317—A bill to be entitled An act relating to Nassau County; creating the Nassau County targeted job creation zone pilot project; authorizing Nassau County to designate specified areas as targeted job creation zones and to implement specified exceptions, strategies, and incentives; providing for an alternative process for adoption and review of specified local government comprehensive plan amendments; providing for repeal of the pilot project; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By K-20 Innovation Subcommittee and Representative(s) Bileca, Adkins, Artiles, Corcoran, Gaetz, Nuñez, Stargel, Van Zant—

CS for HB 1329—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; making scholarships available to students with disabilities who have a 504 accommodation plan issued under s. 504 of the federal Rehabilitation Act; allowing a parent to request and receive a scholarship for a student to enroll in and attend a private school if the student has a 504 accommodation plan; providing that students with certain temporary 504 accommodation plans are ineligible for a scholarship; requiring that the school district notify a parent of available options within 10 days after a 504 accommodation plan is issued; providing that a parent may choose to enroll the student in a public school

in an adjacent district under certain conditions; providing for scholarship amounts; providing an effective date.

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

By Community & Military Affairs Subcommittee and Representative(s) Kreegel—

CS for HB 1345—A bill to be entitled An act relating to the Charlotte County Airport Authority, Charlotte County; amending chapter 98-508, Laws of Florida, as amended; revising various provisions of the Charlotte County Airport Authority Act; revising definitions; expanding the purpose of the authority; revising provisions relating to members, officers, compensation, and meetings; revising powers of the authority; revising requirements for the expenditure of funds; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Jenne—

HB 1351—A bill to be entitled An act relating to the South Broward Drainage District, Broward County; amending chapter 98-524, Laws of Florida, as amended; revising and providing definitions; conforming terminology; deleting and updating obsolete provisions; revising inconsistent provisions; revising the method of deciding elections of commissioners in the event of a tie vote; clarifying language relating to the imposition of district assessments and taxes; clarifying the type of property subject to district rules, criteria, and regulations; authorizing the board to take appropriate action as may be required of the district by another governmental agency; requiring the district to take designated water control elevations into consideration for all projects within the district; authorizing the treasurer, rather than the secretary, of the board to be involved in the preparation of the district's budget; clarifying procedures relating to special assessments; authorizing the treasurer to prepare the district tax record; requiring the district to prepare plans, specifications, and estimates for improvements; authorizing the district director to implement certain activities and receive documents relating to special assessments; conforming cross-references; prohibiting obstruction, damage, or destruction of district facilities and noncompliance with the district's 5-year recertification program rules, criteria, or regulations; clarifying applicability; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Economic Affairs Committee and Representative(s) Albritton—

CS for HB 1489—A bill to be entitled An act relating to Sebring Airport Authority, Highlands County; amending chapter 2005-300, Laws of Florida; revising powers of the authority; providing that the authority may acquire, lease as lessee or lessor, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain, and operate commercial and industrial facilities; providing that the authority may establish, operate, and maintain foreign-trade zone status under the alternative site framework in DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee Counties and the Cities of Belle Glade, Pahokee, and South Bay; expanding the power of the authority to purchase commodities or contractual services; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Plakon—

HB 4023—A bill to be entitled An act relating to sales representative contracts involving commissions; repealing s. 686.201, F.S., relating to

sales representative contracts involving commissions; providing an effective date.

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

By Health & Human Services Committee and Representative(s) Hudson, Campbell—

CS for HB 4045, HB 4047, HB 4049, HB 4051, and HB 4053—A bill to be entitled An act relating to assisted living facilities; amending s. 429.19, F.S.; removing a requirement that the Agency for Health Care Administration disseminate annually a printed list of assisted living facilities sanctioned or fined to specified agencies and departments; amending s. 429.23, F.S.; removing reporting requirements for assisted living facilities relating to liability claims; amending s. 429.35, F.S.; removing an obsolete reporting requirement; amending s. 429.41, F.S.; removing a provision requiring the Department of Elderly Affairs to submit to the Legislature for review and comment a copy of proposed department rules establishing standards for resident care; repealing s. 429.54, F.S.; repealing a provision authorizing the Department of Elderly Affairs to collect information regarding the cost of providing certain services in facilities and to conduct field visits and audits; repealing a provision authorizing a local subsidy; providing an effective date.

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

By Representative(s) Artiles—

HB 4121—A bill to be entitled An act relating to clove cigarettes; repealing s. 859.058, F.S., relating to prohibitions against sale, use, possession, transfer, or other disposing of clove cigarettes or similar products; providing an effective date.

—was referred to the Committee on Health Regulation.

By Representative(s) Hager—

HB 4191—A bill to be entitled An act relating to Palm Beach County; amending chapter 96-466, Laws of Florida; deleting obsolete provisions relating to the establishment of an advisory committee to advise the Palm Beach County Board of County Commissioners on improvements, operations, maintenance, and enhancement of the South Lake Worth Inlet and adjacent property and to assist in the development, coordination, and public review of the Inlet Management Plan; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Gaetz—

HB 4197—A bill to be entitled An act relating to Okaloosa County; repealing chapter 81-442, Laws of Florida, relating to the establishment and duties of the Personnel Standards and Review Board for the Okaloosa County Sheriff's Department; repealing chapters 85-472 and 90-492, Laws of Florida, to conform; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Gaetz—

HB 4203—A bill to be entitled An act relating to Okaloosa County; repealing chapter 69-798, Laws of Florida, relating to an exception for certain restaurants in the county to the limitation under general law on the number of alcoholic beverage licenses allowed to be issued in the county, to provide for the issuance of such licenses to restaurants in the county in excess of such limitation in accordance with the criteria and conditions specified in general law; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Holder—

HB 4205—A bill to be entitled An act relating to the Pinecraft Lighting District, Sarasota County; abolishing the district; repealing chapters 67-2050, 69-1588, 70-931, 71-911, 72-689, and 76-486, Laws of Florida; transferring all assets and liabilities of the district to Sarasota County; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Government Operations Subcommittee and Representative(s) Ahern—

HB 7075—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for identification and location information of certain current and former employees of the Department of Juvenile Justice and their family members; revising the job classifications specified in the exemption to reflect those classifications used by the department; removing the scheduled repeal of the exemption; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Logan—

HB 7077—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for biometric identification information held by an agency; removing the scheduled repeal of the exemption; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Bileca—

HB 7081—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 744.7082, F.S., which provides an exemption from public records requirements for information that identifies certain donors or prospective donors to the direct-support organization for the Statewide Public Guardianship Office; removing superfluous and duplicative language; repealing s. 2, ch. 2006-179, Laws of Florida, which provides for repeal of the exemption; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Young—

HB 7083—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 787.03, F.S., which provides a public records exemption for information submitted to a sheriff or state attorney for the purpose of obtaining immunity from prosecution for the offense of interference with custody; removing the scheduled repeal of the exemption; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Young—

HB 7085—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 744.1076, F.S., relating to public record exemptions for court records relating to court monitors in guardianship proceedings; consolidating provisions; providing that orders appointing nonemergency court monitors are exempt rather than confidential and exempt; providing that only court orders finding no probable cause are confidential and exempt; removing the scheduled repeal of the exemption; providing an effective date.

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

By Civil Justice Subcommittee and Representative(s) Gaetz—

HB 7101—A bill to be entitled An act relating to judicial nominating commissions; repealing s. 43.291, F.S., relating to judicial nominating commissions; creating s. 43.292, F.S.; providing for judicial nominating commissions; specifying membership and composition; providing for appointment of members by the Governor; providing for terms; requiring the Governor to consider racial, ethnic, gender, and geographic diversity in making appointments; providing for suspension of a member of a judicial nominating commission; establishing a quorum; providing for administrative support; abolishing prior offices; permitting reappointment of former officeholders; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Patronis—

HB 7161—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; repealing s. 790.0601(3), F.S., to remove the scheduled repeal of an exemption from public records requirements for personal identifying information of an applicant for or recipient of a license to carry a concealed weapon or firearm; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Patronis, Williams, T.—

HB 7225—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; transferring, renumbering, and amending s. 215.44(8), F.S., which provides exemptions from public records requirements for the State Board of Administration; creating s. 215.440, F.S.; specifying information that does not constitute proprietary confidential business information held by the State Board of Administration; requiring the State Board of Administration to maintain a written list of records covered under a verified, written declaration; conforming cross-references; making editorial changes; removing the scheduled repeal of the exemption; amending s. 215.47, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committee on Governmental Oversight and Accountability.

By Civil Justice Subcommittee and Representative(s) Stargel, McBurney, Schwartz, Steube—

CS for HB 253—A bill to be entitled An act relating to limited liability companies; amending s. 608.433, F.S.; providing that a charging order against a member's limited liability company interest is the sole and exclusive remedy available to enforce a judgment creditor's unsatisfied judgment against a member or member's assignee; providing an exception for enforcing a judgment creditor's unsatisfied judgment against a judgment debtor or assignee of the judgment debtor of a single-member limited liability company under certain circumstances; providing that, in the case of a multimember limited liability company, certain remedies are unavailable to a judgment creditor attempting to satisfy a judgment; prohibiting a court from ordering such remedies; providing construction relating to secured creditor rights, specified principles of law and equity, and continuing enforcement jurisdiction of the court; providing legisla-

tive intent; providing for retroactive application; providing an effective date.

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

By Health & Human Services Committee, Judiciary Committee, Rulemaking & Regulation Subcommittee, Health & Human Services Access Subcommittee and Representative(s) Smith, Corcoran, Costello, Drake, Gaetz, Trujillo—

CS for CS for CS for CS for HB 353—A bill to be entitled An act relating to drug screening of potential and existing beneficiaries of Temporary Assistance for Needy Families; creating s. 414.0652, F.S.; requiring the Department of Children and Family Services to perform a drug test on an applicant for Temporary Assistance for Needy Families benefits; requiring such individual to bear the cost of the drug test; requiring the department to provide, and the applicant to acknowledge receipt of, notice of the drug-screening policy; requiring the department to increase the amount of the initial TANF benefit by the amount paid by the individual for the drug testing; providing procedures for testing and retesting; requiring the department to provide information concerning local substance abuse treatment programs to an individual who tests positive; providing conditions for an individual to reapply for Temporary Assistance for Needy Families benefits; providing that, if a parent is ineligible as a result of failing a drug test, the eligibility of the children is not affected; providing conditions for designating another protective payee; providing rulemaking authority to the department; providing an effective date.

—was referred to the Committees on Criminal Justice; Budget Subcommittee on Health and Human Services Appropriations; and Budget.

By Economic Affairs Committee, Finance & Tax Committee, Business & Consumer Affairs Subcommittee and Representative(s) Young, Abruzzo, Berman, Brandes, Clemens, Cruz, Diaz, Fullwood, Gaetz, Garcia, Goodson, Horner, Jenne, Jones, O'Toole, Pafford, Porth, Randolph, Reed, Slosberg, Soto, Tobia, Williams, A., Williams, T.—

CS for CS for CS for HB 1145—A bill to be entitled An act relating to greyhound racing; amending s. 550.002, F.S., which defines the term “full schedule of live racing or games”; providing that a greyhound permitholder shall not be required to conduct a minimum number of live performances; amending s. 550.01215, F.S.; revising requirements for an application for a license to conduct performances; extending the period of time allowed to amend certain applications; amending s. 550.054, F.S.; removing a requirement for holders of certain converted permits to conduct a full schedule of live racing to qualify for certain tax credits; amending s. 550.0951, F.S.; deleting provisions relating to transfer of certain unused exemptions or credits; amending s. 550.09514, F.S.; providing for transfer of certain unused exemptions or credits; revising purse requirements for greyhound racing and provisions for payment of purses; amending s. 550.475, F.S., relating to lease of pari-mutuel facilities by pari-mutuel permitholders; revising terminology to conform to changes made by the act; amending s. 550.615, F.S.; revising provisions for intertrack wagering; amending ss. 550.26165 and 550.6305, F.S.; conforming cross-references to changes made by the act; amending s. 551.104, F.S.; revising a condition of licensure for the conduct of slot machine gaming; amending s. 551.114, F.S.; revising requirements for designated slot machine gaming areas; amending s. 849.086, F.S.; revising requirements for initial and renewal issuance of a cardroom license to a greyhound permitholder; providing that a minimum number of requested or conducted live performances is not required in order for a greyhound permitholder to maintain or renew a cardroom license; providing an effective date.

—was referred to the Committees on Regulated Industries; and Budget Subcommittee on Finance and Tax.

By Economic Affairs Committee, Transportation & Highway Safety Subcommittee and Representative(s) Drake, Adkins, Garcia, Van Zant—

CS for HB 7213—A bill to be entitled An act relating to road and bridge designations; designating Edna S. Hargrett-Thrower Avenue in Orange County; designating SP4 Thomas Berry Corbin Memorial

Highway and U.S. Navy BMC Samuel Calhoun Chavous, Jr. Memorial Highway in Dixie County; designating Marine Lance Corporal Brian R. Buesing Memorial Highway, United States Army Sergeant Karl A. Campbell Memorial Highway, and U.S. Army SPC James A. Page Memorial Highway in Levy County; designating Veterans Memorial Highway in Putnam County; designating Ben G. Watts Highway in Washington County; designating Mardi Gras Way, West Park Boulevard, and Pembroke Park Boulevard in Broward County; designating Stark Memorial Drive and Duval County Law Enforcement Memorial Overpass in Duval County; designating Verna Bell Way in Nassau County; designating Deputy Hal P. Croft and Deputy Ronald Jackson Memorial Highway in Union County; designating Dr. Oscar Elias Biscet Boulevard, Hugh Anderson Boulevard, Palmetto General Hospital Way, Senator Javier D. Souto Way, Reverend Max Salvadore Avenue, BRIGADA 2506 STREET, Carlos Rodriguez Santana, Rev. Jorge Comesanas Way, Amadeo Lopez-Castro, Jr. Road, Benjamin Leon, Jr. Way, and Miami Medical Team Way in Miami-Dade County; designating Alma Lee Loy Bridge in Indian River County; designating Samuel B. Love Memorial Highway in Marion County; designating Elvin Martinez Road in Hillsborough County; designating Whale Harbor Joe Roth Jr. Bridge in Monroe County; designating Florida Highway Patrol Trooper Sgt. Nicholas G. Sottile Memorial in Highlands County; designating Coach Jimmy Carnes Boulevard in Alachua County; amending ss. 24 and 45, ch. 2010-230, Laws of Florida; revising the designation for Miss Lillie Williams Boulevard and Father Gerard Jean-Juste Street in Miami-Dade County; designating Tanya Martin Oubre Pekel Street in Miami-Dade County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committees on Transportation; Budget; and Rules.

By Judiciary Committee, Civil Justice Subcommittee and Representative(s) Eisnagle, Aubuchon, Metz, Precourt—

CS for HJR 7111—A joint resolution proposing a revision of Article V of the State Constitution, relating to the judiciary, consisting of amendments to Sections 2, 3, 4, 7, 11, 12, and 14 of Article V, and the creation of Section 21 of Article V, of the State Constitution to divide the current Supreme Court into two divisions, one hearing civil cases and the other hearing criminal cases; providing for administration of the divisions; defining the jurisdiction of the divisions; providing for transition from the present Supreme Court; revising provisions relating to repeal of court rules; limiting re-adoption of a repealed court rule; providing for Senate confirmation of Supreme Court justices; expanding the jurisdiction of the Supreme Court; requiring the Judicial Qualifications Commission to make all of its files available to the Speaker of the House of Representatives; revising provisions relating to repeal of commission rules; requiring that a specified minimum percentage of general revenue funds be appropriated to the courts; making other conforming and modernizing changes to the State Constitution regarding the judicial system.

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

By Government Operations Subcommittee and Representative(s) Perry, Williams, T.—

CS for HB 409—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; expanding the exemption from public records requirements for criminal intelligence information and criminal investigative information to include photographs, videotapes, or images of any part of the body of a victim of the sexual offense of video voyeurism; providing for future review and repeal of the exemption; providing a statement of public necessity; reenacting s. 92.56(1)(a), F.S., relating to judicial proceedings and court records involving sexual offenders, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; reenacting s. 119.0714(1)(h), F.S., relating to court files and records, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; reenacting s. 794.024(1), F.S., relating to the unlawful disclosure of identifying information, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; providing an effective date.

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

By State Affairs Committee and Representative(s) Burgin, Williams, T.—

CS for HB 411—A bill to be entitled An act relating to public records; providing a definition; providing an exemption from public records requirements for photographs and video and audio recordings that depict or record the killing of a person; authorizing access to such photographs or video or audio recordings by specified members of the immediate family of the deceased subject of the photographs or video or audio recordings; providing for access to such records by local governmental entities or state or federal agencies in furtherance of official duties; providing for access pursuant to court order; providing guidelines of the court in issuing an order authorizing such photographs or video or audio recordings to be viewed, copied, or heard; requiring specified notice of a court petition to view or copy such records; providing penalties; exempting criminal or administrative proceedings from the act; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a finding of public necessity; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Coley, Fresen, Jenne, Logan, Porth, Rooney—

CS for HB 579—A bill to be entitled An act relating to public records; amending s. 1004.55, F.S.; providing an exemption from public records requirements for all records that relate to a client of a regional autism center who receives the services of a center or participates in center activities and the client's family; providing for release of specified confidential and exempt information by a center under certain circumstances; providing an exemption from public records requirements for personal identifying information of a donor or prospective donor to a regional autism center if such donor or prospective donor wishes to remain anonymous; providing for review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Clemens—

CS for HB 667—A bill to be entitled An act relating to public records; amending s. 119.0713, F.S.; expanding an exemption from public records requirements to include certain records relating to investigations in the custody of an inspector general of a local government; providing for future repeal and legislative review of such revisions to the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

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

By Government Operations Subcommittee and Representative(s) Horner, Jones—

CS for HB 913—A bill to be entitled An act relating to public records; creating s. 332.16, F.S.; providing definitions; providing an exemption

from public records requirements for proprietary confidential business information and trade secrets held by a public airport and for any proposal or counterproposal exchanged between a public airport and a nongovernmental entity relating to the sale, use, development, or lease of airport facilities; providing for expiration of the exemptions; providing for future legislative review and repeal of the exemptions under the Open Government Sunset Review Act; providing a finding of public necessity; providing an effective date.

—was referred to the Committees on Community Affairs; Commerce and Tourism; and Governmental Oversight and Accountability.

By Government Operations Subcommittee and Representative(s) Bi-leca—

HB 7079—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 381.8531, F.S.; providing that personal identifying information of a donor to the central repository for brain tumor biopsies or the brain tumor registry of the Florida Center for Brain Tumor Research is confidential and exempt from public records requirements; providing for retroactive application of the exemption; providing an exception to the exemption for a person engaged in bona fide research provided certain conditions are met; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

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

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 27 was corrected and approved.

CO-INTRODUCERS

Senators Alexander—CS for SCR 4, SB 704; Altman—CS for SCR 4; Benacquisto—CS for SCR 4, CS for CS for SB 488, SB 704; Bennett—CS for SCR 4, SB 704; Bogdanoff—CS for SCR 4, SB 704; Braynon—SB 704; Dean—CS for SCR 4, SB 704; Detert—CS for SCR 4, SB 704; Diaz de la Portilla—CS for SCR 4, SB 418, SB 514, SB 704, SM 954, SB 978, CS for SB 1158, CS for SB 1754; Dockery—CS for SCR 4, SB 704; Evers—SB 704; Fasano—CS for SCR 4, SB 704; Flores—CS for SCR 4, SB 704; Gaetz—CS for SCR 4; Garcia—CS for SCR 4, SB 704; Gardiner—CS for SCR 4, SB 704; Haridopolos—SB 704, CS for CS for SJR 1538; Hays—CS for SCR 4, SB 704; Hill—SB 704; Jones—CS for SCR 4, SB 704; Joyner—SB 704; Latvala—CS for SCR 4, SB 704; Lynn—CS for SCR 4, SB 704; Margolis—SB 704; Montford—CS for SCR 4, SB 704; Negron—CS for SCR 4, SB 704; Norman—CS for SCR 4, SB 704; Oelrich—CS for SCR 4, CS for SB 84, SB 330, SM 358, CS for SB 376, SB 626, SB 704, CS for CS for SB 1414, CS for CS for SJR 1538, CS for SB 1676, CS for SB 1886; Rich—SB 704; Richter—CS for SCR 4, SB 704; Ring—SB 704; Simmons—CS for SCR 4, SB 704; Siplin—SB 704; Smith—SB 704; Sobel—SB 704; Storms—CS for SCR 4, SB 704; Thrasher—CS for SCR 4, SB 704; Wise—SB 704

RECESS

On motion by Senator Thrasher, the Senate recessed at 3:24 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Friday, April 29 or upon call of the President.



Journal of the Senate

Number 18—Regular Session

Friday, April 29, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 9:16 a.m. A quorum present—38:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Excused: Senator Bullard

PRAYER

The following prayer was offered by Rabbi Schneur Z. Oirechman, Director of Chabad Lubavitch of the Panhandle, Tallahassee:

Almighty God, King of the universe, as the honorable members of the Florida Senate gather here today to serve the citizens of this great state, to ensure a better life for them and their families, bless them with courage, with faith, and with freedom.

As we have just concluded the Jewish holiday of Passover, when we celebrated the exodus and freedom, let us remember the ancient message of Passover—the message of hope amidst deepest darkness. Almighty God, bless us with the courage of the Jews of old, who clung to faith even when their children perished before their eyes, a faith that led to their freedom.

Almighty God, we pray today for that same courage and faith, that the public and the public servant alike may see the light of economic freedom.

We pray for the needy among us. We pray for a better economy. We pray for the future of our state. We pray for a time of redemption—a time of no sickness, no suffering, and no evil, and a time of eternal good.

Almighty God, bless us with the courage to try, the faith to believe, and the freedom to prosper. Let us build a better and brighter future for our Sunshine State. Let us pass over our limits to reach greater heights. Almighty God, let our public servants be inspired and empowered to overcome all challenges. May the sacrifices they and their families make for the community find favor in your eyes.

May in their lives be fulfilled the prayer: “All those who faithfully work for the needs of the community, may God reward them and relieve them of any illness, heal their entire bodies, pardon all their sins and send blessing and success in all their endeavors,” and let us say, Amen.

PLEDGE

Senate Pages Chase Lowery of Havana; Adriana Perez-Siam of Miami; Alexander “Alex” Tate of Venice; Anne “Annie” Pucciarelli of Brandon; and Angel Brenkman of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Walter B. Flesner III of Cape Coral, sponsored by Senator Fasano, as doctor of the day. Dr. Flesner specializes in Family Practice.

ADOPTION OF RESOLUTIONS

On motion by Senator Braynon—

By Senator Braynon—

SR 2198—A resolution recognizing April 16-22, 2011, as “Minority Cancer Awareness Week” in Florida.

WHEREAS, there has been recent progress in the fight against cancer, yet due to disparities in the cancer burden among different segments of the U.S. population, many Floridians still suffer unequal rates of cancer incidence and mortality, and medically underserved populations have inadequate access to quality cancer care, and

WHEREAS, for certain minority populations, cancer risks and rates may be influenced by factors such as poverty, social inequalities, and cultural or inherited factors that decrease or increase risk, and

WHEREAS, disparities in the cancer burden among racial and ethnic minorities largely reflect obstacles to receiving health care services related to cancer prevention, early detection, and high-quality treatment, and

WHEREAS, lack of health insurance is more prevalent among certain minority groups, with 1 in 5 African Americans and 1 in 3 Hispanics and Latinos uninsured in 2008, while only 1 in 10 non-Hispanic whites lacked health insurance during that same year, and

WHEREAS, African Americans have the highest death rate and shortest survival of any racial and ethnic group in the nation for most cancers, with the death rate for all cancers combined at 33 percent higher in African American men and 16 percent higher in African American women than in white men and women in 2005, and

WHEREAS, despite improvements in the overall 5-year relative survival, African Americans continue to be less likely to survive 5 years following the onset of most cancers due largely to barriers that prevent timely and high-quality medical care and disparities in treatment, and

WHEREAS, Hispanics and Latinos are the largest, fastest-growing minority group in the United States, and among Hispanics, cancer is the second leading cause of death, accounting for 20 percent of deaths overall and 13 percent of deaths in children, and

WHEREAS, Hispanics have higher rates of cancers associated with infection, such as uterine cervix, liver, and stomach cancer, yet are less likely to have health insurance than any other racial or ethnic group, and

WHEREAS, access to care is one of the most significant factors influencing the cancer burden in the Hispanic population, and many may not receive health care due to financial barriers, which include inadequate health insurance, structural barriers, which include poor geographic access to providers, and personal barriers, which include cultural and linguistic factors, and

WHEREAS, minority cancer awareness initiatives and policies aimed at reducing disparities, such as those promoted and supported by the American Cancer Society and Florida's recognition of the nationally observed Minority Cancer Awareness Week, will encourage efforts to reduce ethnic, racial, and socioeconomic cancer disparities, NOW, THEREFORE,

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

That April 16-22, 2011, is recognized as "Minority Cancer Awareness Week" in Florida.

BE IT FURTHER RESOLVED that all Floridians are urged to support the efforts of cancer education providers, such as the American Cancer Society, to increase awareness of the disparities that minority populations face in the fight against cancer, and to support policies that seek to reduce disparities, such as the Mary Brogan Breast and Cervical Cancer Early Detection Program and Minority Health Initiatives within the Florida Department of Health.

—was introduced out of order and read by title. On motion by Senator Braynon, **SR 2198** was read the second time in full and adopted.

On motion by Senator Braynon—

By Senator Braynon—

SR 2200—A resolution recognizing the selfless humanitarian efforts of Barth A. Green, M.D., the University of Miami's Global Institute for Community Health and Development, and Project Medishare in providing medical care to the people of Haiti.

WHEREAS, in 1994, Barth A. Green, M.D., cofounded Project Medishare for Haiti in order to help improve the health status of Haitians through an integrated, community approach to development, serving more than 85,000 Haitians before the disastrous 2010 earthquake, and

WHEREAS, Barth A. Green, M.D., is also a cofounder of the University of Miami's Global Institute for Community Health and Development, a program focused on improving health care and advancing community development in the Western Hemisphere, and

WHEREAS, in response to the 2010 earthquake in Haiti, Barth A. Green, M.D., and his colleagues at the University of Miami's Global Institute for Community Health and Development and Project Medishare established a massive relief effort, and

WHEREAS, as part of that initiative, the University of Miami's Global Institute/Project Medishare field hospital opened in Haiti, treating more than 30,000 patients and performing more than 1,500 emergency surgeries, and

WHEREAS, more than 5,000 rotating medical volunteers from around the world served at the field hospital, which was the only referral center for severe critical care and trauma cases in Haiti, and

WHEREAS, 45,000 more patients have been treated since the field hospital relocated to community Hospital Bernard Mevs in downtown Port-au-Prince and began collaborating with the Haitian-run facility, and

WHEREAS, Barth A. Green, M.D., and his colleagues at the University of Miami's Global Institute for Community Health and Development and Project Medishare have been instrumental in increasing access to health care internationally, NOW, THEREFORE,

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

That the members of the Senate recognize the selfless humanitarian efforts of Barth A. Green, M.D., and his colleagues at the University of Miami's Global Institute for Community Health and Development and Project Medishare in providing medical care to the people of Haiti both before and after the disastrous 2010 earthquake.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Barth A. Green, M.D., as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Braynon, **SR 2200** was read the second time in full and adopted.

At the request of Senator Rich—

By Senator Rich—

SR 2194—A resolution recognizing September 2011 as "Plasma Protein Therapies Month" in Florida.

WHEREAS, patients who have rare, chronic, and genetic diseases and disorders across the United States rely upon access to plasma-derived and recombinant analog therapies, known collectively as plasma protein therapies, to treat life-threatening conditions, and

WHEREAS, these disorders, including, but not limited to, hemophilia, von Willebrand disease, primary immunodeficiency diseases, chronic inflammatory demyelinating polyneuropathy, Kawasaki disease, and alpha-1 antitrypsin deficiency are most effectively treated with plasma protein therapies, and

WHEREAS, individuals afflicted with these rare disorders require access to the full range of plasma protein therapies to help ensure the best possible clinical outcomes, and

WHEREAS, these individuals benefit from access to appropriate providers and options in pharmaceuticals and the delivery of home-supported services, and access to comprehensive care has been shown to markedly improve patient outcomes, and

WHEREAS, there are 18 plasma collection centers in this state certified under the International Quality Plasma Program where healthy, committed donors provide plasma that is used to manufacture high-impact, life-saving therapies, NOW, THEREFORE,

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

That September 2011 is recognized as "Plasma Protein Therapies Month" in Florida.

—**SR 2194** was introduced, read and adopted by publication.

At the request of Senator Rich—

By Senator Rich—

SR 2208—A resolution congratulating Homestead Hospital for continuing the tradition of high-quality, compassionate care the community has come to know, and expressing appreciation to Chief Executive Officer Bill Duquette for his inspiring leadership.

WHEREAS, in 1940, a group of citizens in the City of Homestead hosted two potluck fish fry events and raised almost \$12,000 to develop a hospital in Homestead, and

WHEREAS, in May 2007, a new, \$135 million, state-of-the-art, full-service, 142-bed facility opened its doors to the public, ushering in a new era for Homestead Hospital and celebrating its emergence as one of the largest employers in south Miami-Dade County, with nearly 1,200 employees, and

WHEREAS, Homestead Hospital's medical staff is made up of more than 400 physicians representing more than 30 specialties, ranging from cardiology and gastroenterology to neurology and urology, and

WHEREAS, Homestead Hospital is a part of Baptist Health South Florida, the largest faith-based, not-for-profit health care organization in the region, NOW, THEREFORE,

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

That the members of the Senate congratulate Homestead Hospital for continuing the tradition of high-quality, compassionate care and express appreciation to Chief Executive Officer Bill Duquette for his inspiring leadership.

—**SR 2208** was introduced, read and adopted by publication.

BILLS ON THIRD READING

Consideration of **CS for CS for SB 818** was deferred.

CS for SB 844—A bill to be entitled An act relating to violations of probation or community control; creating the “Officer Andrew Widman Act”; amending s. 948.06, F.S.; authorizing a judge, after making a certain finding, to issue a warrant for the arrest of a probationer or offender who has violated the terms of probation or community control; requiring that the court inform the probationer or offender of the violation; authorizing the court to order the person taken before the court that granted the probation or community control; authorizing the court to commit or release the probationer or offender under certain circumstances; authorizing the court, in determining whether to require or set the amount of bail, to consider the likelihood that the person will be imprisoned for the violation of probation or community control; providing an effective date.

—as amended April 28 was read the third time by title.

On motion by Senator Benacquisto, **CS for SB 844** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

Vote after roll call:

Yea—Sobel

CS for CS for SB 1346—A bill to be entitled An act relating to obsolete references and programs; amending s. 14.2015, F.S.; removing an obsolete reference to the Department of Commerce; amending s. 20.18, F.S.; updating a reference to the Department of Commerce to refer instead to the Office of Tourism, Trade, and Economic Development; amending s. 45.031, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 69.041, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 112.044, F.S.; removing obsolete references to the Department of Labor and Employment Security; amending s. 252.85, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 252.87, F.S.; removing a reference to

the Department of Labor and Employment Security; amending s. 252.937, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 287.09431, F.S.; updating references to the Department of Labor and Employment Security; amending s. 287.09451, F.S.; removing references to the Department of Labor and Employment Security; amending s. 287.0947, F.S.; removing a reference to the Department of Labor and Employment Security; correcting a cross-reference; amending s. 288.021, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 288.035, F.S.; removing a reference to the Department of Commerce; repealing s. 288.038, F.S., relating to agreements of the Department of Labor and Employment Security with county tax collectors; amending s. 288.1168, F.S.; updating obsolete references to the Department of Commerce; amending s. 288.1229, F.S.; removing a reference to the Department of Commerce; amending s. 288.1169, F.S.; updating references to the Department of Commerce; amending s. 331.369, F.S.; updating references to the Workforce Development Board of Enterprise Florida, Inc.; amending s. 377.711, F.S.; removing a reference to the Department of Commerce; providing for standard compact provisions regarding recommendations by the Southern States Energy Board; amending s. 377.712, F.S.; clarifying provisions governing participation in the compact by the state and its agencies; amending s. 409.2576, F.S.; removing references to the Department of Labor and Employment Security; amending s. 414.24, F.S.; updating references to the Department of Labor and Employment Security; amending s. 414.40, F.S.; updating provisions governing the Stop Inmate Fraud Program; updating a reference to the Department of Labor and Employment Security; amending s. 440.385, F.S.; updating a reference to the Department of Labor and Employment Security; removing obsolete provisions; amending s. 440.49, F.S.; removing a reference to the Department of Labor and Employment Security; removing obsolete provisions; repealing s. 446.60, F.S., relating to assistance for displaced local exchange telecommunications company workers; amending s. 450.161, F.S.; updating a reference to the Division of Jobs and Benefits; amending s. 464.203, F.S.; updating a reference to the Enterprise Florida Jobs and Education Partnership Grant; amending s. 489.1455, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 489.5335, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 553.62, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 597.006, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 944.012, F.S.; updating a reference to the Florida State Employment Service; amending s. 944.708, F.S.; removing a reference to the Agency for Workforce Innovation; repealing ss. 255.551, 255.552, 255.553, 255.5535, 255.555, 255.556, 255.557, 255.558, 255.559, 255.56, 255.561, 255.562, and 255.563, F.S., relating to the asbestos management program; amending s. 469.002, F.S.; conforming a cross-reference to changes made by the act; repealing s. 469.003(2)(b), F.S., relating to obsolete provisions governing the licensure of asbestos surveyors; repealing s. 39.0015, F.S., relating to child abuse prevention training in the district school system; repealing s. 39.305, F.S., relating to the development by the Department of Children and Family Services of a model plan for community intervention and treatment in intrafamily sexual abuse cases; repealing ss. 39.311, 39.312, 39.313, 39.314, 39.315, 39.316, 39.317, and 39.318, F.S., relating to the Family Builders Program; repealing s. 39.816, F.S., relating to authorization for pilot and demonstration projects; repealing s. 39.817, F.S., relating to a foster care privatization demonstration project; repealing s. 383.0115, F.S., relating to the Commission on Marriage and Family Support Initiatives; repealing s. 393.22, F.S., relating to financial commitment to community services programs; repealing s. 393.503, F.S., relating to respite and family care subsidy expenditures and funding recommendations; repealing s. 394.922, F.S., relating to constitutional requirements regarding long-term control, care, and treatment of sexually violent predators; repealing s. 402.3045, F.S., relating to a requirement that the Department of Children and Family Services adopt distinguishable definitions of child care programs by rule; repealing s. 402.50, F.S., relating to the development of administrative infrastructure standards by the Department of Children and Family Services; repealing s. 402.55, F.S., relating to the management fellows program; repealing s. 409.1672, F.S., relating to performance incentives for department employees with respect to the child welfare system; repealing s. 409.1673, F.S., relating to legislative findings regarding the foster care system and the development of alternate care plans; repealing s. 409.1685, F.S., relating to an annual report to the Legislature by the Department of Children and Family Services with respect to children in foster care; repealing ss. 409.801 and 409.802, F.S., relating to the Fa-

mily Policy Act; repealing s. 409.803, F.S., relating to pilot programs to provide shelter and foster care services to dependent children; amending ss. 20.195, 39.00145, 39.0121, 39.301, 39.3031, 49.011, 381.006, 381.0072, 390.01114, 409.1685, 411.01013, 753.03, and 877.22, F.S.; conforming references to changes made by the act; repealing s. 288.386, F.S., relating to the Florida-Caribbean Basin Trade Initiative; repealing s. 288.9618, F.S., which relates to an economic development program for microenterprises; repealing s. 288.982, F.S., which relates to a public records requirement for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 409.946, F.S., which relates to the Inner City Redevelopment Review Panel; amending ss. 288.012 and 311.07, F.S.; revising requirements for the operating plans of the state's foreign offices and the use of program funds of the Florida Seaport Transportation and Economic Development Program, to delete provisions relating to the Florida Trade Data Center; amending s. 402.35, F.S.; removing a provision prohibiting a federal, state, county, or municipal officer from serving as an employee of the Department of Children and Family Services; providing an effective date.

—as amended April 28 was read the third time by title.

On motion by Senator Detert, **CS for CS for SB 1346** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

Vote after roll call:

Yea—Sobel

CS for CS for SB 1196—A bill to be entitled An act relating to construction liens; amending s. 713.10, F.S.; specifying that a lessor's interest in property is not subject to a construction lien for improvements made by a lessee if certain documents containing specific information and meeting certain criteria are recorded in the official records of the county before the recording of a notice of commencement; authorizing certain contractors and lienors to demand that a lessor serve verified copies of a lease prohibiting liability for improvements made by a lessee; subjecting the interest of a lessor to a specified lien for failing to serve such verified copies or serving a false or fraudulent copy; requiring that the demand include a specified warning; amending s. 713.13, F.S.; revising the form for notice of commencement to include information relating to the obligations of a lessee who contracts for improvements to property; providing an effective date.

—was read the third time by title.

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

Amendment 1 (594168)—Delete line 84 and insert: *contractor or lienor has otherwise complied with this*

On motion by Senator Bogdanoff, **CS for CS for SB 1196** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

Vote after roll call:

Yea—Sobel

Consideration of **CS for HJR 7111** was deferred.

SPECIAL ORDER CALENDAR

On motion by Senator Gaetz—

CS for CS for CS for SB 88—A bill to be entitled An act relating to public employee compensation; amending s. 215.425, F.S.; revising provisions relating to the prohibition against the payment of extra compensation; providing for bonuses; specifying the conditions for paying bonuses; prohibiting provisions in contracts that provide for severance pay; allowing for severance pay under specified circumstances; defining the term “severance pay”; prohibiting a contract provision that provides for extra compensation to limit the ability to discuss the contract; amending s. 166.021, F.S.; deleting a provision that allows a municipality to pay extra compensation; amending s. 112.061, F.S.; conforming cross-references; repealing s. 125.01(1)(bb), F.S., relating to the power of a local government to pay extra compensation; repealing s. 373.0795, F.S., relating to a prohibition against severance pay for officers or employees of water management districts; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Gaetz, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Gaetz moved the following amendments which were adopted:

Amendment 1 (715568) (with title amendment)—Delete lines 59-77 and insert:

(4)(a) *On or after July 1, 2011, a unit of government that enters into a contract or employment agreement, or the renewal or renegotiation of an existing contract or employment agreement, which contains a provision for severance pay with an officer, agent, employee, or contractor, must include the following provisions in the contract:*

1. *A requirement that severance pay provided may not exceed an amount greater than 6 weeks of compensation.*

2. *A prohibition against the provision of severance pay if the officer, agent, employee, or contractor has been fired for misconduct, as defined in s. 443.036, or for other cause by the unit of government.*

(b) *On or after July 1, 2011, an officer, agent, employee, or contractor may receive severance pay not provided for in a contract or employment agreement if the severance pay represents the settlement of an employment dispute. Such severance pay may not exceed an amount greater than 6 weeks of compensation. The settlement may not include provisions that limit the ability of any party to the settlement to discuss the dispute or settlement.*

And the title is amended as follows:

Delete lines 6-9 and insert: the conditions for paying bonuses; requiring contracts that provide for severance pay to include certain provisions after a certain date; allowing for severance pay under specified circumstances; defining the term "severance pay";

Amendment 2 (230884)—Delete lines 39-49 and insert:

~~(2) The provisions of This section does do not apply to extra compensation given to state employees who are included within the senior management group pursuant to rules adopted by the Department of Management Services; to extra compensation given to county, municipal, or special district employees pursuant to policies adopted by county or municipal ordinances or resolutions of governing boards of special districts or to employees of the clerk of the circuit court pursuant to written policy of the clerk; or to a clothing and maintenance allowance given to plainclothes deputies pursuant to s. 30.49.~~

Pursuant to Rule 4.19, **CS for CS for CS for SB 88** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 178** and **CS for CS for SB 274** was deferred.

CS for CS for SB 296—A bill to be entitled An act relating to household moving services; amending s. 507.01, F.S.; redefining the term "storage"; amending s. 507.03, F.S.; providing for the biennial renewal of mover and moving broker registrations; authorizing the Department of Agriculture and Consumer Services to extend registration expiration dates in order to establish staggered dates; requiring the calculation of biennial registration fees based on an annual rate; deleting a provision requiring certain movers and moving brokers to obtain a local license or registration and pay the state registration fee; amending s. 507.07, F.S.; prohibiting a mover or moving broker from conducting business without being registered with the department; providing penalties; amending s. 507.13, F.S.; preempting local ordinances and regulations except in certain counties; restricting the levy or collection of local registration fees and taxes of movers and moving brokers; providing for local registration and bonding; exempting local business taxes from preemption; providing for retroactive application; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 296**, on motion by Senator Wise, by two-thirds vote **CS for HB 901** was withdrawn from the Committees on Commerce and Tourism; Community Affairs; and Budget.

On motion by Senator Wise—

CS for HB 901—A bill to be entitled An act relating to household moving services; amending s. 507.01, F.S.; redefining the term "storage"; amending s. 507.03, F.S.; providing for the biennial renewal of mover and moving broker registrations; authorizing the Department of Agriculture and Consumer Services to extend registration expiration dates in order to establish staggered dates; requiring the calculation of biennial registration fees based on an annual rate; deleting a provision requiring certain movers and moving brokers to obtain a local license or registration and pay the state registration fee; amending s. 507.07, F.S.; prohibiting a mover or moving broker from conducting business without being registered with the department; providing penalties; amending s. 507.13, F.S.; preempting local ordinances and regulations except in certain counties; restricting the levy or collection of local registration fees and taxes of movers and moving brokers; providing for local registration and bonding; exempting local business taxes from preemption; providing for retroactive application; providing an effective date.

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

Pursuant to Rule 4.19, **CS for HB 901** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 306** and **SB 322** was deferred.

CS for SB 378—A bill to be entitled An act relating to the federal write-in absentee ballot; amending s. 101.6952, F.S.; authorizing absent uniformed services voters and overseas voters to use the federal write-in absentee ballot to vote in any federal and certain state or local elections, under certain circumstances; prescribing requirements for designating candidate choices; providing for the disposition of valid votes involving joint candidacies; allowing for abbreviations, misspellings, and other minor variations in the name of an office, candidate, or political party; authorizing the submission of multiple ballots under certain circumstances; detailing circumstances under which votes in federal, state, and local races on the federal write-in absentee ballot will be canvassed; amending s. 101.5614, F.S.; establishing certain canvassing procedures for federal write-in absentee ballots; amending s. 102.166, F.S.; directing the Department of State to adopt rules to determine what constitutes a valid vote on a federal write-in absentee ballot; providing restrictions; providing minimum requirements; reenacting s. 102.166(5), F.S., to incorporate the amendment to s. 101.5614, F.S., in a reference thereto; amending s. 104.18, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 378**, on motion by Senator Gaetz, by two-thirds vote **CS for HB 227** was withdrawn from the Committees on Rules; and Budget.

On motion by Senator Gaetz—

CS for HB 227—A bill to be entitled An act relating to the federal write-in absentee ballot; amending s. 101.6952, F.S.; authorizing absent uniformed services voters and overseas voters to use the federal write-in absentee ballot to vote in any federal and certain state or local elections, under certain circumstances; prescribing requirements for designating candidate choices; providing for the disposition of valid votes involving joint candidacies; allowing for abbreviations, misspellings, and other minor variations in the name of an office, candidate, or political party; authorizing the submission of multiple ballots under certain circumstances; detailing circumstances under which votes in federal, state, and local races on the federal write-in absentee ballot will be canvassed; amending s. 101.5614, F.S.; establishing certain canvassing procedures for federal write-in absentee ballots; amending s. 102.166, F.S.; directing the Department of State to adopt rules to determine what constitutes a valid vote on a federal write-in absentee ballot; providing restrictions; providing minimum requirements; reenacting s. 102.166(5), F.S., to incorporate the amendment to s. 101.5614, F.S., in a reference thereto; amending s. 104.18, F.S.; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 378** and read the second time by title.

On motion by Senator Gaetz, by two-thirds vote **CS for HB 227** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

Vote after roll call:

Yea—Alexander

Consideration of **CS for SB 380** was deferred.

On motion by Senator Bennett—

CS for CS for SB 396—A bill to be entitled An act relating to building construction and inspection; amending s. 120.80, F.S.; exempting certain rule proceedings relating to the Florida Building Code; amending s. 161.053, F.S.; prohibiting the Florida Building Commission from adopting rules that limit any exceptions or exemptions provided for modifications or repairs of existing structures within the limits of an existing foundation under certain circumstances; amending s. 255.252, F.S.; conforming provisions to changes made by the act; amending s. 255.253, F.S.; redefining the term “sustainable building rating” to include the International Green Construction Code; amending ss. 255.257 and 255.2575, F.S.; requiring that state agencies, local governments, and the court system adopt a sustainable building rating system for new and renovated buildings; amending s. 468.8316, F.S.; revising the continuing education requirements for licensed home inspectors; amending s. 468.8319, F.S.; deleting an exemption for certain contractors from the prohibition against performing repairs on a home that has a home inspection report; deleting an obsolete provision; amending s. 468.8323, F.S.; clarifying a provision relating to the contents of a home inspection report; amending s. 468.8324, F.S.; providing alternative criteria for obtaining a home inspector’s license; removing certain application requirements for a person who performs home inspection services and who qualifies for licensure on or before a specified date; amending s. 468.841, F.S.; adding licensed home inspectors to those who are exempt from complying with provisions related to mold assessment; amending s. 481.329, F.S.; providing that part II of ch. 481, F.S., does not preclude any person who engages in the business of landscape design from submitting such plans to governmental agencies for approval; amending s. 489.103, F.S.; clarifying an exemption from construction contracting regulation relating to Habitat for Humanity; amending s. 489.105, F.S.; adding the term “glass and glazing contractors” to the definition of the term “contractor”; amending ss. 489.107 and 489.141, F.S.; conforming cross-references; amending s. 514.028, F.S.; revising the composition of the advisory review board relating to public swimming pools and bathing facilities; amending s. 527.06, F.S.; prohibiting the Department of Agriculture and Consumer Services and other state agencies from requiring compliance with certain national standards for liquefied petroleum gas tanks unless the department or agencies require compliance with a specified edition of the national standards; providing for repeal under certain circumstances; amending s. 527.21, F.S.; revising the term “propane” for purposes of the Florida Propane Gas Education, Safety, and Research Act, to incorporate changes to certain national standards in a reference thereto; amending s. 553.502, F.S.; revising intent with respect to the Florida Americans with Disabilities Act; amending s. 553.503, F.S.; incorporating the Americans with Disabilities Act Standards for Accessible Design into state law by reference and directing that they be adopted by rule into the Florida Accessibility Code for Building Construction; amending s. 553.504, F.S.; revising exceptions to incorporate the standards; amending s. 553.5041, F.S.; revising provisions relating to parking spaces for persons who have disabilities to incorporate the standards; amending ss. 553.505 and 553.506, F.S.; conforming provisions to changes made by the act; amending s. 553.507, F.S.; providing for the applicability of the act; amending s. 553.509, F.S.; revising provisions relating to vertical accessibility to incorporate the standards; providing that buildings and facilities in this state do not have to comply with the changes provided by this act until the Florida Accessibility Code for Building Construction is updated; amending s. 553.73, F.S.; revising requirements relating to the Florida Building Code; providing for a supplement to the code; specifying national codes to form the foundation for state building standards and codes; revising how often the Florida Building Commission may approve technical amendments to the code; requiring proposed amendments to base codes to provide justifications; revising requirements relating to the installation of mechanical equipment on a roof; amending s. 553.74, F.S.; revising requirements for selecting a member of the Florida Building Commission; amending s. 553.842, F.S.; providing for the approval of certain windstorm products; providing a cause of action against any person who advertises, sells, offers, provides, distributes, or markets certain pro-

ducts without approval; amending s. 553.909, F.S.; revising the requirements for certain pool-related equipment; amending s. 627.711, F.S.; revising requirements relating to home inspectors conducting hurricane mitigation inspections; providing an effective date.

—was read the second time by title.

Senator Bennett moved the following amendment which was adopted:

Amendment 1 (927042) (with title amendment)—Delete lines 102-108 and insert:

Section 1. Subsection (4) of section 120.541, Florida Statutes, as amended by chapter 2010-279, Laws of Florida, is amended to read:

120.541 Statement of estimated regulatory costs.—

(4) *Subsection (3) Paragraph (2)(a)* does not apply to the adoption of:

(a) ~~emergency rules pursuant to s. 120.54(4) or the adoption of Federal standards pursuant to s. 120.54(6).~~

(b) *Updates of or modifications to the Florida Building Code pursuant to s. 553.73.*

(c) *Updates of or modifications to the Florida Fire Prevention Code pursuant to s. 633.0215.*

And the title is amended as follows:

Delete lines 3-5 and insert: inspection; amending s. 120.541, F.S.; providing that the issuance of a statement of estimated regulatory costs does not apply to updates of or modifications to the Florida Building Code or the Florida Fire Prevention Code; amending s. 161.053, F.S.; prohibiting

Senator Bennett moved the following amendment:

Amendment 2 (233558) (with title amendment)—Delete lines 134-207 and insert: constructed to comply with a sustainable building rating or a national model green building code ~~the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative’s Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized, high-performance green building rating system as approved by the department.~~ It is further the policy of the state, ~~if~~ *when* economically feasible, to retrofit existing state-owned buildings in a manner that ~~minimizes~~ *minimizes* which will ~~minimize~~ the consumption of energy used in the operation and maintenance of such buildings.

(4) In addition to designing and constructing new buildings to be energy-efficient, it ~~is shall be~~ the policy of the state to operate and maintain state facilities in a manner that ~~minimizes~~ *minimizes* which will ~~minimize~~ energy consumption and ~~maximizes~~ *maximize* building sustainability, and to operate ~~as well as ensure that~~ facilities leased by the state ~~are operated so as to minimize energy use.~~ It is further the policy of the state that the renovation of existing state facilities be in accordance with a sustainable building rating or a national model green building code ~~the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative’s Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized, high-performance green building rating system as approved by the department.~~ State agencies are encouraged to consider shared savings financing of such energy-efficiency and conservation projects, using contracts that ~~which~~ split the resulting savings for a specified period of time between the state agency and the private firm or cogeneration contracts and that ~~which~~ otherwise permit the state to lower its net energy costs. Such energy contracts may be funded from the operating budget.

Section 4. Subsection (7) of section 255.253, Florida Statutes, is amended to read:

255.253 Definitions; ss. 255.251-255.258.—

(7) “Sustainable building rating or national model green building code” means a rating system established by the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, *the International Green Construction*

Code (IGCC), the Green Building Initiative's Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized, high-performance green building rating system as approved by the department.

Section 5. Subsection (4) of section 255.257, Florida Statutes, is amended to read:

255.257 Energy management; buildings occupied by state agencies.—

(4) ADOPTION OF STANDARDS.—

(a) All state agencies shall adopt *a sustainable building rating system or use a national model green building code* ~~the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized, high-performance green building rating system as approved by the department~~ for all new buildings and renovations to existing buildings.

(b) No state agency shall enter into new leasing agreements for office space that does not meet Energy Star building standards, except when ~~determined by~~ the appropriate state agency head *determines* that no other viable or cost-effective alternative exists.

(c) All state agencies shall develop energy conservation measures and guidelines for new and existing office space where state agencies occupy more than 5,000 square feet. These conservation measures shall focus on programs that may reduce energy consumption and, when established, provide a net reduction in occupancy costs.

Section 6. Subsection (2) of section 255.2575, Florida Statutes, is amended to read:

255.2575 Energy-efficient and sustainable buildings.—

(2) All county, municipal, school district, water management district, state university, community college, and Florida state court buildings shall be constructed to *comply with a sustainable building rating system or a national model green building code* ~~meet the United States~~

And the title is amended as follows:

Delete lines 12-17 and insert: 255.253, F.S.; redefining the term "sustainable building rating" and defining the term "national model green building code" to include the International Green Construction Code; amending ss. 255.257 and 255.2575, F.S.; requiring that state agencies, local governments, and the court system adopt a sustainable building rating system or national model green building code for new and renovated

Senator Bennett moved the following amendment to **Amendment 2** which was adopted:

Amendment 2A (577284) (with title amendment)—In title, delete lines 87 and 88 and insert: 255.253, F.S.; defining the term "sustainable building rating or national model

Amendment 2 as amended was adopted.

Senator Bennett moved the following amendments which were adopted:

Amendment 3 (798124)—Delete lines 274-276 and insert: *of chapter 489.*

Amendment 4 (482168) (with title amendment)—Delete lines 770-777 and insert: *distances of the 2011 edition of NFPA 58.*

(c) *If the department, the Florida Building Commission as part of the Florida Building Code, and the Office of the State Fire Marshal as part of the Florida Fire Prevention Code each adopt the minimum separation distances of the 2011 edition of NFPA 58 as rules, whether adopted by setting out the minimum separation distances in the text of the rules or through incorporation by reference, this subsection is repealed on the last effective date of such rules.*

And the title is amended as follows:

Delete line 53 and insert: providing that if the Department of Agriculture and Consumer Services and other state agencies adopt the minimum separation distances of the NFPA codes, the rules are repealed by a specified date;

Amendment 5 (619958)—Delete lines 938-948 and insert:

(a) ~~The wheelchair-accessible standard accessible toilet compartment must restroom stall shall~~ contain an accessible lavatory within it, ~~which must be at least the size of such lavatory to be not less than~~ 19 inches wide by 17 inches deep, nominal size, and wall-mounted. The lavatory shall be mounted so as not to overlap the clear floor space areas required by s. 604 of the standards 4.17 figure 30(a) of the guidelines for the wheelchair-accessible standard accessible toilet compartment stall and ~~must to~~ comply with s. 606 of the standards 4.19 of the guidelines. Such lavatories shall be counted as part of the required fixture count for the building.

(b) The accessible water closet *within the wheelchair-accessible toilet compartment must*

Amendment 6 (175102) (with title amendment)—Delete lines 1329-1522 and insert:

Section 29. Effective January 1, 2012, subsections (3), (7), (8), and (9) and paragraph (h) of subsection (10) of section 553.73, Florida Statutes, are amended to read:

553.73 Florida Building Code.—

(3) The commission shall *use the International Codes published by the International Code Council, the National Electric Code (NFPA 70), or other nationally adopted model codes and standards needed to develop the state base code in order to select from available national or international model building codes, or other available building codes and standards currently recognized by the laws of this state, to form the foundation for the Florida Building Code. The commission may modify the selected model codes and standards as needed to accommodate the specific needs of this state. Standards or criteria referenced by the selected model codes shall be similarly incorporated by reference. If a referenced standard or criterion requires amplification or modification to be appropriate for use in this state, only the amplification or modification shall be specifically set forth in the Florida Building Code. The Florida Building Commission may approve technical amendments to the code, subject to the requirements of subsections (8) and (9), after the amendments have been subject to the following conditions:*

(a) The proposed amendment has been published on the commission's website for a minimum of 45 days and all the associated documentation has been made available to any interested party before any consideration by ~~a any~~ technical advisory committee;

(b) In order for a technical advisory committee to make a favorable recommendation to the commission, the proposal must receive a three-fourths vote of the members present at the ~~Technical Advisory~~ committee meeting and at least half of the regular members must be present in order to conduct a meeting;

(c) After technical advisory committee consideration and a recommendation for approval of any proposed amendment, the proposal must be published on the commission's website for ~~at least not less than~~ 45 days before any consideration by the commission; and

(d) A ~~any~~ proposal may be modified by the commission based on public testimony and evidence from a public hearing held in accordance with chapter 120.

The commission shall incorporate within sections of the Florida Building Code provisions that ~~which~~ address regional and local concerns and variations. The commission shall make every effort to minimize conflicts between the Florida Building Code, the Florida Fire Prevention Code, and the Life Safety Code.

(7)(a) The commission, ~~by rule adopted pursuant to ss. 120.536(1) and 120.54,~~ shall update the Florida Building Code *by rule* every 3 years. When updating the Florida Building Code, the commission shall select the most current version of the International Building Code, the Inter-

national Fuel Gas Code, the International Mechanical Code, the International Plumbing Code, and the International Residential Code, all of which are adopted by the International Code Council, and the National Electrical Code, which is adopted by the National Fire Protection Association, to form the foundation codes of the updated Florida Building Code, if the version has been adopted by the applicable model code entity. The commission shall select the most current version of the International Energy Conservation Code (IECC) as a foundation code; however, the IECC ~~must~~ *shall* be modified by the commission to maintain the efficiencies of the Florida Energy Efficiency Code for Building Construction adopted and amended pursuant to s. 553.901.

(b) Codes regarding noise contour lines shall be reviewed annually, and the most current federal guidelines shall be adopted.

(c) The commission may modify any portion of the foundation codes only as needed to accommodate the specific needs of this state, maintaining Florida-specific amendments previously adopted by the commission and not addressed by the updated foundation code. Standards or criteria referenced by the codes shall be incorporated by reference. If a referenced standard or criterion requires amplification or modification to be appropriate for use in this state, only the amplification or modification shall be set forth in the Florida Building Code. The commission may approve technical amendments to the updated Florida Building Code after the amendments have been subject to the conditions set forth in paragraphs (3)(a)-(d). Amendments to the foundation codes which are adopted in accordance with this subsection ~~must~~ *shall* be clearly marked in printed versions of the Florida Building Code so that ~~the fact that the provisions are~~ Florida-specific amendments to the foundation codes ~~are~~ *is* readily apparent.

(d) The commission shall further consider the commission's own interpretations, declaratory statements, appellate decisions, and approved statewide and local technical amendments and ~~shall~~ incorporate such interpretations, statements, decisions, and amendments into the updated Florida Building Code only to the extent that they are needed to modify the foundation codes to accommodate the specific needs of the state. A change made by an institute or standards organization to any standard or criterion that is adopted by reference in the Florida Building Code does not become effective statewide until it has been adopted by the commission. Furthermore, the edition of the Florida Building Code which is in effect on the date of application for any permit authorized by the code governs the permitted work for the life of the permit and any extension granted to the permit.

(e) A rule updating the Florida Building Code in accordance with this subsection shall take effect no sooner than 6 months after publication of the updated code. Any amendment to the Florida Building Code which is adopted upon a finding by the commission that the amendment is necessary to protect the public from immediate threat of harm takes effect immediately.

(f) Provisions of the foundation codes, including those contained in referenced standards and criteria, relating to wind resistance or the prevention of water intrusion may not be modified to diminish those construction requirements; however, the commission may, subject to ~~conditions in~~ this subsection, modify the provisions to enhance those construction requirements.

(g) *Amendments or modifications to the foundation code pursuant to this subsection remain effective only until the effective date of a new edition of the Florida Building Code available every third year. Modifications and amendments included in the Florida Building Code related to state agency regulations that have been adopted and integrated into the Florida Building Code shall be carried forward into the next edition of the code subject to modification as provided in this part. If amendments that expire pursuant to this paragraph are resubmitted through the Florida Building Commission code adoption process, the amendments must specifically address whether:*

1. *The provisions contained in the proposed amendment are addressed in the applicable international code.*

2. *The amendment demonstrates by evidence or data that the state's geographical jurisdiction exhibits a need to strengthen the foundation code beyond the needs or regional variations addressed by the foundation code, and why the proposed amendment applies to this state.*

3. *The proposed amendment was submitted or attempted to be included in the foundation codes to avoid resubmission to the Florida Building Code amendment process.*

If the proposed amendment has been addressed in the applicable international code in a substantially equivalent manner, the Florida Building Commission may not include the proposed amendment in the foundation code.

(8) Notwithstanding ~~the provisions of~~ subsection (3) or subsection (7), the commission may address issues identified in this subsection by amending the code pursuant only to the rule adoption procedures contained in chapter 120. Provisions of the Florida Building Code, including those contained in referenced standards and criteria, relating to wind resistance or the prevention of water intrusion may not be amended pursuant to this subsection to diminish those construction requirements; however, the commission may, subject to ~~conditions in~~ this subsection, amend the provisions to enhance those construction requirements. Following the approval of any amendments to the Florida Building Code by the commission and publication of the amendments on the commission's website, authorities having jurisdiction to enforce the Florida Building Code may enforce the amendments. The commission may approve amendments that are needed to address:

(a) Conflicts within the updated code;

(b) Conflicts between the updated code and the Florida Fire Prevention Code adopted pursuant to chapter 633;

~~(c) The omission of previously adopted Florida specific amendments to the updated code if such omission is not supported by a specific recommendation of a technical advisory committee or particular action by the commission;~~

~~(c)(d)~~ Unintended results from the integration of previously adopted Florida-specific amendments with the model code;

~~(d)(e)~~ Equivalency of standards;

~~(e)(f)~~ Changes to or inconsistencies with federal or state law; or

~~(f)(g)~~ Adoption of an updated edition of the National Electrical Code if the commission finds that delay of implementing the updated edition causes undue hardship to stakeholders or otherwise threatens the public health, safety, and welfare.

(9)(a) The commission may approve technical amendments to the Florida Building Code once each year for statewide or regional application upon a finding that the amendment:

1. Is needed in order to accommodate the specific needs of this state.

2. Has a reasonable and substantial connection with the health, safety, and welfare of the general public.

3. Strengthens or improves the Florida Building Code, or in the case of innovation or new technology, will provide equivalent or better products or methods or systems of construction.

4. Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities.

5. Does not degrade the effectiveness of the Florida Building Code.

~~Furthermore,~~ The Florida Building Commission may approve technical amendments to the code once each year to incorporate into the Florida Building Code its own interpretations of the code which are embodied in its opinions, final orders, declaratory statements, and interpretations of hearing officer panels under s. 553.775(3)(c), but ~~shall do so~~ only to the extent that ~~the~~ incorporation of interpretations is needed to modify the foundation codes to accommodate the specific needs of this state. Amendments approved under this paragraph shall be adopted by rule ~~pursuant to ss. 120.536(1) and 120.54,~~ after the amendments have been subjected to ~~the provisions of~~ subsection (3).

(b) A proposed amendment ~~must~~ *shall* include a fiscal impact statement ~~that~~ *which* documents the costs and benefits of the proposed amendment. Criteria for the fiscal impact statement shall be established by rule by the commission and shall include the impact to local gov-

ernment relative to enforcement, the impact to property and building owners, and the impact as well as to industry, relative to the cost of compliance. *The amendment must demonstrate by evidence or data that the state's geographical jurisdiction exhibits a need to strengthen the foundation code beyond the needs or regional variations addressed by the foundation code, and why the proposed amendment applies to this state.*

(c) The commission may not approve any proposed amendment that does not accurately and completely address all requirements for amendment which are set forth in this section. The commission shall require all proposed amendments and information submitted with proposed amendments to be reviewed by commission staff *before* prior to consideration by any technical advisory committee. These reviews shall be for sufficiency only and are not intended to be qualitative in nature. Staff members *must* shall reject any proposed amendment that fails to include a fiscal impact statement. Proposed amendments rejected by staff members of the staff may not be considered by the commission or any technical advisory committee.

(d) Provisions of the Florida Building Code, including those contained in referenced standards and criteria, relating to wind resistance or the prevention of water intrusion may not be amended pursuant to this subsection to diminish those construction requirements; however, the commission may, subject to conditions in this subsection, amend the provisions to enhance those construction requirements.

(10) The following buildings, structures, and facilities are exempt from the Florida Building Code as provided by law, and any further exemptions shall be as determined by the Legislature and provided by law:

(h) Storage sheds that are not designed for human habitation and that have a floor area of 720 square feet or less are not required to comply with the mandatory wind-borne-debris-impact standards of the Florida Building Code. *Such buildings that are for use in conjunction with one- and two-family residences and are 400 square feet or less are also not subject to the door height and width requirements of the code.*

With the exception of paragraphs (a), (b), (c), and (f), in order to preserve the health, safety, and welfare of the public, the Florida Building Commission may, by rule adopted pursuant to chapter 120, provide for exceptions to the broad categories of buildings exempted in this section, including exceptions for application of specific sections of the code or standards adopted therein. The Department of Agriculture and Consumer Services shall have exclusive authority to adopt by rule, pursuant to chapter 120, exceptions to nonresidential farm buildings exempted in paragraph (c) when reasonably necessary to preserve public health, safety, and welfare. The exceptions must be based upon specific criteria, such as under-roof floor area, aggregate electrical service capacity, HVAC system capacity, or other building requirements. Further, the commission may recommend to the Legislature additional categories of buildings, structures, or facilities which should be exempted from the Florida Building Code, to be provided by law. The Florida Building Code does not apply to temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

And the title is amended as follows:

Delete lines 80-87 and insert: specifying national codes to form the foundation for state building standards and codes; providing for the incorporation of amendments into the Florida Building Code; requiring proposed amendments to the code to demonstrate a need for the amendment; providing an additional exemption from wind-borne debris standards for certain storage sheds; amending s. 553.74,

Amendment 7 (533626)—Delete line 1554 and insert: *wind-borne debris from a hurricane or wind storm unless it is*

Amendment 8 (478816) (with title amendment)—Between lines 1619 and 1620 insert:

Section 32. *Section 553.9061, Florida Statutes, is repealed.*

And the title is amended as follows:

Delete line 94 and insert: approval; repealing s. 553.9061, F.S., relating to a schedule of increases in the energy performance of buildings subject to the Florida Energy Efficiency Code for Building Construction; amending s. 553.909, F.S.; revising the

Amendment 9 (864562)—Delete lines 1624-1660 and insert: heaters manufactured and sold on or after December 31, July 1, 2011, for installation in this state must shall comply with the requirements of the Florida Energy Efficiency Code for Building Construction ~~this subsection.~~

(a) ~~Natural gas pool heaters shall not be equipped with constantly burning pilots.~~

(b) ~~Heat pump pool heaters shall have a coefficient of performance at low temperature of not less than 4.0.~~

(c) ~~The thermal efficiency of gas fired pool heaters and oil fired pool heaters shall not be less than 78 percent.~~

(d) ~~All pool heaters shall have a readily accessible on-off switch that is mounted outside the heater and that allows shutting off the heater without adjusting the thermostat setting.~~

(4)(a) ~~Residential swimming pool filtration pumps and pump motors manufactured and sold on or after December 31, July 1, 2011, for installation in this state must comply with the requirements of the Florida Energy Efficiency Code for Building Construction in this subsection.~~

(b) ~~Residential filtration pool pump motors shall not be split phase, shaded pole, or capacitor start induction run types.~~

(c) ~~Residential filtration pool pumps and pool pump motors with a total horsepower of 1 HP or more shall have the capability of operating at two or more speeds with a low speed having a rotation rate that is no more than one half of the motor's maximum rotation rate.~~

(d) ~~Residential filtration pool pump motor controls shall have the capability of operating the pool pump at a minimum of two speeds. The default circulation speed shall be the residential filtration speed, with a higher speed override capability being for a temporary period not to exceed one normal cycle or 24 hours, whichever is less; except that circulation speed for solar pool heating systems shall be permitted to run at higher speeds during periods of usable solar heat gain.~~

(5) ~~Portable electric spas manufactured and sold on or after December 31, 2011, for installation in this state must comply~~

Amendment 10 (188308) (with title amendment)—Delete line 1698 and insert:

Section 34. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2011.

And the title is amended as follows:

Delete line 98 and insert: mitigation inspections; providing effective dates.

Pursuant to Rule 4.19, **CS for CS for SB 396** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 416—A bill to be entitled An act relating to public records; providing a definition; providing an exemption from public-records requirements for photographs and video and audio recordings that depict or record the killing of a person; authorizing access to such photographs or video or audio recordings by specified members of the immediate family of the deceased subject of the photographs or video or audio recordings; providing for access to such records by local governmental entities or state or federal agencies in furtherance of official duties; providing for access pursuant to court order; providing guidelines for the court in issuing an order authorizing such photographs or video or audio recordings to be viewed, copied, or heard; requiring specified notice of a court petition to view or copy such records; providing penalties; exempting criminal or administrative proceedings from the act; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a finding of public necessity; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 416** to **CS for HB 411**.

Pending further consideration of **CS for CS for SB 416** as amended, on motion by Senator Bogdanoff, by two-thirds vote **CS for HB 411** was withdrawn from the Committees on Criminal Justice; Judiciary; and Rules.

On motion by Senator Bogdanoff—

CS for HB 411—A bill to be entitled An act relating to public records; providing a definition; providing an exemption from public records requirements for photographs and video and audio recordings that depict or record the killing of a person; authorizing access to such photographs or video or audio recordings by specified members of the immediate family of the deceased subject of the photographs or video or audio recordings; providing for access to such records by local governmental entities or state or federal agencies in furtherance of official duties; providing for access pursuant to court order; providing guidelines of the court in issuing an order authorizing such photographs or video or audio recordings to be viewed, copied, or heard; requiring specified notice of a court petition to view or copy such records; providing penalties; exempting criminal or administrative proceedings from the act; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a finding of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 416** as amended and read the second time by title.

On motion by Senator Bogdanoff, by two-thirds vote **CS for HB 411** was read the third time by title, passed by the required two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Fasano	Norman
Alexander	Flores	Oelrich
Altman	Gaetz	Richter
Benacquisto	Garcia	Ring
Bennett	Gardiner	Simmons
Bogdanoff	Hays	Siplin
Braynon	Hill	Smith
Dean	Jones	Storms
Detert	Latvala	Thrasher
Diaz de la Portilla	Lynn	Wise
Dockery	Montford	
Evers	Negron	

Nays—4

Joyner	Rich	Sachs
Sobel		

The Senate resumed consideration of—

CS for HB 901—A bill to be entitled An act relating to household moving services; amending s. 507.01, F.S.; redefining the term “storage”; amending s. 507.03, F.S.; providing for the biennial renewal of mover and moving broker registrations; authorizing the Department of Agriculture and Consumer Services to extend registration expiration dates in order to establish staggered dates; requiring the calculation of biennial registration fees based on an annual rate; deleting a provision requiring certain movers and moving brokers to obtain a local license or registration and pay the state registration fee; amending s. 507.07, F.S.; prohibiting a mover or moving broker from conducting business without being registered with the department; providing penalties; amending s. 507.13, F.S.; preempting local ordinances and regulations except in certain counties; restricting the levy or collection of local registration fees and taxes of movers and moving brokers; providing for local registration and bonding; exempting local business taxes from preemption; providing for retroactive application; providing an effective date.

—which was previously considered this day.

On motion by Senator Wise, by two-thirds vote **CS for HB 901** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

RECONSIDERATION OF BILL

On motion by Senator Gaetz, the Senate recalled from Engrossing—

CS for CS for CS for SB 88—A bill to be entitled An act relating to public employee compensation; amending s. 215.425, F.S.; revising provisions relating to the prohibition against the payment of extra compensation; providing for bonuses; specifying the conditions for paying bonuses; prohibiting provisions in contracts that provide for severance pay; allowing for severance pay under specified circumstances; defining the term “severance pay”; prohibiting a contract provision that provides for extra compensation to limit the ability to discuss the contract; amending s. 166.021, F.S.; deleting a provision that allows a municipality to pay extra compensation; amending s. 112.061, F.S.; conforming cross-references; repealing s. 125.01(1)(bb), F.S., relating to the power of a local government to pay extra compensation; repealing s. 373.0795, F.S., relating to a prohibition against severance pay for officers or employees of water management districts; providing an effective date.

—for further consideration as amended this day.

On motion by Senator Gaetz, by two-thirds vote **CS for CS for CS for SB 88** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—1

Oelrich

SB 420—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 381.8531, F.S.; providing that personal identifying information pertaining to a donor to the central repository for brain tumor biopsies or the brain tumor registry of the Florida Center for Brain Tumor Research is confidential and exempt

from public-records requirements; providing an exception under certain conditions for information disclosed to a person engaged in bona fide research; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a finding of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 420**, on motion by Senator Garcia, by two-thirds vote **HB 7079** was withdrawn from the Committees on Health Regulation; and Governmental Oversight and Accountability.

On motion by Senator Garcia—

HB 7079—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 381.8531, F.S.; providing that personal identifying information of a donor to the central repository for brain tumor biopsies or the brain tumor registry of the Florida Center for Brain Tumor Research is confidential and exempt from public records requirements; providing for retroactive application of the exemption; providing an exception to the exemption for a person engaged in bona fide research provided certain conditions are met; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **SB 420** and read the second time by title.

On motion by Senator Garcia, by two-thirds vote **HB 7079** was read the third time by title, passed by the required two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 438—A bill to be entitled An act relating to injunctions for protection against domestic violence, repeat violence, sexual violence, or dating violence; amending ss. 741.30 and 784.046, F.S.; subject to available funding, directing the Florida Association of Court Clerks and Comptrollers to develop an automated process by which a petitioner for an injunction for protection may request notification of service of the injunction or notice of other court actions related to the injunction; requiring that notice be given to the petitioner within a specified time; providing for the content of the notice; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 438** to **CS for CS for HB 563**.

Pending further consideration of **CS for SB 438** as amended, on motion by Senator Hill, by two-thirds vote **CS for CS for HB 563** was withdrawn from the Committees on Criminal Justice; Judiciary; and Budget.

On motion by Senator Hill—

CS for CS for HB 563—A bill to be entitled An act relating to injunctions for protection against domestic violence, repeat violence, sexual violence, or dating violence; amending ss. 741.30 and 784.046, F.S.;

subject to available funding, directing the Florida Association of Court Clerks and Comptrollers to develop an automated process by which a petitioner for an injunction for protection may request notification of service of the injunction or notice of other court actions related to the injunction; requiring that notice be given to the petitioner within a specified time; providing for the content of the notice; authorizing the association to apply for grants to fund the development of the automated process; providing an effective date.

—a companion measure, was substituted for **CS for SB 438** as amended and read the second time by title.

On motion by Senator Hill, by two-thirds vote **CS for CS for HB 563** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 502—A bill to be entitled An act relating to state symbols; creating s. 15.03865, F.S.; designating the Barking Tree Frog as the official state amphibian; providing an effective date.

—was read the second time by title. On motion by Senator Oelrich, by two-thirds vote **SB 502** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Consideration of **CS for SB 504** was deferred.

CS for CS for SB 512—A bill to be entitled An act relating to vessels; amending s. 327.33, F.S.; revising penalty provisions for the violation of navigation rules; providing that a violation resulting in serious bodily injury or death is a second-degree misdemeanor; providing that a violation that does not constitute reckless operation of a vessel is a non-criminal violation; amending s. 327.395, F.S.; providing an additional exemption from the requirement that certain persons possess a boating safety identification card while operating a motor vessel of a specified horsepower; amending s. 327.54, F.S.; prohibiting a livery from leasing, hiring, or renting a motor vessel of certain horsepower to a person unless

the person presents photographic identification and a valid boater safety identification card or provides proof that the person has successfully completed the boater education course; amending s. 327.73, F.S.; providing for increased penalties for certain noncriminal violations of navigation rules; deleting a duplicate provision; reenacting and amending s. 327.72, F.S., relating to penalties, to incorporate the amendment made to s. 327.73, in a reference thereto; correcting a cross-reference; reenacting s. 327.731(1), F.S., relating to mandatory education for violators, to incorporate the amendment made to s. 327.73, F.S., in a reference thereto; providing an effective date.

—was read the second time by title. On motion by Senator Negron, by two-thirds vote **CS for CS for SB 512** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

Vote after roll call:

Yea—Alexander

SB 514—A bill to be entitled An act relating to vehicle crashes involving death; providing a short title; amending s. 316.027, F.S.; requiring a defendant who was arrested for leaving the scene of a crash involving death be held in custody until brought before a judge for admittance to bail in certain circumstances; reenacting s. 921.0022(3)(g), F.S., relating to the Criminal Punishment Code, to incorporate the amendments made to s. 316.027, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 514**, on motion by Senator Garcia, by two-thirds vote **HB 347** was withdrawn from the Committees on Criminal Justice; Judiciary; and Budget.

On motion by Senator Garcia—

HB 347—A bill to be entitled An act relating to vehicle crashes involving death; providing a short title; amending s. 316.027, F.S.; requiring a defendant who was arrested for leaving the scene of a crash involving death be held in custody until brought before a judge for admittance to bail in certain circumstances; reenacting s. 921.0022(3)(g), F.S., relating to the Criminal Punishment Code, to incorporate the amendments made to s. 316.027, F.S., in a reference thereto; providing an effective date.

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

On motion by Senator Garcia, by two-thirds vote **HB 347** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bogdanoff	Diaz de la Portilla
Altman	Braynon	Dockery
Benacquisto	Dean	Evers
Bennett	Detert	Fasano

Flores	Lynn	Sachs
Gaetz	Margolis	Simmons
Garcia	Montford	Siplin
Gardiner	Negron	Smith
Hays	Norman	Sobel
Hill	Oelrich	Storms
Jones	Rich	Thrasher
Joyner	Richter	Wise
Latvala	Ring	

Nays—None

Vote after roll call:

Yea—Alexander

SB 568—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 744.1076, F.S., relating to public-record exemptions for court records relating to court monitors in guardianship proceedings; consolidating provisions; providing that orders appointing nonemergency court monitors are exempt rather than confidential and exempt; providing that only court orders finding no probable cause are confidential and exempt; saving the exemptions from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 568**, on motion by Senator Flores, by two-thirds vote **HB 7085** was withdrawn from the Committees on Judiciary; and Governmental Oversight and Accountability.

On motion by Senator Flores—

HB 7085—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 744.1076, F.S., relating to public record exemptions for court records relating to court monitors in guardianship proceedings; consolidating provisions; providing that orders appointing nonemergency court monitors are exempt rather than confidential and exempt; providing that only court orders finding no probable cause are confidential and exempt; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 568** and read the second time by title.

On motion by Senator Flores, by two-thirds vote **HB 7085** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Gaetz

SB 570—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 787.03, F.S., relating to a public-records exemption for information submitted to a sheriff or state attorney for the purpose of obtaining immunity from prosecution for the offense of interference with custody; saving the exemption from repeal under the Open Government Sunset Review Act; deleting a provision providing for the repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 570**, on motion by Senator Flores, by two-thirds vote **HB 7083** was withdrawn from the Committees on Judiciary; and Governmental Oversight and Accountability.

On motion by Senator Flores—

HB 7083—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 787.03, F.S., which provides a public records exemption for information submitted to a sheriff or state attorney for the purpose of obtaining immunity from prosecution for the offense of interference with custody; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 570** and read the second time by title.

On motion by Senator Flores, by two-thirds vote **HB 7083** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

Vote after roll call:

Yea—Mr. President

CS for SB 572—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 744.7082, F.S., which provides an exemption from public-records requirements for information that identifies certain donors or prospective donors to the direct-support organization for the Statewide Public Guardianship Office; removing superfluous and duplicative language; repealing s. 2, ch. 2006-179, Laws of Florida, which provides for repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 572**, on motion by Senator Flores, by two-thirds vote **HB 7081** was withdrawn from the Committees on Judiciary; and Governmental Oversight and Accountability.

On motion by Senator Flores—

HB 7081—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 744.7082, F.S., which provides an exemption from public records requirements for information that identifies certain donors or prospective donors to the direct-support organization for the Statewide Public Guardianship Office; removing superfluous and duplicative language; repealing s. 2, ch. 2006-179, Laws

of Florida, which provides for repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **CS for SB 572** and read the second time by title.

On motion by Senator Flores, by two-thirds vote **HB 7081** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Gardiner	Rich
Benacquisto	Hays	Richter
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Vote after roll call:

Yea—Evers, Garcia

CS for CS for SB 594—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; requiring that a claim in a wrongful death case be presented to the Department of Financial Services within 2 years after the claim accrues; providing that failure of the Department of Financial Services or the appropriate agency to make final disposition of a claim for wrongful death within 90 days after it is filed is deemed to be a final denial of the claim; tolling the statute of limitations for the period of time taken by the Department of Financial Services or other agency to deny a medical malpractice or wrongful death claim; providing that actions for wrongful death against the state or one of its agencies or subdivisions must be brought within the period applicable to actions brought against other defendants; specifying applicability to workers' compensation claims; providing for the application of the act to causes of action accruing on or after the effective date; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 594** to **CS for CS for HB 277**.

Pending further consideration of **CS for CS for SB 594** as amended, on motion by Senator Hays—

CS for CS for HB 277—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; requiring that a claim in a wrongful death case be presented to the Department of Financial Services within 2 years after the claim accrues; providing that failure of the Department of Financial Services or the appropriate agency to make final disposition of a claim for wrongful death within 90 days after it is filed is deemed to be a final denial of the claim; tolling the statute of limitations for the period of time taken by the Department of Financial Services or other agency to deny a medical malpractice or wrongful death claim; providing that actions for wrongful death against the state or one of its agencies or subdivisions must be brought within the period applicable to actions brought against other defendants; providing for the application of the act to causes of action accruing on or after the effective date; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 594** as amended and read the second time by title.

On motion by Senator Hays, by two-thirds vote **CS for CS for HB 277** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Dean	Jones	Simmons
Detert	Latvala	Siplin
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—2

Braynon	Joyner
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Vote after roll call:

Yea—Benacquisto

CS for SB 600—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public-records requirements for identification and location information of certain current and former employees of the Department of Juvenile Justice and their family members; revising the job classifications specified in the exemption to reflect those classifications used by the department; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 600**, on motion by Senator Evers, by two-thirds vote **HB 7075** was withdrawn from the Committees on Criminal Justice; and Governmental Oversight and Accountability.

On motion by Senator Evers—

HB 7075—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for identification and location information of certain current and former employees of the Department of Juvenile Justice and their family members; revising the job classifications specified in the exemption to reflect those classifications used by the department; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **CS for SB 600** and read the second time by title.

On motion by Senator Evers, by two-thirds vote **HB 7075** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Latvala	Siplin
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—3

Dockery	Joyner	Smith
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SB 602—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public-records requirements for biometric identification information held by an agency; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 602**, on motion by Senator Evers, by two-thirds vote **HB 7077** was withdrawn from the Committees on Criminal Justice; and Governmental Oversight and Accountability.

On motion by Senator Evers—

HB 7077—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for biometric identification information held by an agency; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 602** and read the second time by title.

On motion by Senator Evers, by two-thirds vote **HB 7077** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 604—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 790.0601, F.S., which provides an exemption from public-records requirements for personal identifying information of an individual who has applied for or received a license to carry a concealed weapon or firearm; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 604**, on motion by Senator Evers, by two-thirds vote **HB 7161** was withdrawn from the Committees on Criminal Justice; and Governmental Oversight and Accountability.

On motion by Senator Evers—

HB 7161—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; repealing s. 790.0601(3), F.S., to remove the scheduled repeal of an exemption from public records requirements for personal identifying information of an applicant for or recipient of a license to carry a concealed weapon or firearm; providing an effective date.

—a companion measure, was substituted for **SB 604** and read the second time by title.

On motion by Senator Evers, by two-thirds vote **HB 7161** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Dean	Latvala	Siplin
Detert	Lynn	Smith
Diaz de la Portilla	Margolis	Sobel
Dockery	Montford	Storms
Evers	Negron	Thrasher
Fasano	Norman	Wise

Nays—2

Braynon	Joyner
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CS for SB 648—A bill to be entitled An act relating to estates; creating s. 90.5021, F.S.; creating a fiduciary lawyer-client privilege; providing that the lawyer-client privilege applies to the communications between a lawyer and a client that is a fiduciary; providing that the act does not affect the crime or fraud exception to the lawyer-client privilege; amending s. 732.102, F.S.; revising provisions relating to the intestate share of a surviving spouse; creating s. 732.615, F.S.; providing a right to reform the terms of a will to correct mistakes; creating s. 732.616, F.S.; providing a right to modify the terms of a will to achieve tax objectives; creating s. 733.1061, F.S.; providing for a court to award fees and costs in reformation and modification proceedings either against a party's share in the estate or in the form of a personal judgment against a party individually; amending s. 732.5165, F.S.; clarifying that a revocation of a will is subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 732.518, F.S.; specifying that a challenge to the revocation of a will may not be commenced before the testator's death; amending s. 733.212, F.S.; requiring a notice of administration to state that the fiduciary lawyer-client privilege applies with respect to the personal representative and his or her attorney; amending s. 736.0207, F.S.; clarifying when a challenge to the revocation of a revocable trust may be brought; amending s. 736.0406, F.S.; providing that the creation of a trust amendment or trust restatement and the revocation of a trust are subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 736.0813, F.S.; providing that the fiduciary lawyer-client privilege applies to communications between a trustee and an attorney employed by the trustee; amending s. 744.441, F.S.; limiting the circumstances under which a guardian of an incapacitated person may bring a challenge to a settlor's revocation of a revocable trust; amending s. 736.0201, F.S.; clarifying that certain payments by a trustee from trust assets are not taxation of attorney's fees and costs subject to a specified Rule of Civil Procedure; providing for application of the act; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 648**, on motion by Senator Joyner, by two-thirds vote **CS for HB 325** was withdrawn from the Committees on Judiciary; Banking and Insurance; and Rules.

On motion by Senator Joyner—

CS for HB 325—A bill to be entitled An act relating to estates; creating s. 90.5021, F.S.; providing a fiduciary lawyer-client privilege; providing that the section is inapplicable to a specified crime or fraud exception to lawyer-client privilege; amending s. 732.102, F.S.; revising provisions relating to the intestate share of a surviving spouse; creating s. 732.615, F.S.; providing a right to reform the terms of a will to correct mistakes; creating s. 732.616, F.S.; providing a right to modify the terms of a will to achieve tax objectives; creating s. 733.1061, F.S.; providing for a court to award fees and costs in reformation and modification proceedings either against a party's share in the estate or in the form of a personal judgment against a party individually; amending s. 732.5165,

F.S.; clarifying that a revocation of a will is subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 732.518, F.S.; specifying that a challenge to the revocation of a will may not be commenced before the testator's death; amending s. 733.212, F.S.; providing for notice of fiduciary lawyer-client privilege in a notice of administration; amending s. 736.0207, F.S.; clarifying when a challenge to the revocation of a revocable trust may be brought; amending s. 736.0406, F.S.; providing that the creation of a trust amendment or trust restatement and the revocation of a trust are subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 736.0813, F.S.; providing for notice of fiduciary lawyer-client privilege by a trustee; amending s. 744.441, F.S.; limiting the circumstances under which a guardian of an incapacitated person may bring a challenge to a settlor's revocation of a revocable trust; amending s. 736.0201, F.S.; clarifying that certain payments by a trustee from trust assets are not taxation of attorney's fees and costs subject to a specified Rule of Civil Procedure; providing effective dates.

—a companion measure, was substituted for **CS for SB 648** and read the second time by title.

On motion by Senator Joyner, by two-thirds vote **CS for HB 325** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 692—A bill to be entitled An act relating to assisted living facilities; amending s. 429.19, F.S.; removing a requirement that the Agency for Health Care Administration disseminate annually a printed list of assisted living facilities sanctioned or fined to specified agencies and departments; amending s. 429.23, F.S.; removing reporting requirements for assisted living facilities relating to liability claims; amending s. 429.35, F.S.; removing an obsolete reporting requirement; amending s. 429.41, F.S.; removing a provision requiring the Department of Elderly Affairs to submit to the Legislature for review and comment a copy of proposed department rules establishing standards for resident care; repealing s. 429.54, F.S., relating to a provision that authorizes the Department of Elderly Affairs to collect information regarding the cost of providing certain services in facilities and to conduct field visits and audits and a provision authorizing a local subsidy; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 692**, on motion by Senator Richter, by two-thirds vote **CS for HB 4045, HB 4047, HB 4049, HB 4051 and HB 4053** was withdrawn from the Committees on Children, Families, and Elder Affairs; Health Regulation; and Rules.

On motion by Senator Richter—

CS for HB 4045, HB 4047, HB 4049, HB 4051 and HB 4053—A bill to be entitled An act relating to assisted living facilities; amending s. 429.19, F.S.; removing a requirement that the Agency for Health Care Administration disseminate annually a printed list of assisted living facilities sanctioned or fined to specified agencies and departments; amending s. 429.23, F.S.; removing reporting requirements for assisted

living facilities relating to liability claims; amending s. 429.35, F.S.; removing an obsolete reporting requirement; amending s. 429.41, F.S.; removing a provision requiring the Department of Elderly Affairs to submit to the Legislature for review and comment a copy of proposed department rules establishing standards for resident care; repealing s. 429.54, F.S.; repealing a provision authorizing the Department of Elderly Affairs to collect information regarding the cost of providing certain services in facilities and to conduct field visits and audits; repealing a provision authorizing a local subsidy; providing an effective date.

—a companion measure, was substituted for **CS for SB 692** and read the second time by title.

On motion by Senator Richter, by two-thirds vote **CS for HB 4045, HB 4047, HB 4049, HB 4051 and HB 4053** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Vote after roll call:

Yea to Nay—Joyner

SB 714—A bill to be entitled An act relating to disabled parking permits; amending s. 318.18, F.S.; providing for a parking enforcement specialist or agency to validate compliance for the disposition of a citation issued for illegally parking in a space provided for people who have disabilities; amending s. 320.0848, F.S.; revising requirements for renewal or replacement of a disabled parking permit; prohibiting applying for a new disabled parking permit for a certain period of time upon a second finding of guilt or plea of nolo contendere to unlawful use of such permit; requiring the Department of Highway Safety and Motor Vehicles to audit disabled parking permit holders, verify certain information, and invalidate the permit of a deceased permitholder; directing the department to implement a means for reporting abuse of disabled parking permits; providing for the department to conduct a public awareness campaign; providing an effective date.

—was read the second time by title. On motion by Senator Margolis, by two-thirds vote **SB 714** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Hays	Richter
Bennett	Hill	Ring
Bogdanoff	Jones	Sachs
Braynon	Joyner	Simmons
Dean	Latvala	Siplin
Detert	Lynn	Smith
Diaz de la Portilla	Margolis	Sobel
Dockery	Montford	Storms
Fasano	Negron	Thrasher

Wise

Nays—None

CS for SB 720—A bill to be entitled An act relating to cancer research and control; amending s. 20.435, F.S.; changing the carryforward period of certain funds of the Biomedical Research Trust Fund; amending s. 215.5602, F.S.; modifying the terms and membership and establishing a staggered membership for appointed members of the Biomedical Research Advisory Council; authorizing the council to recommend a portion of the allocation for the James and Esther King Biomedical Research Program for specified purposes and to develop a grant application and review mechanism; prohibiting any member of the council from participating in council or peer-review panel discussions or decisions regarding certain proposals; authorizing the Department of Health to accept and use gifts for awards under the program; amending s. 381.922, F.S.; revising the purpose of the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; revising the types of applications considered for funding; authorizing the Biomedical Research Advisory Council to recommend a portion of the allocation for the program for specified purposes and to develop a grant application and review mechanism; prohibiting any member of the council from participating in council or panel discussions or decisions regarding certain proposals; requiring the department to submit to the Governor and Legislature a report by a specified date; authorizing the Department of Health to accept and use gifts for awards under the program; creating s. 381.923, F.S.; creating the Florida Comprehensive Cancer Control Act; providing legislative intent; providing definitions; creating the Florida Cancer Control and Resource Advisory Council; providing membership of the council; providing the composition of the executive committee of the council; providing for terms of the council and meetings; providing for reimbursement for per diem and travel expenses; prohibiting a member of the council from participating in any discussion or decision to recommend any type of award or contract to any qualified nonprofit association or to any agency of this state or a political subdivision of the state with which the member is associated as an employee or as a member of the governing body or with which the member has entered into a contractual arrangement; providing the duties and responsibilities of the council; requiring the council to report findings and recommendations to the Governor, the Legislature, and the State Surgeon General; requiring the council to develop or purchase written summaries regarding medically viable treatment alternatives for the management of breast cancer and prostate cancer; providing requirements for the written summaries; requiring the council to develop and implement education programs regarding early detection and treatment of breast cancer and prostate cancer; requiring that the H. Lee Moffitt Cancer Center and Research Institute, Inc., provide an executive director for the council; authorizing the Department of Health to adopt rules to administer s. 381.923, F.S.; requiring the department to produce the Florida Cancer Plan in consultation with the council; creating the Cancer Control Collaborative Program within the Department of Health; providing the responsibility and mission of the program; requiring the department to appoint a director; providing duties for each regional cancer control collaborative; requiring the collaborative program to submit to the council an annual report by a specified date; requiring the program to serve as the infrastructure for expansion or adaption as federal programs or other opportunities arise for future cancer control initiatives; amending ss. 458.324 and 459.0125, F.S.; conforming cross-references; repealing s. 1004.435, F.S., relating to cancer control and research; providing an effective date.

—was read the second time by title. On motion by Senator Gaetz, by two-thirds vote **CS for SB 720** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bogdanoff	Dockery
Alexander	Braynon	Evers
Altman	Dean	Fasano
Benacquisto	Detert	Flores
Bennett	Diaz de la Portilla	Gaetz

Garcia	Margolis	Sachs
Gardiner	Montford	Simmons
Hays	Negron	Siplin
Hill	Norman	Smith
Jones	Oelrich	Sobel
Joyner	Rich	Storms
Latvala	Richter	Thrasher
Lynn	Ring	Wise

Nays—None

SB 726—A bill to be entitled An act relating to state symbols; creating s. 15.0465, F.S.; designating the schooner Western Union as the official state flagship; providing an effective date.

—was read the second time by title. On motion by Senator Latvala, by two-thirds vote **SB 726** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **SB 726**.

CS for SB 740—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.60, F.S.; redefining the term “line-make vehicles” to clarify circumstances under which vehicles sold or leased under multiple brand names or marks constitute a single line-make; amending s. 320.6992, F.S.; revising the application of provisions relating to franchise agreements; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 740**, on motion by Senator Negron, by two-thirds vote **CS for HB 437** was withdrawn from the Committees on Transportation; Banking and Insurance; and Budget.

On motion by Senator Negron—

CS for HB 437—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.60, F.S.; redefining the term “line-make vehicles” to clarify circumstances under which vehicles sold or leased under multiple brand names or marks constitute a single line-make; amending s. 320.6992, F.S.; revising the application of provisions relating to franchise agreements; providing an effective date.

—a companion measure, was substituted for **CS for SB 740** and read the second time by title.

On motion by Senator Negron, by two-thirds vote **CS for HB 437** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Alexander	Altman
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Benacquisto	Garcia	Rich
Bennett	Gardiner	Richter
Bogdanoff	Hays	Ring
Braynon	Hill	Sachs
Dean	Jones	Simmons
Detert	Latvala	Siplin
Diaz de la Portilla	Lynn	Smith
Dockery	Margolis	Sobel
Evers	Montford	Storms
Fasano	Negron	Thrasher
Flores	Norman	Wise
Gaetz	Oelrich	

Nays—1

Joyner

CS for CS for SB 846—A bill to be entitled An act relating to sexual performance by a child; amending s. 827.071, F.S.; defining the term “intentionally view”; prohibiting controlling or intentionally viewing any photograph, motion picture, exhibition, show, image, data, computer depiction, representation, or other presentation that includes sexual conduct by a child; providing an exception; providing penalties; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart of the Criminal Punishment Code to changes made by the act; providing an effective date.

—was read the second time by title. On motion by Senator Benacquisto, by two-thirds vote **CS for CS for SB 846** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SM 852—A memorial to the Congress of the United States, urging Congress to support the marketing of Florida seafood.

WHEREAS, Florida seafood products face constantly increasing domestic competition from imported seafood products, with more than 80 percent of the total seafood consumed in the United States currently originating in foreign countries, and

WHEREAS, effective domestic marketing of Florida seafood in the face of aggressive competition from foreign products requires innovative, forceful, and consistent promotion, and

WHEREAS, current annual funding for the domestic promotion of Florida seafood is insufficient to effectively develop the thriving markets that sustainable Florida seafood products merit, especially when competing with nationally supported promotional programs aimed at United States consumers by rival seafood-producing countries, and

WHEREAS, duties and tariffs on imported seafood products generate approximately \$280,000,000 annually for the United States Treasury, and

WHEREAS, revenue from anti-dumping and countervailing duties on imported seafood products collected by the Federal Government total hundreds of millions of dollars annually, and

WHEREAS, federal revenue derived from the importation of competing seafood products is not presently made available for the marketing of seafood harvested and produced domestically, and

WHEREAS, using a portion of the revenue collected on the importation of foreign seafood products to promote United States seafood to domestic consumers will secure United States fisheries and seafood processing jobs, create robust and enduring domestic markets, and greatly enhance the nutritional value of national diets, and

WHEREAS, throughout recent history each spill or leak associated with the transportation or production of oil negatively affects the seafood industry through the closure of commercial and recreational fishing operations, the destruction of wildlife and natural habitat, or loss of market share, and

WHEREAS, in a recent survey conducted by the University of Minnesota, 54 percent of respondents said the Deepwater Horizon oil spill has affected their seafood consumption habits somewhat, 44 percent said they will not eat seafood from the Gulf of Mexico, and 31 percent said they will eat less seafood regardless of its origin, and

WHEREAS, a new National Seafood Marketing Fund designed to promote and develop United States produced seafood would help the United States seafood industry now and in the future recoup damages related to oil spills that result in decreased market demand for seafood, and

WHEREAS, a small portion of oil revenues are a logical source of funding for a National Seafood Marketing Fund as mitigation for real damages incurred by the seafood industry and coastal communities, NOW, THEREFORE,

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

That the Congress of the United States is requested to allocate moneys generated from federal marine and fishery product import tariffs for the domestic marketing of Florida seafood.

BE IT FURTHER RESOLVED that the Congress of the United States is urged to pass legislation dedicating a significant portion of marine and fishery product import tariffs to a national seafood marketing fund to promote domestic seafood products that face competition from foreign imports.

BE IT FURTHER RESOLVED that the Florida Congressional Delegation is urged to work with representatives of other seafood-producing states to secure adequate funding for effective and sustained domestic marketing of United States seafood.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full.

Pending further consideration of **SM 852**, on motion by Senator Hays, by two-thirds vote **HM 9** was withdrawn from the Committees on Environmental Preservation and Conservation; Commerce and Tourism; and Agriculture.

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

HM 9—A memorial to the Congress of the United States, urging Congress to support the marketing of Florida seafood.

WHEREAS, Florida seafood products face constantly increasing domestic competition from imported seafood products, with more than 80 percent of the total seafood consumed in the United States currently originating in foreign countries, and

WHEREAS, effective domestic marketing of Florida seafood in the face of aggressive competition from foreign products requires innovative, forceful, and consistent promotion, and

WHEREAS, current annual funding for the domestic promotion of Florida seafood is insufficient to effectively develop the thriving markets that sustainable Florida seafood products merit, especially when competing with nationally supported promotional programs aimed at United States consumers by rival seafood-producing countries, and

WHEREAS, duties and tariffs on imported seafood products generate approximately \$280,000,000 annually for the United States Treasury, and

WHEREAS, revenue from anti-dumping and countervailing duties on imported seafood products collected by the Federal Government total hundreds of millions of dollars annually, and

WHEREAS, federal revenue derived from the importation of competing seafood products is not presently made available for the marketing of seafood harvested and produced domestically, and

WHEREAS, using a portion of the revenue collected on the importation of foreign seafood products to promote United States seafood to domestic consumers will secure United States fisheries and seafood processing jobs, create robust and enduring domestic markets, and greatly enhance the nutritional value of national diets, and

WHEREAS, throughout recent history each spill or leak associated with the transportation or production of oil negatively affects the seafood industry through the closure of commercial and recreational fishing operations, the destruction of wildlife and natural habitat, or loss of market share, and

WHEREAS, in a recent survey conducted by the University of Minnesota, 54 percent of respondents said the Deepwater Horizon oil spill has affected their seafood consumption habits somewhat, 44 percent said they will not eat seafood from the Gulf of Mexico, and 31 percent said they will eat less seafood regardless of its origin, and

WHEREAS, a new National Seafood Marketing Fund designed to promote and develop United States produced seafood would help the United States seafood industry now and in the future recoup damages related to oil spills that result in decreased market demand for seafood, and

WHEREAS, a small portion of oil revenues are a logical source of funding for a National Seafood Marketing Fund as mitigation for real damages incurred by the seafood industry and coastal communities, NOW, THEREFORE,

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

That the Congress of the United States is requested to allocate moneys generated from federal marine and fishery product import tariffs for the domestic marketing of Florida seafood.

BE IT FURTHER RESOLVED that the Congress of the United States is urged to pass legislation dedicating a significant portion of marine and fishery product import tariffs to a national seafood marketing fund to promote domestic seafood products that face competition from foreign imports.

BE IT FURTHER RESOLVED that the Florida Congressional Delegation is urged to work with representatives of other seafood-producing states to secure adequate funding for effective and sustained domestic marketing of United States seafood.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—a companion measure, was substituted for **SM 852** and by two-thirds vote read the second time in full. On motion by Senator Hays, **HM 9** was adopted and certified to the House.

CS for SB 926—A bill to be entitled An act relating to the limitation of liability for employers who employ persons with a developmental disability; creating s. 768.0985, F.S.; providing that an employer, under certain circumstances, is not liable for the acts or omissions of an employee who is a person with a developmental disability; providing that a supported employment service provider that provides or has provided supported employment services to a person with a developmental disability is not liable for the actions or conduct of the person occurring within the scope of the person’s employment; defining the terms “developmental disability” and “supported employment service provider”; providing for application of the act; providing an effective date.

—was read the second time by title. On motion by Senator Storms, by two-thirds vote CS for SB 926 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Name, Flores, Norman. Lists names of senators and their corresponding votes.

Nays—None

Consideration of CS for CS for SB 930 was deferred.

SB 978—A bill to be entitled An act relating to individual retirement accounts; amending s. 222.21, F.S.; clarifying the exemption of inherited individual retirement accounts from legal processes; providing intent; providing for retroactive application; providing an effective date.

—was read the second time by title. On motion by Senator Flores, by two-thirds vote SB 978 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Table with 3 columns: Name, Flores, Norman. Lists names of senators and their corresponding votes.

Nays—None

Vote after roll call:

Yea—Dockery, Hays, Simmons

Consideration of SB 996 was deferred.

SB 1000—A bill to be entitled An act relating to interscholastic and intrascholastic sports; amending s. 1006.15, F.S.; removing certain provisions relating to a pilot program in which a middle school student or a

high school student in a private school may participate in athletics at a public school; providing for statewide implementation of the program; requiring that the athletic director of each public school maintain the records of students participating in the program; requiring that any private school that is not a member of the Florida High School Athletic Association make the records of participating students available to the association upon request; requiring that a student apply to participate in the program through the appropriate application process; limiting participation in the program to students who are enrolled in non-FHSAA member private schools consisting of a maximum number of students; providing an effective date.

—was read the second time by title.

Pending further consideration of SB 1000, on motion by Senator Wise, by two-thirds vote HB 797 was withdrawn from the Committees on Education Pre-K - 12; Health Regulation; and Budget.

On motion by Senator Wise—

HB 797—A bill to be entitled An act relating to interscholastic and intrascholastic sports; amending s. 1006.15, F.S.; removing certain provisions relating to a pilot program in which a middle school student or a high school student in a private school may participate in athletics at a public school; providing for statewide implementation of the program; requiring that the athletic director of each public school maintain the records of students participating in the program; requiring that any private school that is not a member of the Florida High School Athletic Association make the records of participating students available to the association upon request; requiring that a student apply to participate in the program through the appropriate application process; limiting participation in the program to students who are enrolled in non-FHSAA member private schools consisting of a maximum number of students; providing an effective date.

—a companion measure, was substituted for SB 1000 and read the second time by title.

On motion by Senator Wise, by two-thirds vote HB 797 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Name, Flores, Norman. Lists names of senators and their corresponding votes.

Nays—None

CS for CS for SB 1086—A bill to be entitled An act relating to the restraint of incarcerated pregnant women; providing a short title; defining terms; prohibiting use of restraints on a prisoner known to be pregnant during labor, delivery, and postpartum recovery unless a corrections official makes an individualized determination that the prisoner presents an extraordinary circumstance requiring restraints; providing that a doctor, nurse, or other health care professional treating the prisoner may request that restraints not be used, in which case the corrections officer or other official accompanying the prisoner shall remove all restraints; requiring that any restraint applied must be done in the least restrictive manner necessary; requiring the corrections official to make written findings within 10 days as to the extraordinary circumstance that dictated the use of restraints; restricting the use of waist, wrist, or leg and ankle restraints during the third trimester of pregnancy or when requested by a doctor, nurse, or other health care professional treating the prisoner; providing that the use of restraints at

any time after it is known that a prisoner is pregnant must be by the least restrictive manner necessary in order to mitigate the possibility of adverse clinical consequences; requiring that the findings be kept on file by the correctional institution or detention facility for at least 5 years and be made available for public inspection under certain circumstances; authorizing any woman who is restrained in violation of the act to file a grievance within a specified period; providing that these remedies do not prevent a woman harmed from filing a complaint under any other relevant provision of federal or state law; directing the Department of Corrections and the Department of Juvenile Justice to adopt rules; requiring correctional institutions and detention facilities to inform female prisoners of the rules upon admission, include the policies and practices in the prisoner handbook, and post the policies and practices in the correctional institution or detention facility; requiring the Secretary of Corrections, the Secretary of Juvenile Justice, and county and municipal corrections officials to annually file written reports with the Executive Office of the Governor detailing each incident of restraint in violation of law or as an authorized exception; providing an effective date.

—was read the second time by title.

Senator Hill moved the following amendments which were adopted:

Amendment 1 (160938)—Delete lines 139-141 and insert: *available for public inspection.*

Amendment 2 (742688)—Delete lines 187 and 188 and insert: *instance. Such reports shall be made*

On motion by Senator Hill, by two-thirds vote **CS for CS for SB 1086** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 1140—A bill to be entitled An act relating to child care facilities; providing a short title; amending s. 402.305, F.S.; requiring vehicles used by child care facilities and large family child care homes to be equipped with an alarm system that prompts the driver to inspect the vehicle for children before exiting the vehicle; requiring the Department of Children and Family Services to adopt rules and maintain a list of approved alarm systems; providing an effective date.

—was read the second time by title. On motion by Senator Sachs, by two-thirds vote **CS for SB 1140** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Joyner
Alexander	Evers	Latvala
Altman	Fasano	Lynn
Benacquisto	Flores	Margolis
Bennett	Gaetz	Montford
Bogdanoff	Garcia	Negron
Braynon	Gardiner	Norman
Dean	Hays	Oelrich
Detert	Hill	Rich
Diaz de la Portilla	Jones	Richter

Ring	Siplin	Storms
Sachs	Smith	Thrasher
Simmons	Sobel	Wise

Nays—None

CS for SB 1152—A bill to be entitled An act relating to limited liability companies; amending s. 608.433, F.S.; providing that a charging order against a member's limited liability company interest is the sole and exclusive remedy available to enforce a judgment creditor's unsatisfied judgment against a member or member's assignee; providing an exception for enforcing a judgment creditor's unsatisfied judgment against a judgment debtor or assignee of the judgment debtor of a single-member limited liability company under certain circumstances; providing that, in the case of a multimember limited liability company, certain remedies are unavailable to a judgment creditor attempting to satisfy a judgment; prohibiting a court from ordering such remedies; providing for construction relating to secured creditor rights, specified principles of law and equity, and continuing enforcement jurisdiction of the court; providing legislative intent; providing for retroactive application; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

Pending further consideration of **CS for SB 1152**, on motion by Senator Simmons, by two-thirds vote **CS for HB 253** was withdrawn from the Committees on Commerce and Tourism; Judiciary; and Banking and Insurance.

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

CS for HB 253—A bill to be entitled An act relating to limited liability companies; amending s. 608.433, F.S.; providing that a charging order against a member's limited liability company interest is the sole and exclusive remedy available to enforce a judgment creditor's unsatisfied judgment against a member or member's assignee; providing an exception for enforcing a judgment creditor's unsatisfied judgment against a judgment debtor or assignee of the judgment debtor of a single-member limited liability company under certain circumstances; providing that, in the case of a multimember limited liability company, certain remedies are unavailable to a judgment creditor attempting to satisfy a judgment; prohibiting a court from ordering such remedies; providing construction relating to secured creditor rights, specified principles of law and equity, and continuing enforcement jurisdiction of the court; providing legislative intent; providing for retroactive application; providing an effective date.

—a companion measure, was substituted for **CS for SB 1152** and read the second time by title.

On motion by Senator Simmons, by two-thirds vote **CS for HB 253** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 1192—A bill to be entitled An act relating to public records; amending s. 1004.55, F.S.; providing an exemption from public-records requirements for all records that relate to a client of a regional autism center who receives the services of a center or participates in center activities and the client’s family; providing for the release of specified confidential and exempt information by a center under certain circumstances; providing an exemption from public-records requirements for personal identifying information of a donor or prospective donor to a regional autism center if the donor or prospective donor wishes to remain anonymous; providing for review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1192**, on motion by Senator Rich, by two-thirds vote **CS for HB 579** was withdrawn from the Committees on Children, Families, and Elder Affairs; Health Regulation; and Governmental Oversight and Accountability.

On motion by Senator Rich—

CS for HB 579—A bill to be entitled An act relating to public records; amending s. 1004.55, F.S.; providing an exemption from public records requirements for all records that relate to a client of a regional autism center who receives the services of a center or participates in center activities and the client’s family; providing for release of specified confidential and exempt information by a center under certain circumstances; providing an exemption from public records requirements for personal identifying information of a donor or prospective donor to a regional autism center if such donor or prospective donor wishes to remain anonymous; providing for review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 1192** and read the second time by title.

On motion by Senator Rich, by two-thirds vote **CS for HB 579** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	
Flores	Norman	

Nays—None

CS for CS for SB 1206—A bill to be entitled An act relating to eyewitness identification; providing a short title; defining terms; requiring state, county, municipal, and other law enforcement agencies that conduct lineups to follow certain specified procedures; requiring the eyewitness to sign an acknowledgement that he or she received the instructions about the lineup procedures from the law enforcement agency; specifying remedies for failing to adhere to the eyewitness identification procedures; requiring the Criminal Justice Standards and Training Commission to create educational materials and conduct training programs on how to conduct lineups in compliance with the act; providing an effective date.

—was read the second time by title.

Senator Negron moved the following amendments which were adopted:

Amendment 1 (160176)—Delete line 72 and insert: *identity, except that this instruction need not be given when a specified and approved alternative method of neutral administration is utilized;*

Amendment 2 (484788)—Delete line 106 and insert:

Section 2. This act shall take effect October 1, 2011.

On motion by Senator Negron, further consideration of **CS for CS for SB 1206** as amended was deferred.

Consideration of **CS for SB 1300** was deferred.

CS for CS for SB 1312—A bill to be entitled An act relating to school nutrition programs; providing a short title; transferring and reassigning functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources for the administration of the school food and nutrition programs from the Department of Education to the Department of Agriculture and Consumer Services; creating s. 570.98, F.S.; requiring the Department of Agriculture and Consumer Services to conduct, supervise, and administer all school food and nutrition programs; requiring the department to cooperate fully with the United States Government; authorizing the department to act as agent of, or contract with, the Federal Government, other state agencies, or any county or municipal government for the administration of the school food and nutrition programs; transferring, renumbering, and amending s. 1006.06, F.S., relating to school food service programs; conforming provisions to changes made by the act; deleting obsolete provisions; transferring, renumbering, and amending ss. 1006.0606 and 1010.77, F.S., relating to the children’s summer nutrition program and the Food and Nutrition Services Trust Fund, respectively; conforming provisions to changes made by the act; deleting obsolete provisions; amending s. 1003.453, F.S.; requiring each school district to send an updated copy of its wellness policy and physical education policy to the Department of Education and the Department of Agriculture and Consumer Services; deleting obsolete provisions; requiring certain information to be accessible from the website of the Department of Agriculture and Consumer Services; creating the Healthy Schools for Healthy Lives Council within the Department of Agriculture and Consumer Services; requiring the Commissioner of Agriculture to appoint members of the council; providing duties of the council; providing requirements for the meetings, powers, duties, procedures, and recordkeeping of the council; requiring the Department of Education, in consultation with the Department of Agriculture and Consumer Services, to develop and submit a request for a waiver to the United States Department of Agriculture to transfer administration of the school food service and nutrition programs; requiring the Department of Education to notify the Governor and the Legislature regarding the decision of the United States Department of Agriculture; providing for contingent effect based upon federal approval of a request for a waiver; providing effective dates.

—was read the second time by title.

Senator Siplin moved the following amendments which were adopted:

Amendment 1 (651452) (with title amendment)—Between lines 57 and 58 insert:

Section 2. *The Food and Nutrition Services Trust Fund, FLAIR number 48-2-2315, in the Department of Education is transferred to the Department of Agriculture and Consumer Services, FLAIR number 42-2-2315.*

And the title is amended as follows:

Delete line 3 and insert: providing a short title; transferring the Food and Nutrition Services Trust Fund in the Department of Education to the Department of Agriculture and Consumer Services; transferring and reassigning

Amendment 2 (333254)—Delete line 244 and insert: Chapter 99-37 99-34, Laws of Florida, re-created the Food and

On motion by Senator Siplin, by two-thirds vote **CS for CS for SB 1312** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

Consideration of **CS for CS for SB 1594** was deferred.

CS for SB 1656—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; making scholarships available to students with disabilities who have a 504 accommodation plan issued under s. 504 of the federal Rehabilitation Act; allowing a parent to request and receive a scholarship for a student to enroll in and attend a private school if the student has a 504 accommodation plan; providing that students with certain temporary 504 accommodation plans are ineligible for a scholarship; requiring that the school district notify a parent of available options within 10 days after a 504 accommodation plan is issued; providing that a parent may choose to enroll the student in a public school in an adjacent district under certain conditions; providing for scholarship amounts; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1656**, on motion by Senator Wise, by two-thirds vote **CS for HB 1329** was withdrawn from the Committees on Education Pre-K - 12; and Budget.

On motion by Senator Wise—

CS for HB 1329—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; making scholarships available to students with disabilities who have a 504 accommodation plan issued under s. 504 of the federal Rehabilitation Act; allowing a parent to request and receive a scholarship for a student to enroll in and attend a private school if the student has a 504 accommodation plan; providing that students with certain temporary 504 accommodation plans are ineligible for a scholarship; requiring that the school district notify a parent of available options within 10 days after a 504 accommodation plan is issued; providing that a parent may choose to enroll the student in a public school in an adjacent district under certain conditions; providing for scholarship amounts; providing an effective date.

—a companion measure, was substituted for **CS for SB 1656** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1329** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

CS for SB 1754—A bill to be entitled An act relating to health insurance; creating s. 624.24, F.S.; prohibiting a person from being compelled to purchase health insurance except under specified conditions; specifying that the act does not prohibit the collection of certain debts; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1754** was placed on the calendar of Bills on Third Reading.

CS for SB 1884—A bill to be entitled An act relating to consumer protection; providing definitions; prohibiting a post-transaction third-party seller from charging a consumer for a good or service sold over the Internet unless certain disclosures are made and the seller receives the informed consent of the consumer; requiring a post-transaction third-party seller to provide a simple mechanism for a consumer to cancel a purchase of a good or service and stop any recurring charges; prohibiting an initial merchant from disclosing certain account numbers of a consumer to a post-transaction third-party seller under certain circumstances; providing that a person who violates the act commits an unfair and deceptive trade practice under the Florida Deceptive and Unfair Trade Practices Act; providing an effective date.

—was read the second time by title. On motion by Senator Gaetz, by two-thirds vote **CS for SB 1884** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 1990—A bill to be entitled An act relating to the ratification of rules; ratifying a specified rule for the sole and exclusive purpose of satisfying any condition on effectiveness established by s. 120.541(3), F.S., which requires ratification of any rule that meets any of the specified thresholds that may likely have an adverse impact or excessive regulatory cost; providing an effective date.

—was read the second time by title. On motion by Senator Garcia, by two-thirds vote **SB 1990** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

SB 2168—A bill to be entitled An act relating to the ratification of rules; ratifying specified rules for the sole and exclusive purpose of satisfying any condition on effectiveness established by s. 120.541(3), F.S.,

which requires ratification of any rule that meets any of the specified thresholds that may likely have an adverse impact or excessive regulatory cost; providing an effective date.

—was read the second time by title. On motion by Senator Garcia, by two-thirds vote **SB 2168** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 2174—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; transferring, renumbering, and amending s. 215.44(8), F.S., which provides exemptions from public-records requirements for the State Board of Administration; creating s. 215.440, F.S.; specifying information that does not constitute proprietary confidential business information held by the State Board of Administration; requiring the State Board of Administration to maintain a written list of records covered under a verified, written declaration; conforming cross-references; making editorial changes; removing the scheduled repeal of the exemptions; amending s. 215.47, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 2174**, on motion by Senator Ring, by two-thirds vote **HB 7225** was withdrawn from the Committee on Governmental Oversight and Accountability.

On motion by Senator Ring—

HB 7225—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; transferring, renumbering, and amending s. 215.44(8), F.S., which provides exemptions from public records requirements for the State Board of Administration; creating s. 215.440, F.S.; specifying information that does not constitute proprietary confidential business information held by the State Board of Administration; requiring the State Board of Administration to maintain a written list of records covered under a verified, written declaration; conforming cross-references; making editorial changes; removing the scheduled repeal of the exemption; amending s. 215.47, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **SB 2174** and read the second time by title.

On motion by Senator Ring, by two-thirds vote **HB 7225** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Detert	Hill
Alexander	Diaz de la Portilla	Jones
Altman	Fasano	Latvala
Benacquisto	Flores	Lynn
Bennett	Gaetz	Margolis
Bogdanoff	Garcia	Montford
Braynon	Gardiner	Negron
Dean	Hays	Norman

Oelrich	Sachs	Thrasher
Rich	Simmons	Wise
Richter	Smith	
Ring	Storms	

Nays—2

Dockery	Joyner
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Vote after roll call:

Yea to Nay—Fasano

CS for CS for SB 178—A bill to be entitled An act relating to commercial insurance rates; amending s. 627.062, F.S.; exempting certain liability and property insurance lines from specific rate standards and filing requirements; revising certain reporting and recordkeeping requirements for such exempt insurers and certain rating organizations regarding rate changes; requiring such entities to pay certain examination costs; deleting a provision that permits the Office of Insurance Regulation of the Financial Services Commission to require such insurers to provide certain information regarding rates at the insurer's expense; requiring such entities to pay certain examination costs; amending s. 627.0651, F.S.; exempting certain commercial motor vehicle insurance from specific rate standards and filing requirements; revising certain reporting and recordkeeping requirements for such exempt insurers and certain rating organizations regarding rate changes; requiring such entities to pay certain examination costs; deleting a provision that permits the Office of Insurance Regulation of the Financial Services Commission to require such insurers to provide certain information regarding rates at the insurer's expense; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 178** to **CS for CS for HB 99**.

Pending further consideration of **CS for CS for SB 178** as amended, on motion by Senator Oelrich, by two-thirds vote **CS for CS for HB 99** was withdrawn from the Committees on Banking and Insurance; Commerce and Tourism; and Budget.

On motion by Senator Oelrich—

CS for CS for HB 99—A bill to be entitled An act relating to commercial insurance rates; amending s. 627.062, F.S.; exempting additional categories or kinds of insurance and types of commercial lines risks from being subject to certain otherwise applicable rate filing requirements; deleting a requirement that an insurer's rate change notice include total premium written for an exempt class of insurance; removing a requirement that specified types of records and information related to a rate change be retained by an insurer; requiring actuarial data regarding a rate change for an exempt class of insurance be retained by an insurer for a specified time; requiring the insurer to incur examination expenses; removing a requirement that a rating organization maintain certain statistics related to changes to loss cost for exempt classes of insurance; requiring certain actuarial data related to loss cost be retained by a rating organization for a specified time; requiring a rating organization to incur examination expenses; deleting authority for the Office of Insurance Regulation to require all necessary information from an insurer in order to evaluate a rate change; amending s. 627.0651, F.S.; expanding an exemption from certain otherwise applicable rate filing requirements to include all commercial motor vehicle insurance; deleting a requirement that a commercial motor vehicle insurer's rate change notice include total premium written; removing a requirement that specified types of records and information related to a commercial motor vehicle insurance rate change be retained by an insurer; requiring actuarial data regarding a commercial motor vehicle insurance rate change be retained by an insurer for a specified time; requiring an insurer for commercial motor vehicle insurance to incur examination expenses; removing a requirement that a rating organization maintain certain statistics related to changes to loss cost for commercial motor vehicle insurance; requiring actuarial data related to loss cost for commercial motor vehicle insurance be retained by a rating organization for a specified time; requiring a rating organization for commercial motor vehicle insurance to incur examination expenses;

deleting authority for the Office of Insurance Regulation to require all necessary information from an commercial motor vehicle insurer in order to evaluate a rate change; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 178** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 99** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 274—A bill to be entitled An act relating to road and bridge designations; designating Veterans Memorial Highway in Putnam County; designating the Duval County Law Enforcement Memorial Overpass in Duval County; designating SP4 Thomas Berry Corbin Memorial Highway and U.S. Navy BMC Samuel Calhoun Chavous, Jr., Memorial Highway in Dixie County; designating Marine Lance Corporal Brian R. Buesing Memorial Highway, United States Army Sergeant Karl A. Campbell Memorial Highway, and U.S. Army SPC James A. Page Memorial Highway in Levy County; designating Mardi Gras Way, West Park Boulevard, and Pembroke Park Boulevard in Broward County; designating Deputy Hal P. Croft and Deputy Ronald Jackson Memorial Highway in Union County; designating Deputy Jack A. Romeis Road in Alachua County; designating Senator Javier D. Souto Way in Miami-Dade County; designating Nona and Papa Road in St. Johns County; designating Walter Francis Spence Parkway in Okaloosa County; designating Beaches and Rivers Parkway in Santa Rosa County; amending ss. 24 and 45 of chapter 2010-230, Laws of Florida; revising the designations for Miss Lillie Williams Boulevard and Father Gerard Jean-Juste Street in Miami-Dade County; designating Corporal Michael J. Roberts Parkway in Hillsborough County; designating the Florida Highway Patrol Trooper Sgt. Nicholas G. Sottile Memorial in Highlands County; designating Hugh Anderson Boulevard, Reverend Max Salvadore Avenue, BRIGADA 2506 STREET, Carlos Rodriguez Santana, and Reverend Jorge Comesanas Way in Miami-Dade County; designating Coach Jimmy Carnes Boulevard in Alachua County; designating Harry T. and Harriette V. Moore Memorial Highway in Brevard County; designating Elizabeth G. Means Memorial Boulevard, Louise Steward Memorial Boulevard, and Isiah J. Williams, III, Memorial Boulevard in Duval County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 274** to **CS for HB 7213**.

Pending further consideration of **CS for CS for SB 274** as amended, on motion by Senator Lynn, by two-thirds vote **CS for HB 7213** was withdrawn from the Committees on Transportation; Budget; and Rules.

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

CS for HB 7213—A bill to be entitled An act relating to road and bridge designations; designating Edna S. Hargrett-Thrower Avenue in Orange County; designating SP4 Thomas Berry Corbin Memorial Highway and U.S. Navy BMC Samuel Calhoun Chavous, Jr. Memorial Highway in Dixie County; designating Marine Lance Corporal Brian R. Buesing Memorial Highway, United States Army Sergeant Karl A. Campbell Memorial Highway, and U.S. Army SPC James A. Page Memorial Highway in Levy County; designating Veterans Memorial Highway in Putnam County; designating Ben G. Watts Highway in Washington County; designating Mardi Gras Way, West Park Boulevard, and Pembroke Park Boulevard in Broward County; designating Stark Memorial Drive and Duval County Law Enforcement Memorial Overpass in Duval County; designating Verna Bell Way in Nassau County; designating Deputy Hal P. Croft and Deputy Ronald Jackson Memorial Highway in Union County; designating Dr. Oscar Elias Biscet Boulevard, Hugh Anderson Boulevard, Palmetto General Hospital Way, Senator Javier D. Souto Way, Reverend Max Salvadore Avenue, BRIGADA 2506 STREET, Carlos Rodriguez Santana, Rev. Jorge Comesanas Way, Amadeo Lopez-Castro, Jr. Road, Benjamin Leon, Jr. Way, and Miami Medical Team Way in Miami-Dade County; designating Alma Lee Loy Bridge in Indian River County; designating Samuel B. Love Memorial Highway in Marion County; designating Elvin Martinez Road in Hillsborough County; designating Whale Harbor Joe Roth Jr. Bridge in Monroe County; designating Florida Highway Patrol Trooper Sgt. Nicholas G. Sottile Memorial in Highlands County; designating Coach

Jimmy Carnes Boulevard in Alachua County; amending ss. 24 and 45, ch. 2010-230, Laws of Florida; revising the designation for Miss Lillie Williams Boulevard and Father Gerard Jean-Juste Street in Miami-Dade County; designating Tanya Martin Oubre Pekel Street in Miami-Dade County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 274** as amended and read the second time by title.

Senator Lynn moved the following amendment which was adopted:

Amendment 1 (902292) (with title amendment)—Between lines 331 and 332 insert:

Section 35. *Deputy Jack A. Romeis Road designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 26A in Gainesville, Alachua County, between West University Avenue and S.W. 25th Street, is designated “Deputy Jack A. Romeis Road.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Deputy Jack A. Romeis Road as described in subsection (1).*

Section 36. *Nona and Papa Road designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of the San Juan Road Extension in Anastasia State Park in St. Johns County is designated as “Nona and Papa Road.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Nona and Papa Road as described in subsection (1).*

Section 37. *Walter Francis Spence Parkway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 293 from U.S. 98/State Road 30 to State Road 20 in Okaloosa County is designated as “Walter Francis Spence Parkway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Walter Francis Spence Parkway as described in subsection (1).*

Section 38. *Florida’s Beaches and Rivers Parkway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Route 87 from its intersection with U.S. 98 northward to its intersection with U.S. 90 in Santa Rosa County is designated the “Florida’s Beaches and Rivers Parkway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Florida’s Beaches and Rivers Parkway as described in subsection (1).*

Section 39. *Corporal Michael J. Roberts Parkway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of U.S. 41/State Road 45/Nebraska Ave from County Road 584/Waters Avenue to State Road 580/Busch Boulevard is designated as “Corporal Michael J. Roberts Parkway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Corporal Michael J. Roberts Parkway as described in subsection (1).*

Section 40. *Harry T. and Harriette V. Moore Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 46 in Brevard County from U.S. 1 to the Volusia County line is designated as “Harry T. and Harriette V. Moore Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Harry T. and Harriette V. Moore Memorial Highway as described in subsection (1).*

Section 41. Elizabeth G. Means Memorial Boulevard designated; Department of Transportation to erect suitable markers.—

(1) That portion of Beaver Street in Duval County between Laura Street and Rushing Street is designated as "Elizabeth G. Means Memorial Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Elizabeth G. Means Memorial Boulevard as described in subsection (1).

Section 42. Louise Steward Memorial Boulevard designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. 1 Alternate/SR 115/SR 115A/Haines Street Expressway in Duval County between 8th Street and Duval Street is designated as "Louise Steward Memorial Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Louise Steward Memorial Boulevard as described in subsection (1).

Section 43. Isiah J. Williams, III, Memorial Boulevard designated; Department of Transportation to erect suitable markers.—

(1) That portion of Edgewood Avenue in Duval County between Commonwealth Avenue and Beaver Street is designated as "Isiah J. Williams, III, Memorial Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Isiah J. Williams, III, Memorial Boulevard as described in subsection (1).

Section 44. Honorary Dr. Martin Luther King, Jr., Avenue designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. Highway 90 in Walton County from 5th Street to Norwood Road is designated as "Honorary Dr. Martin Luther King, Jr., Avenue."

(2) The Department of Transportation is directed to erect suitable markers designating Honorary Dr. Martin Luther King, Jr., Avenue as described in subsection (1).

And the title is amended as follows:

Delete line 35 and insert: Street in Miami-Dade County; designating Deputy Jack A. Romeis Road in Alachua County; designating Nona and Papa Road in St. Johns County; designating Walter Francis Spence Parkway in Okaloosa County; designating Florida's Beaches and Rivers Parkway in Santa Rosa County; designating Corporal Michael J. Roberts Parkway in Hillsborough County; designating Harry T. and Harriette V. Moore Memorial Highway in Brevard County; designating Elizabeth G. Means Memorial Boulevard, Louise Steward Memorial Boulevard, and Isiah J. Williams, III, Memorial Boulevard in Duval County; designating Honoring Dr. Martin Luther King, Jr., Avenue in Walton County; directing the Department of

On motion by Senator Lynn, by two-thirds vote CS for HB 7213 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Rich
Bennett	Gardiner	Richter
Bogdanoff	Hays	Ring
Braynon	Hill	Sachs
Dean	Jones	Simmons
Detert	Joyner	Siplin
Diaz de la Portilla	Latvala	Smith
Dockery	Lynn	Storms
Evers	Margolis	Thrasher
Fasano	Negron	Wise

Nays—None

RECONSIDERATION OF BILL

On motion by Senator Flores, the rules were waived and the Senate reconsidered the vote by which—

SB 978—A bill to be entitled An act relating to individual retirement accounts; amending s. 222.21, F.S.; clarifying the exemption of inherited individual retirement accounts from legal processes; providing intent; providing for retroactive application; providing an effective date.

—passed this day.

Pending further consideration of SB 978, on motion by Senator Flores, by two-thirds vote HB 469 was withdrawn from the Committees on Banking and Insurance; Judiciary; and Budget.

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

HB 469—A bill to be entitled An act relating to individual retirement accounts; amending s. 222.21, F.S.; clarifying the exemption of inherited individual retirement accounts from legal processes; providing intent; providing for retroactive application; providing an effective date.

—a companion measure, was substituted for SB 978 and read the second time by title.

On motion by Senator Flores, by two-thirds vote HB 469 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote SB 548, CS for CS for SB 578, SB 788, SB 850, SB 870, CS for CS for SB 890, CS for SB 1092, SB 1584, CS for SB 1676, and CS for SB 2040 were withdrawn from the Committee on Budget; SB 688 was withdrawn from the Committee on Community Affairs; CS for SB 1504 was withdrawn from the Committee on Criminal Justice; and SB 494 was withdrawn from the Committee on Judiciary.

RECESS

On motion by Senator Thrasher, the Senate recessed at 11:40 a.m. to reconvene at 1:30 p.m.

AFTERNOON SESSION

The Senate was called to order by President Haridopolos at 1:43 p.m. A quorum present—39:

Mr. President	Altman	Bennett
Alexander	Benacquisto	Bogdanoff

Braynon	Hays	Rich
Dean	Hill	Richter
Detert	Jones	Ring
Diaz de la Portilla	Joyner	Sachs
Dockery	Latvala	Simmons
Evers	Lynn	Siplin
Fasano	Margolis	Smith
Flores	Montford	Sobel
Gaetz	Negron	Storms
Garcia	Norman	Thrasher
Gardiner	Oelrich	Wise

Senate Rules Subcommittee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

Office and Appointment

Secretary of Juvenile Justice
Appointee: Walters, Wansley Hancock Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

Office and Appointment

Secretary of Environmental Protection
Appointee: Vinyard, Herschel T., Jr. Pleasure of Governor

The following executive appointments were referred to the Senate Committee on Governmental Oversight and Accountability and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Governmental Oversight and Accountability and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

Office and Appointment

Secretary of Management Services
Appointee: Miles, John P. Pleasure of Governor

Secretary of State
Appointee: Browning, Kurt S. Pleasure of Governor

The following executive appointments were referred to the Senate Committee on Health Regulation and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Health Regulation and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointments:

Office and Appointment

Secretary of Health Care Administration
Appointee: Dudek, Elizabeth Pleasure of Governor

State Surgeon General
Appointee: Farmer, Harry Frank, Jr. Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Military Affairs, Space, and Domestic Security and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Military Affairs, Space, and Domestic Security and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointment:

Office and Appointment

Adjutant General of Florida National Guard
Appointee: Titshaw, Emmett R., Jr. Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Regulated Industries and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Regulated Industries and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointment:

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for CS for SB 1122, CS for SB 1590, and CS for SB 1922** were withdrawn from the Committee on Budget; and **SB 1494** was withdrawn from the Committee on Rules.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Mike Haridopolos April 29, 2011
President, The Florida Senate

Dear President Haridopolos:

The following executive appointment was referred to the Senate Committee on Children, Families, and Elder Affairs and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Children, Families, and Elder Affairs and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

Office and Appointment

Secretary of Children and Family Services
Appointee: Wilkins, David Pleasure of Governor

The following executive appointments were referred to the Senate Committee on Communications, Energy, and Public Utilities and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Communications, Energy, and Public Utilities and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

Office and Appointment

Florida Public Service Commission		
Appointees:	Balbis, Eduardo E.	01/01/2015
	Brise, Ronald A.	01/01/2014
	Brown, Julie I.	01/01/2015
	Graham, Art	01/01/2014

The following executive appointment was referred to the Senate Committee on Community Affairs and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Community Affairs and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

Office and Appointment

Secretary of Community Affairs
Appointee: Buzzett, William A. Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Criminal Justice and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Criminal Justice and the

Office and Appointment

Secretary of the Department of the Lottery
Appointee: O'Connell, Cynthia F.

For Term Ending
Pleasure of Governor

Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointments:

Office and Appointment

Board of Trustees, Florida A & M University
Appointees: Alston, Torey L. 01/06/2015
Dent, Richard A. III 01/06/2016
McWilliams, Spurgeon W. 01/06/2016
White, Karl E. 01/06/2016

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

- (1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;
(2) Senate action on said appointments be taken prior to the adjournment of the 2011 Regular Session; and
(3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
Miguel Diaz de la Portilla, Chair

On motion by Senator Diaz de la Portilla, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee. The vote was:

Yeas—37

Table with 3 columns: Name, Garcia, Rich. Includes Mr. President Alexander, Altman, Benacquisto, Bennett, Bogdanoff, Braynon, Dean, Diaz de la Portilla, Dockery, Evers, Fasano, Gaetz.

Nays—None

VOTE PREFERENCE

Senator Storms was recorded as voting "nay" on the appointment of Wansley Hancock Walters as Secretary of Juvenile Justice.

The Honorable Mike Haridopolos April 29, 2011
President, the Florida Senate

Dear President Haridopolos:

The following executive appointment was referred to the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment

Board of Trustees, Florida International University
Appointee: Puig, Claudia 01/06/2016

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and the

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education was removed as a reference. The Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointments:

Office and Appointment

Board of Trustees, Florida A & M University
Appointees: Lawson, Kelvin L. 01/06/2016
Montgomery, Rufus N., Jr. 01/06/2016
Shannon, Belinda R. 01/06/2016

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointments:

Office and Appointment

Board of Trustees, Florida Atlantic University
Appointees: Stillely, Robert J. 01/06/2016
Tanner, Paul C. 01/06/2016

Board of Trustees, Florida State University
Appointee: Burr, Edward E. 01/06/2016

The following executive appointment was referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education was removed as a reference. The Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointment:

Office and Appointment

Board of Trustees, Florida State University
Appointee: Camps, Joseph L. 01/06/2016

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointments:

Office and Appointment

Board of Trustees, Florida Gulf Coast University
Appointees: Catti, Joseph R. 01/06/2016
Wells, Robert A. III 01/06/2016

Board of Trustees, Florida International University
Appointee: Maury, Albert R. 01/06/2016

Board of Trustees, New College of Florida
Appointees: Coleman, Audrey R. 01/06/2016
Ruiz, Mary 01/06/2016

Board of Trustees, University of South Florida
Appointees: Goforth, Stephanie E. 01/06/2016
Saco, Louis S. 01/06/2016

Board of Trustees, University of West Florida

Office and Appointment
 Appointee: O'Sullivan, John Mortimer III
For Term Ending
 01/06/2015

The following executive appointment was referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education was removed as a reference. The Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointment.

Office and Appointment
 Board of Trustees, University of West Florida
 Appointee: O'Connor, Susan K.
For Term Ending
 01/06/2016

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

- (1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;
- (2) Senate action on said appointments be taken prior to the adjournment of the 2011 Regular Session; and
- (3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
 Miguel Diaz de la Portilla, Chair

On motion by Senator Diaz de la Portilla, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee. The vote was:

Yeas—37

Mr. President	Garcia	Rich
Alexander	Gardiner	Richter
Altman	Hays	Ring
Benacquisto	Hill	Sachs
Bennett	Jones	Simmons
Bogdanoff	Joyner	Siplin
Braynon	Latvala	Smith
Dean	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	
Gaetz	Oelrich	

Nays—None

The Honorable Mike Haridopolos
 President, the Florida Senate
 April 29, 2011

Dear President Haridopolos:

The following executive appointments were referred to the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment
 Florida State Boxing Commission
 Appointee: Curry, Leonard B.
For Term Ending
 09/30/2013

Office and Appointment
 Education Practices Commission
 Appointees: Farmer, Diane A. 09/30/2013
 Hale, Susan 09/30/2012
 McCray, Katrina E. 09/30/2014

Commission on Ethics
 Appointee: Robison, Linda M., Esquire 06/30/2011

Governor's Mansion Commission
 Appointees: Aurell, Jane C. 09/30/2013
 Graham, Adele K. 09/30/2013
 Mullican, Susan H. 09/30/2011

Board of Medicine
 Appointees: Orr, James W., Jr. 10/31/2014
 Stringer, Merle P. 10/31/2013
 Thomas, George 10/31/2014

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

Office and Appointment
 Governing Board of the Northwest Florida Water Management District
 Appointee: Roberts, George 03/01/2014

The following executive appointments were referred to the Senate Committee on Governmental Oversight and Accountability and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Governmental Oversight and Accountability was removed as a reference. The Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointments:

Office and Appointment
 Investment Advisory Council
 Appointees: Garcia, Martin L., Esquire 02/01/2015
 Newman, Charles W. 02/01/2015

The following executive appointments were referred to the Senate Committee on Transportation and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Transportation was removed as a reference. The Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointments:

Office and Appointment
 Florida Transportation Commission
 Appointees: Marono, Manuel L. 09/30/2011
 Trumbull, Jay N. 09/30/2011

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

- (1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;
- (2) Senate action on said appointments be taken prior to the adjournment of the 2011 Regular Session; and

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

Respectfully submitted,
Miguel Diaz de la Portilla, Chair

On motion by Senator Diaz de la Portilla, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee. The vote was:

Yeas—38

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

SPECIAL ORDER CALENDAR

CS for CS for SB 1594—A bill to be entitled An act relating to pari-mutuel permitholders; amending s. 550.002, F.S., which defines the term “full schedule of live racing or games”; providing that a greyhound permitholder is not required to conduct a minimum number of live performances; amending s. 550.01215, F.S.; revising requirements for an application for a license to conduct performances; providing an extended period to amend certain applications; amending s. 550.054, F.S.; removing a requirement for holders of certain converted permits to conduct a full schedule of live racing to qualify for certain tax credits; amending s. 550.0951, F.S.; revising provisions for transfer by a permitholder of a tax exemption or license fee credit to a greyhound permitholder; amending s. 550.09514, F.S.; revising purse requirements for greyhound racing and provisions for payment of purses; amending s. 550.615, F.S.; revising provisions for intertrack wagering; amending s. 550.105, F.S.; limiting the taxes that may be imposed on a person who conducts simulcasts, intertrack wagering, or cardroom games if the facility does not have an existing agreement with the municipality; amending ss. 550.26165 and 550.6305, F.S.; conforming cross-references to changes made by the act; amending s. 551.104, F.S.; revising a condition of licensure for the conduct of slot machine gaming; amending s. 551.114, F.S.; revising requirements for designated slot machine gaming areas; amending s. 849.086, F.S.; revising requirements for initial and renewal issuance of a cardroom license; providing that neither a corresponding pari-mutuel license application nor a minimum number of live performances is required for a greyhound permitholder to maintain or renew a cardroom license; providing an effective date.

—was read the second time by title.

On motion by Senator Sachs, further consideration of **CS for CS for SB 1594** was deferred.

The Senate resumed consideration of—

CS for CS for SB 1206—A bill to be entitled An act relating to eyewitness identification; providing a short title; defining terms; requiring state, county, municipal, and other law enforcement agencies that conduct lineups to follow certain specified procedures; requiring the eyewitness to sign an acknowledgement that he or she received the instructions about the lineup procedures from the law enforcement agency; specifying remedies for failing to adhere to the eyewitness identification procedures; requiring the Criminal Justice Standards and Training Commission to create educational materials and conduct training pro-

grams on how to conduct lineups in compliance with the act; providing an effective date.

—which was previously considered and amended this day.

SENATOR BENNETT PRESIDING

THE PRESIDENT PRESIDING

On motions by Senator Negron, by two-thirds vote **CS for CS for SB 1206** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—34

Mr. President	Garcia	Richter
Altman	Gardiner	Ring
Benacquisto	Hays	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	
Gaetz	Rich	

Nays—5

Alexander	Dockery	Oelrich
Dean	Lynn	

RECESS

The President declared the Senate in informal recess at 2:07 p.m. to reconvene upon call of the President.

CALL TO ORDER

The Senate was called to order by the President at 2:52 p.m. A quorum present.

The Senate resumed consideration of—

CS for CS for SB 1594—A bill to be entitled An act relating to pari-mutuel permitholders; amending s. 550.002, F.S., which defines the term “full schedule of live racing or games”; providing that a greyhound permitholder is not required to conduct a minimum number of live performances; amending s. 550.01215, F.S.; revising requirements for an application for a license to conduct performances; providing an extended period to amend certain applications; amending s. 550.054, F.S.; removing a requirement for holders of certain converted permits to conduct a full schedule of live racing to qualify for certain tax credits; amending s. 550.0951, F.S.; revising provisions for transfer by a permitholder of a tax exemption or license fee credit to a greyhound permitholder; amending s. 550.09514, F.S.; revising purse requirements for greyhound racing and provisions for payment of purses; amending s. 550.615, F.S.; revising provisions for intertrack wagering; amending s. 550.105, F.S.; limiting the taxes that may be imposed on a person who conducts simulcasts, intertrack wagering, or cardroom games if the facility does not have an existing agreement with the municipality; amending ss. 550.26165 and 550.6305, F.S.; conforming cross-references to changes made by the act; amending s. 551.104, F.S.; revising a condition of licensure for the conduct of slot machine gaming; amending s. 551.114, F.S.; revising requirements for designated slot machine gaming areas; amending s. 849.086, F.S.; revising requirements for initial and renewal issuance of a cardroom license; providing that neither a corresponding pari-mutuel license application nor a minimum number of live performances is required for a greyhound permitholder to maintain or renew a cardroom license; providing an effective date.

—which was previously considered this day.

Amendments were considered and adopted to conform **CS for CS for SB 1594** to **CS for CS for CS for HB 1145**.

Pending further consideration of **CS for CS for SB 1594** as amended, on motion by Senator Sachs, by two-thirds vote **CS for CS for CS for HB 1145** was withdrawn from the Committees on Regulated Industries; and Budget Subcommittee on Finance and Tax.

On motion by Senator Sachs—

CS for CS for CS for HB 1145—A bill to be entitled An act relating to greyhound racing; amending s. 550.002, F.S., which defines the term “full schedule of live racing or games”; providing that a greyhound permitholder shall not be required to conduct a minimum number of live performances; amending s. 550.01215, F.S.; revising requirements for an application for a license to conduct performances; extending the period of time allowed to amend certain applications; amending s. 550.054, F.S.; removing a requirement for holders of certain converted permits to conduct a full schedule of live racing to qualify for certain tax credits; amending s. 550.0951, F.S.; deleting provisions relating to transfer of certain unused exemptions or credits; amending s. 550.09514, F.S.; providing for transfer of certain unused exemptions or credits; revising purse requirements for greyhound racing and provisions for payment of purses; amending s. 550.475, F.S., relating to lease of pari-mutuel facilities by pari-mutuel permitholders; revising terminology to conform to changes made by the act; amending s. 550.615, F.S.; revising provisions for intertrack wagering; amending ss. 550.26165 and 550.6305, F.S.; conforming cross-references to changes made by the act; amending s. 551.104, F.S.; revising a condition of licensure for the conduct of slot machine gaming; amending s. 551.114, F.S.; revising requirements for designated slot machine gaming areas; amending s. 849.086, F.S.; revising requirements for initial and renewal issuance of a cardroom license to a greyhound permitholder; providing that a minimum number of requested or conducted live performances is not required in order for a greyhound permitholder to maintain or renew a cardroom license; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1594** as amended and read the second time by title.

MOTION

On motion by Senator Sachs, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Sachs moved the following amendment which was adopted:

Amendment 1 (295170) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (11) of section 550.002, Florida Statutes, is amended to read:

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

(11) “Full schedule of live racing or games” means, for a greyhound or jai alai permitholder, the conduct of a combination of at least 100 live evening or matinee performances during the preceding year; for a permitholder who has a converted permit or filed an application on or before June 1, 1990, for a converted permit, the conduct of a combination of at least 100 live evening and matinee wagering performances during either of the 2 preceding years; for a jai alai permitholder who does not operate slot machines in its pari-mutuel facility, who has conducted at least 100 live performances per year for at least 10 years after December 31, 1992, and whose handle on live jai alai games conducted at its pari-mutuel facility has been less than \$4 million per state fiscal year for at least 2 consecutive years after June 30, 1992, the conduct of a combination of at least 40 live evening or matinee performances during the preceding year; for a jai alai permitholder who operates slot machines in its pari-mutuel facility, the conduct of a combination of at least 150 performances during the preceding year; for a harness permitholder, the conduct of at least 100 live regular wagering performances during the preceding year; for a quarter horse permitholder at its facility unless an alternative schedule of at least 20 live regular wagering performances is agreed upon by the permitholder and either the Florida Quarter Horse Racing Association or the horsemen’s association representing the majority of the quarter horse owners and trainers at the facility and filed with the division along with its annual date application, in the 2010-2011 fiscal year, the con-

duct of at least 20 regular wagering performances, in the 2011-2012 and 2012-2013 fiscal years, the conduct of at least 30 live regular wagering performances, and for every fiscal year after the 2012-2013 fiscal year, the conduct of at least 40 live regular wagering performances; for a quarter horse permitholder leasing another licensed racetrack, the conduct of 160 events at the leased facility; and for a thoroughbred permitholder, the conduct of at least 40 live regular wagering performances during the preceding year. For a permitholder which is restricted by statute to certain operating periods within the year when other members of its same class of permit are authorized to operate throughout the year, the specified number of live performances which constitute a full schedule of live racing or games shall be adjusted pro rata in accordance with the relationship between its authorized operating period and the full calendar year and the resulting specified number of live performances shall constitute the full schedule of live games for such permitholder and all other permitholders of the same class within 100 air miles of such permitholder. A live performance must consist of no fewer than eight races or games conducted live for each of a minimum of three performances each week at the permitholder’s licensed facility under a single admission charge. *Notwithstanding any other provision of law, beginning with the 2011-2012 fiscal year, there shall be no minimum requirement of live performances for greyhound permitholders.*

Section 2. Subsection (1) of section 550.01215, Florida Statutes, is amended to read:

550.01215 License application; periods of operation; bond, conversion of permit.—

(1) Each permitholder shall annually, during the period between December 15 and January 4, file in writing with the division its application for a license to conduct *pari-mutuel wagering activities* ~~performances~~ during the next state fiscal year. Each application *requesting live performances, if any*, shall specify the number, dates, and starting times of all performances which the permitholder intends to conduct. It shall also specify which performances will be conducted as charity or scholarship performances. In addition, each application for a license shall include, for each permitholder which elects to operate a cardroom, the dates and periods of operation the permitholder intends to operate the cardroom or, for each thoroughbred permitholder which elects to receive or rebroadcast out-of-state races after 7 p.m., the dates for all performances which the permitholder intends to conduct. *A greyhound permitholder may receive a license to conduct pari-mutuel wagering activities at a licensed greyhound facility pursuant to s. 550.475.* ~~Permitholders may be required to amend their applications through February 28 or, for applications by greyhound permitholders relating to the 2011-2012 fiscal year, through August 31, 2011.~~

Section 3. Paragraph (b) of subsection (14) of section 550.054, Florida Statutes, is amended to read:

550.054 Application for permit to conduct pari-mutuel wagering.—

(14)

(b) The division, upon application from the holder of a jai alai permit meeting all conditions of this section, shall convert the permit and shall issue to the permitholder a permit to conduct greyhound racing. ~~A permitholder of a permit converted under this section shall be required to apply for and conduct a full schedule of live racing each fiscal year to be eligible for any tax credit provided by this chapter.~~ The holder of a permit converted pursuant to this subsection or any holder of a permit to conduct greyhound racing located in a county in which it is the only permit issued pursuant to this section who operates at a leased facility pursuant to s. 550.475 may move the location for which the permit has been issued to another location within a 30-mile radius of the location fixed in the permit issued in that county, provided the move does not cross the county boundary and such location is approved under the zoning regulations of the county or municipality in which the permit is located, and upon such relocation may use the permit for the conduct of pari-mutuel wagering and the operation of a cardroom. The provisions of s. 550.6305(9)(d) and (f) shall apply to any permit converted under this subsection and shall continue to apply to any permit which was previously included under and subject to such provisions before a conversion pursuant to this section occurred.

Section 4. Subsection (1) and paragraph (c) of subsection (3) of section 550.0951, Florida Statutes, are amended to read:

550.0951 Payment of daily license fee and taxes; penalties.—

(1)(a) DAILY LICENSE FEE.—Each person engaged in the business of conducting race meetings or jai alai games under this chapter, hereinafter referred to as the “permitholder,” “licensee,” or “permittee,” shall pay to the division, for the use of the division, a daily license fee on each live or simulcast pari-mutuel event of \$100 for each horserace and \$80 for each dograce and \$40 for each jai alai game conducted at a racetrack or fronton licensed under this chapter. In addition to the tax exemption specified in s. 550.09514(1) of \$360,000 or \$500,000 per greyhound permitholder per state fiscal year, each greyhound permitholder shall receive in the current state fiscal year a tax credit equal to the number of live greyhound races conducted in the previous state fiscal year times the daily license fee specified for each dograce in this subsection applicable for the previous state fiscal year. This tax credit and the exemption in s. 550.09514(1) shall be applicable to any tax imposed by this chapter or the daily license fees imposed by this chapter except during any charity or scholarship performances conducted pursuant to s. 550.0351. Each permitholder shall pay daily license fees not to exceed \$500 per day on any simulcast races or games on which such permitholder accepts wagers regardless of the number of out-of-state events taken or the number of out-of-state locations from which such events are taken. This license fee shall be deposited with the Chief Financial Officer to the credit of the Pari-mutuel Wagering Trust Fund.

(b) Each permitholder that cannot utilize the full amount of the exemption of \$360,000 or \$500,000 provided in s. 550.09514(1) or the daily license fee credit provided in this section may, *at any time* after notifying the division in writing, ~~elect once per state fiscal year~~ on a form provided by the division, *elect* to transfer such exemption or credit or any portion thereof to any greyhound permitholder which acts as a host track to such permitholder for the purpose of intertrack wagering. *Notwithstanding any other provision of law, the exemption of \$360,000 or \$500,000 provided in s. 550.09514(1), for each greyhound permitholder that does not conduct live racing shall be pooled for distribution to eligible greyhound permitholders in the current fiscal year and any portion of the exemptions provided in s. 550.09514(1) unused or not transferred by each greyhound permitholder that elects to conduct live racing shall be pooled for distribution to eligible greyhound permitholders in the following fiscal year. Each greyhound permitholder conducting at least 100 live performances of at least eight races during a fiscal year shall be eligible for an additional tax credit from the pool in an amount equal to the product of the respective permitholder's percentage share of live and intertrack wagering handle, excluding the live and intertrack wagering handle of permitholders that do not conduct live racing during the year in which the credits are distributed under subsection (3) during the preceding fiscal year and the total value of tax credits available in the pool. A greyhound permitholder conducting live racing shall use the credits provided in paragraph (a) and s. 550.1647 prior to the exemptions provided in s. 550.09514(1) for purposes of calculating the amount of unused exemptions. Once an election to transfer such exemption or credit is filed with the division, it shall not be rescinded. The division shall disapprove the transfer when the amount of the exemption or credit or portion thereof is unavailable to the transferring permitholder for any reason, including being unavailable because the transferring permitholder did not conduct at least 100 live performances of at least eight races during the fiscal year, or when the permitholder who is entitled to transfer the exemption or credit or who is entitled to receive the exemption or credit owes taxes to the state pursuant to a deficiency letter or administrative complaint issued by the division. Upon approval of the transfer by the division, the transferred tax exemption or credit shall be effective for the first performance of the next payment period as specified in subsection (5). The exemption or credit transferred to such host track may be applied by such host track against any taxes imposed by this chapter or daily license fees imposed by this chapter. The greyhound permitholder host track to which such exemption or credit is transferred shall reimburse such permitholder the exact monetary value of such transferred exemption or credit as actually applied against the taxes and daily license fees of the host track. The division shall ensure that all transfers of exemption or credit are made in accordance with this subsection and shall have the authority to adopt rules to ensure the implementation of this section.*

(c) *A greyhound permitholder that conducts at least 100 live performances of at least eight races during each of the 5 years after July 1, 2011;*

that subsequently elects to not conduct live racing; and that served as a host track for intertrack wagering in each of the 10 years preceding its election to not conduct live racing, or was converted pursuant to s. 550.054(14), is entitled to an annual tax credit for each year the greyhound permitholder conducted live racing after July 1, 2011, not to exceed 10 years, in an amount equal to the average tax credit received by the greyhound permitholder pursuant to paragraph (b) during the 3 years preceding the greyhound permitholder's election to not conduct live racing. The tax credit provided under this paragraph shall be deducted from the pool pursuant to paragraph (b) and may be applied against any taxes or fees imposed by this chapter or any taxes or fees imposed by s. 849.086.

(3) TAX ON HANDLE.—Each permitholder shall pay a tax on contributions to pari-mutuel pools, the aggregate of which is hereinafter referred to as “handle,” on races or games conducted by the permitholder. The tax is imposed daily and is based on the total contributions to all pari-mutuel pools conducted during the daily performance. If a permitholder conducts more than one performance daily, the tax is imposed on each performance separately.

(c1). The tax on handle for intertrack wagering is 2.0 percent of the handle if the host track is a horse track, 3.3 percent if the host track is a harness track, 5.5 percent if the host track is a dog track, and 7.1 percent if the host track is a jai alai fronton. The tax on handle for intertrack wagering is 0.5 percent if the host track and the guest track are thoroughbred permitholders or if the guest track is located outside the market area of the host track and within the market area of a thoroughbred permitholder currently conducting a live race meet. The tax on handle for intertrack wagering on rebroadcasts of simulcast thoroughbred horseraces is 2.4 percent of the handle and 1.5 percent of the handle for intertrack wagering on rebroadcasts of simulcast harness horseraces. The tax shall be deposited into the Pari-mutuel Wagering Trust Fund.

2. The tax on handle for intertrack wagers accepted by any dog track located in an area of the state in which there are only three permitholders, all of which are greyhound permitholders, located in three contiguous counties, from any greyhound permitholder also located within such area or any dog track or jai alai fronton located as specified in s. 550.615(6) or (8) (9), on races or games received from the same class of permitholder located within the same market area is 3.9 percent if the host facility is a greyhound permitholder and, if the host facility is a jai alai permitholder, the rate shall be 6.1 percent except that it shall be 2.3 percent on handle at such time as the total tax on intertrack handle paid to the division by the permitholder during the current state fiscal year exceeds the total tax on intertrack handle paid to the division by the permitholder during the 1992-1993 state fiscal year.

Section 5. Paragraphs (b), (c), and (e) of subsection (2) of section 550.09514, Florida Statutes, are amended to read:

550.09514 Greyhound dogracing taxes; purse requirements.—

(2)

(b) Except as otherwise set forth herein, in addition to the minimum purse percentage required by paragraph (a), each permitholder *conducting live racing during a fiscal year* shall pay as purses an annual amount equal to 75 percent of the daily license fees paid by each permitholder for the 1994-1995 fiscal year. This purse supplement shall be disbursed weekly during the permitholder's race meet in an amount determined by dividing the annual purse supplement by the number of performances approved for the permitholder pursuant to its annual license and multiplying that amount by the number of performances conducted each week. ~~For the greyhound permitholders in the county where there are two greyhound permitholders located as specified in s. 550.615(6), such permitholders shall pay in the aggregate an amount equal to 75 percent of the daily license fees paid by such permitholders for the 1994-1995 fiscal year. These permitholders shall be jointly and severally liable for such purse payments. The additional purses provided by this paragraph must be used exclusively for purses other than stakes. The division shall conduct audits necessary to ensure compliance with this section.~~

(c1). Each greyhound permitholder when conducting at least three live performances during any week shall pay purses in that week on wagers it accepts as a guest track on intertrack and simulcast greyhound

racers at the same rate as it pays on live races. Each greyhound permitholder when conducting at least three live performances during any week shall pay purses in that week, at the same rate as it pays on live races, on wagers accepted on greyhound races at a guest track which is not conducting live racing and is located within the same market area as the greyhound permitholder conducting at least three live performances during any week.

2. Each host greyhound permitholder shall pay purses on its simulcast and intertrack broadcasts of greyhound races to guest facilities that are located outside its market area in an amount equal to one quarter of an amount determined by subtracting the transmission costs of sending the simulcast or intertrack broadcasts from an amount determined by adding the fees received for greyhound simulcast races plus 3 percent of the greyhound intertrack handle at guest facilities that are located outside the market area of the host and that paid contractual fees to the host for such broadcasts of greyhound races. *For guest greyhound permitholders not conducting live racing during a fiscal year and not subject to the purse requirements in subparagraph 1., 3 percent of the greyhound intertrack handle shall be paid to the host greyhound permitholder for payment of purses at the host track.*

(e) In addition to the purse requirements of paragraphs (a)-(c), each greyhound permitholder shall pay as purses an amount equal to one-third of the amount of the tax reduction on live and simulcast handle applicable to such permitholder as a result of the reductions in tax rates provided by this act through the amendments to s. 550.0951(3) in chapter 2000-354, Laws of Florida. With respect to intertrack wagering when the host and guest tracks are greyhound permitholders not within the same market area, an amount equal to the tax reduction applicable to the guest track handle as a result of the reduction in tax rates ~~rate~~ provided by this act through the amendments ~~amendment~~ to s. 550.0951(3) in chapter 2000-354, Laws of Florida, shall be distributed to the guest track, one-third of which amount shall be paid as purses at the guest tracks conducting live racing ~~track~~. However, if the guest track is a greyhound permitholder within the market area of the host or if the guest track is not a greyhound permitholder, an amount equal to such tax reduction applicable to the guest track handle shall be retained by the host track, one-third of which amount shall be paid as purses at the host track. These purse funds shall be disbursed in the week received if the permitholder conducts at least one live performance during that week. If the permitholder does not conduct at least one live performance during the week in which the purse funds are received, the purse funds shall be disbursed weekly during the permitholder's next race meet in an amount determined by dividing the purse amount by the number of performances approved for the permitholder pursuant to its annual license, and multiplying that amount by the number of performances conducted each week. The division shall conduct audits necessary to ensure compliance with this paragraph.

Section 6. Subsection (9) of section 550.105, Florida Statutes, is amended to read:

550.105 Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines.—

(9) The tax imposed by this section is in lieu of all license, excise, or occupational taxes to the state or any county, municipality, or other political subdivision, except that, if a race meeting or game is held or conducted in a municipality, the municipality may assess and collect an additional tax against any person conducting live racing or games within its corporate limits, which tax may not exceed \$150 per day for horseracing or \$50 per day for dogracing, simulcasts, intertrack wagering, cardroom games, or jai alai, up to the maximum of 100 days for dogracing facilities. This tax may be levied on simulcasts, intertrack wagering, and cardroom games only to the extent that the facility does not have an existing agreement with the municipality. Except as provided in this chapter, a municipality may not assess or collect any additional excise or revenue tax against any person conducting race meetings within the corporate limits of the municipality or against any patron of any such person.

Section 7. Subsection (1) of section 550.26165, Florida Statutes, is amended to read:

550.26165 Breeders' awards.—

(1) The purpose of this section is to encourage the agricultural activity of breeding and training racehorses in this state. Moneys dedicated in this chapter for use as breeders' awards and stallion awards are to be used for awards to breeders of registered Florida-bred horses winning horseraces and for similar awards to the owners of stallions who sired Florida-bred horses winning stakes races, if the stallions are registered as Florida stallions standing in this state. Such awards shall be given at a uniform rate to all winners of the awards, shall not be greater than 20 percent of the announced gross purse, and shall not be less than 15 percent of the announced gross purse if funds are available. In addition, no less than 17 percent nor more than 40 percent, as determined by the Florida Thoroughbred Breeders' Association, of the moneys dedicated in this chapter for use as breeders' awards and stallion awards for thoroughbreds shall be returned pro rata to the permitholders that generated the moneys for special racing awards to be distributed by the permitholders to owners of thoroughbred horses participating in prescribed thoroughbred stakes races, nonstakes races, or both, all in accordance with a written agreement establishing the rate, procedure, and eligibility requirements for such awards entered into by the permitholder, the Florida Thoroughbred Breeders' Association, and the Florida Horsemen's Benevolent and Protective Association, Inc., except that the plan for the distribution by any permitholder located in the area described in s. 550.615(8) ~~s. 550.615(9)~~ shall be agreed upon by that permitholder, the Florida Thoroughbred Breeders' Association, and the association representing a majority of the thoroughbred racehorse owners and trainers at that location. Awards for thoroughbred races are to be paid through the Florida Thoroughbred Breeders' Association, and awards for standardbred races are to be paid through the Florida Standardbred Breeders and Owners Association. Among other sources specified in this chapter, moneys for thoroughbred breeders' awards will come from the 0.955 percent of handle for thoroughbred races conducted, received, broadcast, or simulcast under this chapter as provided in s. 550.2625(3). The moneys for quarter horse and harness breeders' awards will come from the breaks and uncashed tickets on live quarter horse and harness racing performances and 1 percent of handle on intertrack wagering. The funds for these breeders' awards shall be paid to the respective breeders' associations by the permitholders conducting the races.

Section 8. Section 550.475, Florida Statutes, is amended to read:

550.475 Lease of pari-mutuel facilities by pari-mutuel permitholders.—Holders of valid pari-mutuel permits for the conduct of any jai alai games, dogracing, or thoroughbred and standardbred horse racing in this state are entitled to lease any and all of their facilities to any other holder of a same class valid pari-mutuel permit for jai alai games, dogracing, or thoroughbred or standardbred horse racing, when located within a 35-mile radius of each other; and such lessee is entitled to a ~~permit and~~ license to operate its race meet or jai alai games at the leased premises.

Section 9. Section 550.615, Florida Statutes, is amended to read:

550.615 Intertrack wagering.—

(1) Any horserace permitholder licensed under this chapter which has conducted a full schedule of live racing may, at any time, receive broadcasts of horseraces and accept wagers on horseraces conducted by horserace permitholders licensed under this chapter at its facility.

(2) A ~~Any~~ track or fronton licensed under this chapter ~~which conducted a full schedule of live racing or games which~~ in the preceding year, any greyhound permitholder that has held an annual license to conduct pari-mutuel wagering activities in each of the preceding 10 years, or any greyhound permitholder converted pursuant to s. 550.054(14) ~~conducted a full schedule of live racing~~ is qualified to, at any time, receive broadcasts of any class of pari-mutuel race or game and accept wagers on such races or games conducted by any class of permitholders licensed under this chapter.

(3) If a permitholder elects to broadcast its signal to any permitholder in this state, any permitholder that is eligible to conduct intertrack wagering under the provisions of ss. 550.615-550.6345 is entitled to receive the broadcast and conduct intertrack wagering under this section; provided, however, that the host track may require a guest track within 25 miles of another permitholder to receive in any week at least 60 percent of the live races that the host track is making available on the days that the guest track is otherwise operating live races or

games. A host track may require a guest track not operating live races or games and within 25 miles of another permitholder to accept within any week at least 60 percent of the live races that the host track is making available. A person may not restrain or attempt to restrain any permitholder that is otherwise authorized to conduct intertrack wagering from receiving the signal of any other permitholder or sending its signal to any permitholder.

(4) In no event shall any intertrack wager be accepted on the same class of live races or games of any permitholder without the written consent of such operating permitholders conducting the same class of live races or games if the guest track is within the market area of such operating permitholder. A *greyhound permitholder licensed under chapter 551 which accepts intertrack wagers on live greyhound signals is not required to obtain the written consent required pursuant to this subsection from any operating greyhound permitholder within its market area.*

(5) No permitholder within the market area of the host track shall take an intertrack wager on the host track without the consent of the host track.

(6) Notwithstanding the provisions of subsection (3), in any area of the state where there are three or more horserace permitholders within 25 miles of each other, intertrack wagering between permitholders in said area of the state shall only be authorized under the following conditions: Any permitholder, other than a thoroughbred permitholder, may accept intertrack wagers on races or games conducted live by a permitholder of the same class or any harness permitholder located within such area and any harness permitholder may accept wagers on games conducted live by any jai alai permitholder located within its market area and from a jai alai permitholder located within the area specified in this subsection when no jai alai permitholder located within its market area is conducting live jai alai performances; any greyhound or jai alai permitholder may receive broadcasts of and accept wagers on any permitholder of the other class provided that a permitholder, other than the host track, of such other class is not operating a contemporaneous live performance within the market area.

~~(7) In any county of the state where there are only two permits, one for dogracing and one for jai alai, no intertrack wager may be taken during the period of time when a permitholder is not licensed to conduct live races or games without the written consent of the other permitholder that is conducting live races or games. However, if neither permitholder is conducting live races or games, either permitholder may accept intertrack wagers on horseraces or on the same class of races or games, or on both horseraces and the same class of races or games as is authorized by its permit.~~

~~(7)(8) In any three contiguous counties of the state where there are only three permitholders, all of which are greyhound permitholders, if any greyhound permitholder leases the facility of another greyhound permitholder for the purpose of conducting all or any portion of the conduct of its live race meet pursuant to s. 550.475, such lessee may conduct intertrack wagering at its pre-lease permitted facility throughout the entire year, including while its race live meet is being conducted at the leased facility, if such permitholder has conducted a full schedule of live racing during the preceding fiscal year at its pre-lease permitted facility or at a leased facility, or combination thereof.~~

~~(8)(9) In any two contiguous counties of the state in which there are located only four active permits, one for thoroughbred horse racing, two for greyhound dogracing, and one for jai alai games, no intertrack wager may be accepted on the same class of live races or games of any permitholder without the written consent of such operating permitholders conducting the same class of live races or games if the guest track is within the market area of such operating permitholder.~~

~~(9)(10) All costs of receiving the transmission of the broadcasts shall be borne by the guest track; and all costs of sending the broadcasts shall be borne by the host track.~~

Section 10. Paragraph (g) of subsection (9) of section 550.6305, Florida Statutes, is amended to read:

550.6305 Intertrack wagering; guest track payments; accounting rules.—

(9) A host track that has contracted with an out-of-state horse track to broadcast live races conducted at such out-of-state horse track pursuant to s. 550.3551(5) may broadcast such out-of-state races to any guest track and accept wagers thereon in the same manner as is provided in s. 550.3551.

(g)1. Any thoroughbred permitholder which accepts wagers on a simulcast signal must make the signal available to any permitholder that is eligible to conduct intertrack wagering under the provisions of ss. 550.615-550.6345.

2. Any thoroughbred permitholder which accepts wagers on a simulcast signal received after 6 p.m. must make such signal available to any permitholder that is eligible to conduct intertrack wagering under the provisions of ss. 550.615-550.6345, including any permitholder located as specified in s. 550.615(6). Such guest permitholders are authorized to accept wagers on such simulcast signal, notwithstanding any other provision of this chapter to the contrary.

3. Any thoroughbred permitholder which accepts wagers on a simulcast signal received after 6 p.m. must make such signal available to any permitholder that is eligible to conduct intertrack wagering under the provisions of ss. 550.615-550.6345, including any permitholder located as specified in s. 550.615(8) ~~s. 550.615(9)~~. Such guest permitholders are authorized to accept wagers on such simulcast signals for a number of performances not to exceed that which constitutes a full schedule of live races for a quarter horse permitholder pursuant to s. 550.002(11), notwithstanding any other provision of this chapter to the contrary, except that the restrictions provided in s. 550.615(8)(a) ~~s. 550.615(9)(a)~~ apply to wagers on such simulcast signals.

No thoroughbred permitholder shall be required to continue to rebroadcast a simulcast signal to any in-state permitholder if the average per performance gross receipts returned to the host permitholder over the preceding 30-day period were less than \$100. Subject to the provisions of s. 550.615(4), as a condition of receiving rebroadcasts of thoroughbred simulcast signals under this paragraph, a guest permitholder must accept intertrack wagers on all live races conducted by all then-operating thoroughbred permitholders.

Section 11. Paragraph (c) of subsection (4) of section 551.104, Florida Statutes, is amended to read:

551.104 License to conduct slot machine gaming.—

(4) As a condition of licensure and to maintain continued authority for the conduct of slot machine gaming, the slot machine licensee shall:

(c) Conduct no fewer than a full schedule of live racing or games as defined in s. 550.002(11), *except for holders of greyhound permits that do not have a live racing requirement*. A permitholder's responsibility to conduct such number of live races or games shall be reduced by the number of races or games that could not be conducted due to the direct result of fire, war, hurricane, or other disaster or event beyond the control of the permitholder.

Section 12. Subsections (2) and (4) of section 551.114, Florida Statutes, are amended to read:

551.114 Slot machine gaming areas.—

(2) The slot machine licensee shall display pari-mutuel races or games within the designated slot machine gaming areas and offer patrons within the designated slot machine gaming areas the ability to engage in pari-mutuel wagering on *any* live, intertrack, and simulcast races conducted or offered to patrons of the licensed facility.

(4) Designated slot machine gaming areas may be located within the current live gaming facility or in an existing building that must be contiguous and connected to the live gaming facility, *if applicable*. If a designated slot machine gaming area is to be located in a building that is to be constructed, that new building must be contiguous and connected to the live gaming facility.

Section 13. Paragraphs (a) and (b) of subsection (5) and paragraph (d) of subsection (13) of section 849.086, Florida Statutes, are amended to read:

849.086 Cardrooms authorized.—

(5) LICENSE REQUIRED; APPLICATION; FEES.—No person may operate a cardroom in this state unless such person holds a valid cardroom license issued pursuant to this section.

(a) Only those persons holding a valid cardroom license issued by the division may operate a cardroom. A cardroom license may only be issued to a licensed pari-mutuel permitholder and an authorized cardroom may only be operated at the same facility at which the permitholder is authorized under its valid pari-mutuel wagering permit to conduct pari-mutuel wagering activities. An initial cardroom license shall be issued to a pari-mutuel permitholder only after its facilities are in place and after it conducts its first day of live racing or games or, for a greyhound permitholder, only after it has conducted a full schedule of live racing in each of the preceding 10 years or after it was converted pursuant to s. 550.054(14). A new cardroom license may not be issued in an area unless the local government has approved of such activity within its boundaries in accordance with subsection (16).

(b) After the initial cardroom license is granted, the application for the annual license renewal shall be made in conjunction with the applicant's annual application for its pari-mutuel license. If a permitholder has operated a cardroom during any of the 3 previous fiscal years and fails to include a renewal request for the operation of the cardroom in its annual application for license renewal, the permitholder may amend its annual application to include operation of the cardroom. Except for greyhound permitholders, in order for a cardroom license to be renewed the applicant must have requested, as part of its pari-mutuel annual license application, to conduct at least 90 percent of the total number of live performances conducted by such permitholder during either the state fiscal year in which its initial cardroom license was issued or the state fiscal year immediately prior thereto if the permitholder ran at least a full schedule of live racing or games in the prior year. If the application is for a harness permitholder cardroom, the applicant must have requested authorization to conduct a minimum of 140 live performances during the state fiscal year immediately prior thereto. If more than one permitholder is operating at a facility, each permitholder must have applied for a license to conduct a full schedule of live racing. However, a minimum number of requested or conducted live performances is not required for a greyhound permitholder to maintain or renew a cardroom license.

(13) TAXES AND OTHER PAYMENTS.—

(d)1. Each greyhound and jai alai permitholder that operates a cardroom facility shall use at least 4 percent of such permitholder's cardroom monthly gross receipts to supplement greyhound purses if live racing is conducted during a fiscal year, or jai alai prize money, respectively, during the permitholder's current or next ensuing pari-mutuel meet.

2. Each thoroughbred and harness horse racing permitholder that operates a cardroom facility shall use at least 50 percent of such permitholder's cardroom monthly net proceeds as follows: 47 percent to supplement purses and 3 percent to supplement breeders' awards during the permitholder's next ensuing racing meet.

3. No cardroom license or renewal thereof shall be issued to an applicant holding a permit under chapter 550 to conduct pari-mutuel wagering meets of quarter horse racing unless the applicant has on file with the division a binding written agreement between the applicant and the Florida Quarter Horse Racing Association or the association representing a majority of the horse owners and trainers at the applicant's eligible facility, governing the payment of purses on live quarter horse races conducted at the licensee's pari-mutuel facility. The agreement governing purses may direct the payment of such purses from revenues generated by any wagering or gaming the applicant is authorized to conduct under Florida law. All purses shall be subject to the terms of chapter 550.

Section 14. This act does not authorize gambling activity beyond what is provided for under current law as of March 1, 2011.

Section 15. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to greyhound racing; amending s. 550.002, F.S.;

revising the definition of the term "full schedule of live racing or games"; prohibiting a minimum requirement of live performances for greyhound permitholders; amending s. 550.01215, F.S.; revising the requirements for an application for a license to conduct performances; extending the period of time allowed to amend certain applications; amending s. 550.054, F.S.; removing a requirement for holders of certain converted permits to conduct a full schedule of live racing to qualify for certain tax credits; amending s. 550.0951, F.S.; revising provisions relating to a transfer by a permitholder of a tax exemption or license fee credit to a greyhound permitholder; revising provisions relating to the tax on handle for dogracing and intertrack wagering; conforming a cross-reference; amending s. 550.09514, F.S.; revising provisions relating to the purse requirements for greyhound racing and for the payment of purses; amending s. 550.105, F.S.; revising provisions relating to municipal taxes for dogracing facilities; amending s. 550.26165, F.S.; conforming a cross-reference to changes made by the act; amending s. 550.475, F.S.; revising provisions relating to the leasing of pari-mutuel facilities by pari-mutuel permitholders; amending s. 550.615, F.S.; revising provisions relating to intertrack wagering; amending s. 550.6305, F.S.; conforming cross-references; amending s. 551.104, F.S.; revising a condition of licensure for the conduct of slot machine gaming; amending s. 551.114, F.S.; revising the requirements for designated slot machine gaming areas; amending s. 849.086, F.S.; revising the requirements for initial and renewal issuance of a cardroom license to a greyhound permitholder; providing that a corresponding pari-mutuel license application or a minimum number of live performances is not required for a greyhound permitholder to maintain or renew a cardroom license; providing that the act does not authorize certain gambling activity; providing an effective date.

On motion by Senator Sachs, by two-thirds vote CS for CS for CS for HB 1145 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—25

Benacquisto	Gaetz	Rich
Bogdanoff	Hill	Richter
Braynon	Joyner	Ring
Dean	Lynn	Sachs
Detert	Margolis	Simmons
Diaz de la Portilla	Montford	Sobel
Dockery	Negron	Thrasher
Fasano	Norman	
Flores	Oelrich	

Nays—14

Mr. President	Garcia	Siplin
Alexander	Gardiner	Smith
Altman	Hays	Storms
Bennett	Jones	Wise
Evers	Latvala	

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote CS for SB 242, CS for SB 328, CS for CS for SB 364, CS for CS for SB 490, CS for CS for SB 582, CS for CS for CS for SB 1290, CS for SB 1334, CS for SB 1390, and CS for CS for SB 1732 were withdrawn from the Committee on Budget; CS for SB 606 was withdrawn from the Committee on Community Affairs; SB 962 and SB 974 were withdrawn from the Committee on Governmental Oversight and Accountability; and SB 1488 was withdrawn from the Committee on Military Affairs, Space, and Domestic Security.

MOTIONS

On motion by Senator Thrasher, by two-thirds vote CS for SB 2040, CS for CS for SB 1122, CS for SB 1590, CS for SB 1328, CS for CS for SB 1502, CS for SB 1850, SB 1494, CS for SB 1922, CS for CS for SJR 1954, and CS for CS for SB 1128 were placed on the Special Order Calendar for Monday, May 2.

On motion by Senator Thrasher, by two-thirds vote all bills remaining on the Special Order Calendar this day, except **SB 322** and **SB 306**, were placed on the Special Order Calendar for Monday, May 2.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Thrasher, the rules were waived and the Special Order Calendar Group was granted permission to meet this day at 5:00 p.m. to set the Special Order Calendar for Tuesday, May 3.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Friday, April 29, 2011: CS for CS for CS for SB 88, CS for CS for SB 178, CS for CS for SB 274, CS for CS for SB 296, SB 306, SB 322, CS for SB 378, CS for SB 380, CS for CS for SB 396, CS for CS for SB 416, SB 420, CS for SB 438, SB 502, CS for SB 504, CS for CS for SB 512, SB 514, SB 568, SB 570, CS for SB 572, CS for CS for SB 594, CS for SB 600, SB 602, SB 604, CS for SB 648, CS for SB 692, SB 714, CS for SB 720, SB 726, CS for SB 740, CS for CS for SB 846, SM 852, CS for SB 926, CS for CS for SB 930, SB 978, SB 996, SB 1000, CS for CS for SB 1086, CS for SB 1140, CS for SB 1152, CS for SB 1192, CS for CS for SB 1206, CS for SB 1300, CS for CS for SB 1312, CS for CS for SB 1594, CS for SB 1656, CS for SB 1754, CS for SB 1884, SB 1990, SB 2168, SB 2174.

Respectfully submitted,
John Thrasher, Chair

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Budget Subcommittee on Criminal and Civil Justice Appropriations; and Health Regulation; and Senator Jones—

CS for CS for SB 490—A bill to be entitled An act relating to financial responsibility for medical expenses of pretrial detainees or sentenced inmates; amending s. 901.35, F.S.; providing that the responsibility for paying the expenses of medical care, treatment, hospitalization, and transportation for a person who is ill, wounded, or otherwise injured during or as a result of an arrest for a violation of a state law or a county or municipal ordinance is the responsibility of the person receiving the medical care, treatment, hospitalization, or transportation; removing provisions establishing the order by which medical providers receive reimbursement for the expenses incurred in providing the medical services or transportation; amending s. 951.032, F.S.; setting forth the order by which a county or municipal detention facility may seek reimbursement for the expenses incurred during the course of treating or transporting in-custody pretrial detainees or sentenced inmates; requiring each in-custody pretrial detainee or sentenced inmate who receives medical care or other services to cooperate with the county or municipal detention facility in seeking reimbursement for the expenses incurred by the facility; setting forth the order of fiscal resources from which a third-party provider of medical services may seek reimbursement for the expenses the provider incurred in providing medical care; providing that, absent a written agreement between a third-party provider and a governmental body, the remuneration be billed by the third-party provider and paid by the governmental body at a rate not to exceed a specified percent of the Medicare allowable rate for the service rendered; requiring each in-custody pretrial detainee or sentenced inmate who has health insurance, subscribes to a health care corporation, or receives health care benefits from any other source to assign such benefits to the health care provider; defining the term “in-custody pretrial detainee or sentenced inmate”; providing that law enforcement personnel or county or municipal detention facility personnel are responsible for restricting the personal freedom of certain in-custody pretrial detainees or sentenced inmates; providing that the act does not apply to certain counties; providing that certain charter counties are not obligated to reimburse any third-party provider of medical care, treatment, hospitalization, or transportation for an in-custody pretrial detainee or sentenced inmate of a county detention facility at a rate exceeding a particular rate for certain transportation or medical costs; providing an effective date.

—was placed on the Calendar.

By the Committees on Budget Subcommittee on Finance and Tax; and Community Affairs; and Senator Detert—

CS for CS for SB 582—A bill to be entitled An act relating to local business taxes; amending s. 205.022, F.S.; defining the term “independent contractor”; creating s. 205.066, F.S.; exempting an individual engaging in or managing a business in an individual capacity as an employee from requirements related to local business taxes; specifying that an individual licensed and operating as a broker associate or sales associate is an employee; specifying that an independent contractor is not an employee; prohibiting a local governing authority from holding an exempt employee liable for the failure of a principal or employer to comply with certain obligations related to a local business tax or requiring an exempt employee to take certain actions related to a local business tax; prohibiting a local governing authority from requiring a principal or employer to provide personal or contact information for exempt individuals in order to obtain a local business tax receipt; providing that the exemption does not apply to a business tax imposed on an individual employee by a municipality or county pursuant to a resolution or ordinance adopted before October 13, 2010; amending s. 205.194, F.S.; deleting obsolete provisions; requiring a person applying for or renewing a local business tax receipt to engage in or manage a business or occupation regulated by the Florida Supreme Court or a state agency to exhibit certain documentation before such receipt may be issued; authorizing online renewals as a means of providing electronic certifications that meet such requirement; deleting a requirement that the Department of Business and Professional Regulation provide certain professional regulation information to local officials who issue business tax receipts; deleting a provision prohibiting a local official who issues business tax receipts from renewing a license under certain circumstances; providing an effective date.

—was placed on the Calendar.

By the Committees on Budget Subcommittee on General Government Appropriations; Environmental Preservation and Conservation; and Agriculture; and Senator Dean—

CS for CS for CS for SB 1290—A bill to be entitled An act relating to pest control; amending s. 482.051, F.S.; providing for rule changes that allow operators to provide certain emergency notice to the Department of Agriculture and Consumer Services by facsimile or electronic means; amending s. 482.071, F.S.; increasing the minimum bodily injury and property damage insurance coverage required for pest control businesses; creating s. 482.072, F.S.; providing for licensure by the department of pest control customer contact centers; providing application requirements; providing for fees, licensure renewal, penalties, licensure expiration, and transfer of licenses; creating s. 482.157, F.S.; providing for the certification of commercial wildlife trappers; providing certification requirements, examination requirements, and fees; limiting the scope of work permitted by certificateholders; clarifying that licensees and certificateholders who practice accepted pest control methods are immune from liability for violating laws prohibiting cruelty to animals; amending s. 482.226, F.S.; increasing the minimum financial responsibility requirements for licensees that perform certain inspections; providing an effective date.

—was placed on the Calendar.

By the Committees on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Commerce and Tourism; and Senator Benacquisto—

CS for CS for SB 1318—A bill to be entitled An act relating to the tax refund program for qualified target industry businesses; amending s. 288.106, F.S.; revising the criteria for the determination of target industry businesses by the Office of Tourism, Trade, and Economic Development; providing for notification by the local governing body recommending the project of the private-sector wage calculation; providing an effective date.

—was placed on the Calendar.

By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations; and Senators Dockery, Joyner, and Smith—

CS for SB 1390—A bill to be entitled An act relating to supervised reentry programs for inmates; amending s. 945.091, F.S.; providing legislative intent to encourage the Department of Corrections, to the extent possible, to place inmates in the community to perform paid employment for community work; providing that an inmate may leave the confinement of prison to participate in a supervised reentry program in which the inmate is housed in the community while working at paid employment or participating in other programs that are approved by the department; requiring the inmate to live at a department-approved residence while participating in the supervised reentry program; specifying the conditions for participating in the supervised reentry program; requiring that the department adopt rules to operate the supervised reentry program; providing an effective date.

—was placed on the Calendar.

By the Committees on Budget Subcommittee on Higher Education Appropriations; and Higher Education; and Senator Lynn—

CS for CS for SB 1732—A bill to be entitled An act relating to postsecondary education; amending s. 1004.015, F.S.; requiring the Higher Education Coordinating Council to recommend plans and submit a report to the Governor and the Legislature relating to core responsibilities of postsecondary education institutions, performance outputs and outcomes, articulation policies, workforce development education, and baccalaureate degree authorization; requiring the council to submit a report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the State Board of Education, and the Board of Governors of the State University System by a date certain which includes certain recommendations; amending s. 1007.27, F.S.; requiring the Department of Education to use student performance data to determine appropriate credit-by-examination scores and courses; requiring the Department of Education to review performance data for students who take Advanced Placement Examinations and to set minimum scores based on the review; deleting an exemption from summer-term enrollment in a public postsecondary education institution for students earning accelerated credit; amending s. 1007.33, F.S.; deleting an exemption from provisions governing the approval process for baccalaureate degrees; amending s. 1001.64, F.S.; requiring a community college board of trustees to ask the Commissioner of Education to authorize an investigation of a college president by the Department of Education's inspector general in specified circumstances; requiring the inspector general to report on the investigation and make recommendations; requiring the inspector general to refer any potential legal violation to the Commission on Ethics, the Department of Law Enforcement, the Attorney General, or other appropriate authority; repealing s. 1000.07, F.S., relating to the Florida Business and Education Collaborative; providing an effective date.

—was placed on the Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 13, CS for HB 279, CS for CS for CS for HB 281, CS for CS for CS for HB 283, CS for CS for HB 369, CS for CS for HB 647, CS for CS for HB 935, HB 1029, CS for HB 1039, CS for CS for HB 1141, HB 4009, CS for HB 4013, HB 4027, CS for HB 7185; has passed as amended CS for CS for HB 75, CS for HB 105, CS for CS for HB 1355, CS for CS for CS for HB 1363, CS for HB 7129; has passed by the required constitutional two-thirds vote of the members present CS for HB 677; has adopted HM 9 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Representative(s) Coley, Drake, Ford, Patronis, Adkins, Ahern, Albritton, Baxley, Bembry, Brandes, Broxson, Burgin, Corcoran, Crisa-

fulli, Gaetz, Goodson, Hudson, Ingram, Metz, O'Toole, Plakon, Porter, Smith, Steube, Tobia, Van Zant, Wood—

HB 13—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; revising legislative intent; eliminating provisions directing the Department of Health to create and administer a statewide septic tank evaluation program; eliminating procedures and criteria for the evaluation program; repealing s. 381.00656, F.S., to terminate the grant program for repair of onsite sewage treatment disposal systems identified pursuant to the evaluation program, to conform; amending s. 381.0066, F.S.; eliminating provisions authorizing the department to collect an evaluation report fee; eliminating provisions relating to disposition of fee proceeds and a revenue-neutral fee schedule; providing an effective date.

—was referred to the Committee on Rules.

By Health & Human Services Access Subcommittee and Representative(s) Davis—

CS for HB 279—A bill to be entitled An act relating to the training and certification of child welfare personnel; amending s. 402.40, F.S.; revising legislative intent; defining the terms "child welfare certification," "core competency," "preservice curriculum," and "third-party credentialing entity"; providing required criteria for the approval of credentialing entities that develop and administer certification programs for persons who provide child welfare services; revising the use of the Child Welfare Training Trust Fund within the Department of Children and Family Services; revising provisions relating to preservice curricula; requiring persons who provide child welfare services to be certified by a third-party credentialing entity; allowing entities to add to or augment preservice curriculum; allowing entities to contract for training; requiring persons to master core competencies; providing for recognition for currently certified persons; deleting requirements relating to certification and trainer qualifications; deleting provisions relating to training academies; amending s. 402.731, F.S.; authorizing approval of third-party credentialing entities; providing an effective date.

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

By Finance & Tax Committee, Economic Affairs Committee, Community & Military Affairs Subcommittee and Representative(s) Logan, Campbell, Steinberg—

CS for CS for CS for HB 281—A bill to be entitled An act relating to value adjustment boards; creating s. 194.014, F.S.; requiring a petitioner challenging the assessed value of property before the value adjustment board to pay a specified percentage of the taxes by a certain date; requiring a petitioner challenging the denial of a classification or exemption, or the assessment on specified grounds, before the value adjustment board to pay the amount of tax which the taxpayer admits in good faith to be owing by a certain date; providing for a penalty if the good faith payment is grossly disproportionate to the amount of tax found to be due and the taxpayer's admission was not made in good faith; requiring the board to deny the petition in writing by a certain date if the required amount of taxes is not timely paid; requiring the payment of interest on certain unpaid taxes; requiring the payment of interest on certain overpayments of taxes; providing that s. 194.014, F.S., does not apply to petitions for ad valorem tax deferrals pursuant to ch. 197, F.S.; amending s. 194.034, F.S.; conforming a provision to changes made by this act; amending s. 197.162, F.S.; providing for a discount for ad valorem taxes paid within 30 days after the mailing of a corrected tax notice resulting from the action of a value adjustment board when the corrected tax notice is issued before the taxes become delinquent; providing applicability; providing an effective date.

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

By Economic Affairs Committee, Justice Appropriations Subcommittee, Criminal Justice Subcommittee, Transportation & Highway Safety Subcommittee and Representative(s) Young, Adkins, Ahern, Albritton, Artiles, Baxley, Bovo, Boyd, Brandes, Brodeur, Broxson, Burgin, Caldwell, Clemens, Corcoran, Costello, Crisafulli, Cruz, Davis, Diaz, Dorworth, Ford, Fresen, Fullwood, Gaetz, Glorioso, Goodson, Grant,

Hager, Harrison, Holder, Hooper, Horner, Ingram, Jenne, Julien, Logan, McBurney, McKeel, Metz, Moraitis, Nehr, Nuñez, Pafford, Patronis, Pilon, Ray, Reed, Roberson, K., Rooney, Rouson, Slosberg, Smith, Steinberg, Steube, Van Zant, Weinstein, Wood—

CS for CS for CS for CS for HB 283—A bill to be entitled An act relating to seaports; amending s. 311.09, F.S.; providing that Citrus County may apply for a grant for a feasibility study through the Florida Seaport Transportation and Economic Development Council; providing for the evaluation of the application; requiring the Department of Transportation to include the study in its budget request under certain circumstances; amending s. 311.12, F.S.; deleting provisions relating to statewide minimum standards for seaport security; deleting provisions authorizing the Department of Law Enforcement to exempt all or part of a seaport from specified requirements in certain circumstances; revising provisions relating to seaport security plans; revising requirements for certain secure or restricted areas; revising provisions relating to when a part of a seaport property may temporarily be designated as a secure or restricted area; deleting provisions requiring that the Department of Law Enforcement administer a statewide seaport access eligibility reporting system; deleting provisions requiring that persons seeking authorization to access secure and restricted areas of a seaport execute an affidavit; prohibiting a seaport from charging any fee for administration or production of access control credentials that require or are associated with a fingerprint-based background check, in addition to the fee for the federal TWIC; providing exceptions; providing for issuance of seaport-specific access credentials; deleting provisions requiring fingerprint-based state criminal history checks on seaport employee applicants, current employees, and other authorized persons; deleting provisions authorizing waivers from security requirements in certain circumstances; deleting provisions relating to inspections; deleting reporting requirements; deleting the provisions relating to the allocation of appropriated funds for security project needs; amending s. 311.121, F.S.; conforming provisions to changes made by the act; amending s. 311.123, F.S.; revising who may create a maritime domain security awareness training program; conforming provisions to changes made by the act; amending s. 311.124, F.S.; conforming provisions to changes made by the act; repealing s. 311.115, F.S., relating to the Seaport Security Standards Advisory Council; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Transportation; Budget Subcommittee on General Government Appropriations; and Budget.

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Rouson, Baxley, Julien—

CS for CS for HB 369—A bill to be entitled An act relating to faith- and character-based correctional institution programs; amending s. 944.803, F.S.; revising legislative findings; providing legislative intent; providing requirements for faith- and character-based programs; deleting provisions relating to funding; revising requirements for participation; deleting provisions relating to assignment of chaplains; allowing peer-to-peer programming whenever appropriate; providing an effective date.

—was referred to the Committees on Criminal Justice; Budget; and Rules.

By Judiciary Committee, Civil Justice Subcommittee and Representative(s) McBurney, Adkins—

CS for CS for HB 647—A bill to be entitled An act relating to the protection of volunteers; amending s. 768.1355, F.S.; clarifying that in order to fall under the protection of the Florida Volunteer Protection Act, a person performing a service for a nonprofit organization may not receive compensation from the nonprofit organization for that service, regardless of whether the person is receiving compensation from another source; providing an exception; providing for application of the act; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; and Governmental Oversight and Accountability.

By Health & Human Services Committee, Health & Human Services Access Subcommittee and Representative(s) Corcoran, Drake—

CS for CS for HB 935—A bill to be entitled An act relating to health care price transparency; amending s. 381.026, F.S.; providing a definition; authorizing a primary care provider to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the provider's services by price levels and list the services in each price level; providing an exemption from license fee and continuing education requirements for a provider who publishes and maintains a schedule of charges; requiring a primary care provider's estimates of charges for medical services to be consistent with the posted schedule; requiring a provider to post the schedule of charges for a certain time period; providing for repayment of license fees and compliance with continuing education requirements previously waived if the schedule of charges was not posted for a certain time period; amending s. 395.002, F.S.; providing a definition; creating s. 395.107, F.S.; requiring urgent care centers to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the urgent care center's services by price levels and list the services in each price level; providing a fine for failure to publish and post a schedule of medical services; providing an effective date.

—was referred to the Committees on Health Regulation; Budget Subcommittee on Health and Human Services Appropriations; and Budget.

By Representative(s) Brodeur—

HB 1029—A bill to be entitled An act relating to the Interstate Compact for Juveniles; reenacting s. 985.802, F.S.; providing purpose of the compact; providing definitions; providing for an Interstate Commission for Juveniles; providing for the appointment of commissioners; providing for an executive committee; providing for meetings; providing powers and duties of the Interstate Commission; providing for its organization and operation; providing for bylaws, officers, and staff; providing for qualified immunity from liability for the commissioners, the executive director, and employees; requiring the Interstate Commission to adopt rules; providing for oversight, enforcement, and dispute resolution by the Interstate Commission; providing for the activities of the Interstate Commission to be financed by an annual assessment from each compacting state; requiring member states to create a State Council for Interstate Juvenile Supervision; providing for the effective date of the compact and amendments thereto; providing for a state's withdrawal from and reinstatement to the compact; providing for assistance, certain penalties, suspension, or termination following default by a state; providing for judicial enforcement; providing for dissolution of the compact; providing for severability and construction of the compact; providing for the effect of the compact with respect to other laws and for its binding effect; reenacting s. 985.8025, F.S.; creating the State Council for Interstate Juvenile Offender Supervision to oversee state participation in the compact; providing membership; providing for records and open meetings; prescribing procedures if the council is abolished; providing an effective date.

—was referred to the Committees on Criminal Justice; Budget Subcommittee on Criminal and Civil Justice Appropriations; Budget; and Rules.

By Justice Appropriations Subcommittee and Representative(s) Patronis, Van Zant—

CS for HB 1039—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; including certain hallucinogenic substances on the list of controlled substances in Schedule I; reenacting ss. 893.13(1), (2), (4), and (5), 893.135(1)(l), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties regarding controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Finance & Tax Committee, Community & Military Affairs Subcommittee and Representative(s) Steube, Boyd, Burgin, Costello, Grant, Holder, Slosberg—

CS for CS for HB 1141—A bill to be entitled An act relating to an ad valorem tax exemption for deployed servicemembers; creating s. 196.173, F.S.; providing for certain servicemembers who receive a homestead exemption and who are deployed in certain military operations to receive an additional ad valorem tax exemption; designating military operations to receive the additional ad valorem tax exemption; requiring the Department of Revenue to notify property appraisers and tax collectors of the designated military operations; requiring the Department of Military Affairs to submit a report annually of military operations to the President of the Senate, the Speaker of the House of Representatives, and the tax committees of each house of the Legislature; specifying the calculation to be used in determining the exemption amount; requiring that a servicemember apply to the property appraiser to receive the exemption in the year following the year of a qualifying deployment; providing for the application forms to be prescribed by the Department of Revenue and furnished to an applicant by the property appraiser; authorizing certain persons to apply to the property appraiser to receive an exemption on behalf of a servicemember; requiring that a property appraiser consider applications for an exemption within a certain time; providing a definition; amending s. 194.011, F.S.; requiring a person appealing the denial of a deployed service member exemption to the value adjustment board to file the appeal within a certain time; amending s. 196.011, F.S.; providing requirements for the forms used for claims for the exemption for deployed servicemembers; authorizing the Department of Revenue to adopt emergency rules; providing for application of the act to qualifying deployments in the 2010 calendar year; providing for the act to apply to tax rolls beginning in 2011; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Community Affairs; and Budget.

By Representative(s) Workman—

HB 4009—A bill to be entitled An act relating to outdoor theaters; repealing ch. 555, F.S., relating to access to public roads from outdoor theaters; removing provisions for entrances, exits, enclosures, vehicle storage, screen orientation, tower location, and driveway lighting; removing requirements for a qualifying certificate to prove compliance with agency regulations prior to issuance of an occupational license by the tax collector; providing an effective date.

—was referred to the Committee on Transportation.

By Business & Consumer Affairs Subcommittee and Representative(s) Eisnagle—

CS for HB 4013—A bill to be entitled An act relating to television picture tubes; repealing ss. 817.559 and 817.56, F.S., relating to television picture tube labeling requirements and misrepresentations of television picture tubes; providing an effective date.

—was referred to the Committee on Commerce and Tourism.

By Representative(s) Horner—

HB 4027—A bill to be entitled An act relating to obsolete health care provisions; repealing s. 381.0091, F.S., relating to the designation of separate restrooms and separate dressing rooms for males and females; repealing s. 381.736, F.S., relating to the Florida Healthy People 2010 Program; repealing ss. 408.90-408.908, F.S., relating to the MedAccess program within the Agency for Health Care Administration; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Economic Affairs Committee, Finance & Tax Committee and Representative(s) Precourt—

CS for HB 7185—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2011 version of the Internal Revenue Code; amending s. 220.13, F.S.; specifying the treatment by this state of certain depreciation and expensing of assets that are allowed for federal income tax purposes; authorizing the executive director of the Department of Revenue to adopt emergency rules; providing an appropriation; providing for reversion and reappropriation; providing for retroactive application; providing an effective date.

—was referred to the Committees on Budget Subcommittee on Finance and Tax; and Budget.

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Abruzzo, Van Zant—

CS for CS for HB 75—A bill to be entitled An act relating to the offense of sexting; providing that a minor commits the offense of sexting if he or she knowingly uses a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any photograph or video of any person which depicts nudity and is harmful to minors; providing that a minor commits the offense of sexting if he or she knowingly possesses a photograph or video of any person that was transmitted or distributed by another minor which depicts nudity and is harmful to minors; providing an exception; providing noncriminal and criminal penalties; providing that the transmission, distribution, or possession of multiple photographs or videos is a single offense if the transmission occurs within a 24-hour period; providing that the act does not prohibit prosecution of a minor for conduct relating to material that includes the depiction of sexual conduct or sexual excitement or for stalking; defining the term “found to have committed”; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Communications, Energy, and Public Utilities; and Budget.

By Judiciary Committee and Representative(s) Goodson, Baxley, Corcoran, Hager, Van Zant—

CS for HB 105—A bill to be entitled An act relating to open house parties; amending s. 856.015, F.S.; providing that a person who violates the open house party statute a second or subsequent time commits a misdemeanor of the first degree; providing that a person commits a misdemeanor of the first degree if the violation of the open house party statute causes or contributes to causing serious bodily injury or death to the minor, or causes or contributes to causing serious bodily injury or death to another person as a result of the minor’s consumption of alcohol or drugs at the open house party; providing criminal penalties; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; and Budget.

By State Affairs Committee, Government Operations Subcommittee and Representative(s) Baxley, Perry, Williams, T.—

CS for CS for HB 1355—A bill to be entitled An act relating to elections; amending s. 97.012, F.S.; expanding the list of responsibilities of the Secretary of State when acting in his or her capacity as chief election officer; amending s. 97.021, F.S.; revising the definition of “minor political party”; amending s. 97.025, F.S.; revising methods of publication and distribution of the Florida Election Code pamphlet to candidates qualifying with the Department of State; amending s. 97.0575, F.S.; requiring that third-party voter registration organizations register with the Division of Elections and provide the division with certain information; requiring that the division or a supervisor of elections make voter registration forms available to third-party voter registration organizations; requiring that such forms contain certain information; requiring that the division maintain a database of certain information; requiring supervisors of elections to provide specified information to the division in a format and at times required by the division; requiring that such information be updated and made public daily

at a specified time; requiring third-party voter registration organizations to deliver collected voter registration applications within a specified period; revising penalty provisions to conform; specifying grounds for an affirmative defense to a violation of timely submission requirements; providing for the referral of violations to the Attorney General; authorizing the Attorney General to initiate a civil action; providing that an action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order; requiring that the division adopt rules for specified purposes; providing for retroactive effectiveness; amending s. 97.071, F.S.; requiring that voter information cards contain the address of the polling place of the registered voter; requiring a supervisor of elections to issue a new voter information card to a voter upon a change in a voter's address of legal residence or a change in a voter's polling place address; amending s. 97.073, F.S.; requiring a supervisor to notify an applicant within 5 business days regarding disposition of the voter registration applications; amending s. 97.1031, F.S.; requiring an elector to notify the supervisor of elections when he or she changes his or her residence address; providing a voter with various options for providing address updates; revising notice requirements for any change in party affiliation; amending s. 98.075, F.S.; requiring a supervisor of elections to remove a registered voter from the statewide voter registration system upon certain notice; providing bases for ineligibility; amending 98.093, F.S.; requiring the Florida Parole Commission and the Department of Corrections to provide specified data for the updating of the statewide voter registration system regarding convicted felons; amending s. 98.0981, F.S.; providing timeframes and formats for voting history information to be sent by the supervisors of elections to the department; providing timeframes and formats for voting history information to be sent by the department to the President of the Senate, the Speaker of the House of Representatives, and the respective minority leaders; requiring submission of precinct-level information in a certain format by a time certain; amending s. 99.012, F.S., relating to restrictions on individuals qualifying for public office; providing that if a final court order determines that a person did not comply with specific provisions of the section the person is not qualified as a candidate and his or her name may not appear on ballot; providing for nonapplicability to presidential and vice presidential candidates; amending s. 99.021, F.S.; revising the candidate oath requirement for a person seeking to qualify for nomination or election or as a candidate of a political party; removing requirement for qualifying officer to give printed copy of candidate oath; removing requirement for taking public employee oath; providing exceptions for certain candidates taking other oaths; amending s. 99.061, F.S.; revising timeframe for candidate to pay qualifying fee under certain circumstances; requiring checks to be payable as prescribed by filing officer; requiring notarized signature on certain oaths; removing requirement for public employee oath; requiring filing of a notarized financial disclosure; clarifying time for qualifying papers to be received; providing that qualifying officer performs ministerial duty only; exempting qualifying officer decision from Administrative Procedures Act; amending s. 99.063, F.S.; removing the requirement that a candidate swear a public employee loyalty oath; amending s. 99.093, F.S.; remitting assessments directly to the Florida Elections Commissions rather than passing through the department; amending s. 99.095, F.S.; allowing certain individuals seeking county or district office in a year of apportionment to obtain signatures county-wide; amending s. 99.097, F.S.; clarifying that the supervisor of elections checks more than signatures on petition forms; clarifying rulemaking authority of the department relating to petitions; prohibiting certain random sampling method of petition verification for constitutional amendments petitions; providing for invalidity of undue burden oaths under specified circumstances; providing for certain funds to be used to reimburse a supervisor of elections for signature verification fees not previously paid when an undue burden oath is held invalid; amending s. 100.061, F.S.; revising the primary election date; amending s. 100.111, F.S.; providing notification requirements and procedures for filling a vacancy in nomination for certain offices; deleting the definition of the term "district political party executive committee"; providing that a vacancy in nomination is not created if an order of a court that has become final determines the nominee did not properly qualify or does not meet the necessary qualifications to hold the office sought; amending s. 100.371, F.S.; providing that signatures on an initiative petition are valid for 2 years instead of 4 years; requiring that a petition signer must be a registered elector at time of signing for a supervisor to verify his or her signature as valid; requiring the supervisor of elections to notify petition sponsor of misfiled petition under certain circumstances; deleting certain petition revocation provisions; amending s. 101.001, F.S.; requiring the supervisors of elections to provide the department with

precinct data including specified information; requiring the department to maintain a searchable database containing certain precinct and census block information; requiring supervisors of elections to notify the department of precinct changes within a specified time; deleting a waiver; amending s. 101.043, F.S.; providing that the address appearing on the photo identification used at polls cannot be used to confirm or challenge an elector's legal residence for address verification; amending s. 101.045, F.S.; permitting a change of residence at the polling place for a person changing residence within a county; providing that a person whose change of address is from outside the county may not change his or her legal residence at the polling place or vote a regular ballot but may vote a provisional ballot; amending s. 101.131, F.S.; revising procedures for the designation of poll watchers; requiring that the division prescribe a form for the designation of poll watchers; providing conditions under which poll watchers are authorized to enter polling areas and watch polls; requiring that a supervisor of elections provide identification to poll watchers by a specified period before early voting begins; requiring that poll watchers display such identification while in a polling place; amending s. 101.151, F.S.; providing changes in ballot appearance; reducing length and appearance of ballot and redundancy; expanding use of ballot on demand technology; amending s. 101.5605, F.S.; clarifying that testing of voting equipment be done in accordance with state-adopted voting system standards; amending s. 101.5606, F.S.; removing references to obsolete forms of voting; amending s. 101.56075, F.S.; providing that all voting systems utilized after a certain time shall permit placement on the ballot of the full text of a constitutional amendment; amending s. 101.5612, F.S.; revising the number or percentage of systems that must be tested; amending s. 101.5614, F.S.; conforming law to current technological practices in canvassing of certain returns; amending s. 101.591, F.S.; providing that a manual recount is not required under certain circumstances; amending s. 101.62, F.S.; extending absentee ballot request through the end of the calendar year of the next two regularly scheduled general elections; providing timeframes for absentee ballots to be sent to voters voting an absentee ballot; clarifying provisions relating to military and overseas voters; requiring the supervisors of elections to update absentee ballot information and make available by a time certain; revising reasons for voting absentee; amending s. 101.65, F.S.; expanding absentee ballot instructions to notify a voter that signatures on ballot and on record must match; informing voter when signature must be updated; amending s. 101.68, F.S.; allowing the county canvassing boards to begin canvassing of absentee ballots at a time certain; amending s. 101.6923, F.S.; expanding special absentee ballot instructions for certain first-time voters to notify voters that signatures on the ballot and on record must match; informing voter when signature must be updated; amending s. 101.75, F.S.; eliminating state mandate for a municipal election to have a 14-day candidate qualifying period when it moves its election to coincide with state or county election; amending s. 102.031, F.S.; prohibiting solicitation of voters who are entering or in line to enter any polling place, polling room, or early voting site; requiring the posting of a sign; expanding the definitions of the terms "solicit" and "solicitation"; amending s. 102.141, F.S.; requiring the canvassing board to report all early voting and all tabulated absentee results to the department by a time certain; requiring periodic updates; amending s. 102.168, F.S.; clarifying when canvassing boards are an indispensable party to an election contest; clarifying evidence a circuit court may consider in certain election contests; providing a standard of review; amending s. 103.021, F.S.; revising the definition of the term "national party"; revising requirements for a minor political party to have candidates for President and Vice President placed on the general election ballot; creating s. 103.095, F.S.; providing a procedure for the registration of a minor political party; requiring the Division of Elections to adopt rules to prescribe the manner in which political parties may have their filings canceled; amending s. 103.101, F.S.; creating a Presidential Preference Primary Date Selection Committee; providing membership; requiring for the committee to meet by a date certain and to set a date for the presidential preference primary; amending s. 103.141, F.S.; deleting language providing for the removal of certain county executive committee members pursuant to a separate provision of law; amending s. 104.29, F.S.; clarifying when it is an offense for an inspector or other election official to deny a person the opportunity to observe whether ballots are being correctly reconciled; amending s. 106.011, F.S.; revising the definitions of "candidate," "contribution," and "expenditure" to exclude funds received or spent for certain potential candidate polls; clarifying and conforming the definition of "independent expenditure" to the candidate's specific qualifying period; clarifying the qualifying period for the candidate; correcting a cross-reference; creating s. 106.012, F.S.; providing that funds spent or received are not con-

tributions or expenditures if used solely for determining candidate viability; providing examples of permissible activities; providing for retention of records; providing that funds become contributions and expenditures upon the candidacy of a person; requiring reporting of funds regardless of date received or spent; providing examples of ineligible activities for fund use; delineating activities indicating intention to become a candidate; limiting the amount of funds that may be received; amending s. 106.021, F.S.; deleting a requirement that certain information be included in campaign reports for reimbursement; amending s. 106.022, F.S.; requiring a political committee, committee of continuous existence, or electioneering communications organization to file a statement of appointment with the filing officer rather than with the division; authorizing an entity to change its appointment of registered agent or registered office by filing a written statement with the filing officer; requiring a registered agent who resigns to execute a written statement of resignation and file it with the filing officer; amending s. 106.023, F.S.; revising the form of the statement of a candidate to require a candidate to acknowledge that he or she has been provided access to and understands the requirements of ch. 106, F.S.; amending s. 106.025, F.S.; exempting tickets or advertising for a campaign fundraiser from requirements of s. 106.143, F.S.; amending s. 106.03, F.S.; providing when a political committee must file a statement of organization; providing when a group must register as an electioneering communications organization; amending s. 106.04, F.S.; requiring a committee of continuous existence that makes a contribution or expenditure in connection with certain county or municipal elections to file specified reports; subjecting a committee of continuous existence that fails to file a report or to timely file a report with the division or a county or municipal filing officer to a fine; requiring a committee of continuous existence to include transaction information from credit card purchases in a report filed with the division; requiring a committee of continuous existence to report changes in information previously reported to the division within 10 days after the change; requiring the division to revoke the certification of a committee of continuous existence under certain circumstances; requiring the division to adopt rules to prescribe the manner in which the certification is revoked; increasing the amount of a fine to be levied on a committee of continuous existence that fails to timely file certain reports; providing for the deposit of the proceeds of the fines; including the registered agent of a committee of continuous existence as an alternate person whom the filing officer shall notify that a report has not been filed; providing criteria for deeming delivery of a notice of fine complete; requiring a committee of continuous existence that appeals a fine to file a copy of the appeal with the commission; amending s. 106.07, F.S.; correcting a cross-reference; revising the dates that certain contribution and expenditure reports must be filed; revising reporting requirements for a statewide candidate who receives funding under the Florida Election Campaign Financing Act and candidates in a race with a candidate who has requested funding under that act; deleting a requirement for a committee of continuous existence to file a campaign treasurer's report relating to contributions or expenditures to influence the results of a special election; revising the methods by which a campaign treasurer may be notified of the determination that a report is incomplete to include certified mail and other methods using a common carrier that provides proof of delivery of the notice; extending the time the campaign treasurer has to file an addendum to the report after receipt of notice of why the report is incomplete; providing criteria for deeming delivery complete of a notice of incomplete report; deleting a provision allowing for notification by telephone of an incomplete report; requiring political committees that make a contribution or expenditure in connection with certain county or municipal elections to file campaign finance reports with the county or municipal filing officer and to include its contributions and expenditures in a report to the division; revising the information that must be included in a report to include transaction information for credit card purchases; deleting a requirement that a campaign depository to return checks drawn on the account to the campaign treasurer; specifying the amount of a fine for the failure to timely file reports after a special primary election or special election; specifying that the registered agent of a political committee is a person whom a filing officer may notify of the amount of the fine for filing a late report; providing criteria for deeming delivery of a notice of late report and resulting fine complete; amending s. 106.0703, F.S.; correcting a cross-reference; deleting a requirement for an electioneering communications organization to provide certain information to the department on activities occurring since the last general election; amending s. 106.0705, F.S.; requiring certain individuals to electronically file certain reports with the division; conforming a cross-reference to changes made by the act; deleting an obsolete provision; amending s. 106.071, F.S.;

conforming provisions relating to expenditures in the aggregate; clarifying the independent expenditure disclaimer for paid political advertisement by an individual; amending s. 106.08, F.S.; deleting a requirement for the department to notify candidates as to whether an independent or minor party candidate has obtained the required number of petition signatures; deleting a requirement for certain unopposed candidates to return contributions; specifying the entities with which a political party's state executive committee, an affiliated party committee, and county executive committees must file a written acceptance of an in-kind contribution; amending s. 106.09, F.S.; specifying that the limitations on contributions by cash or cashier's check apply to the aggregate amount of contributions to a candidate or committee per election; clarifying that a violation of a certain subsection, and not a section, of the law is a misdemeanor of the first degree; amending s. 106.11, F.S.; revising the statement that must be contained on checks from a campaign account; deleting requirements relating to the use of debit cards; authorizing a campaign for a candidate to reimburse the candidate's loan to the campaign when the campaign account has sufficient funds; amending s. 106.141, F.S.; removing certain limitations on expenditure of surplus funds; requiring candidates receiving public financing to return all surplus funds to the General Revenue Fund after paying certain monetary obligations and expenses; amending s. 106.143, F.S.; revising disclosure requirements for certain political advertisements; specifying disclosure statements that must be included in political advertisements paid for by a write-in candidate; specifying disclosure requirements for political advertisements paid for by in-kind contributions; prohibiting the inclusion of a person's political affiliation in advertisements for a nonpartisan office; clarifying the type of political advertisements that must be approved in advance by a candidate; deleting a duplicative exemption from the requirement to obtain a candidate's approval for messages designed to be worn; providing that political advertisements paid for by a political party or an affiliated party committee may use certain registered names and abbreviations; clarifying that a political advertisement that is paid for by a candidate and complies with statutory disclosure requirements is not required to additionally state that it is approved by the candidate; amending s. 106.15, F.S.; prohibiting the making, soliciting, or accepting of any political contribution in a government-occupied room or building space; defining "government-occupied room or building space"; providing an exception; amending s. 106.17, F.S.; authorizing state and county executive committees and affiliated party committees to conduct political polls to determine viability of potential candidates; allowing sharing of results; providing that such expenditures are not contributions to the potential candidates; amending s. 106.19, F.S.; providing that a candidate's failure to comply with ch. 106, F.S., has no effect on whether the candidate has qualified for office; amending s. 106.25, F.S., relating to reports of alleged violations to Florida Elections Commission; providing a deadline for the filing of a response by a respondent; prohibiting the commission from defining willfulness by rule, or further defining the term as provided in ch. 106 or ch. 104, F.S.; providing for entering into a consent order under certain circumstances; allowing a respondent who is alleged by the commission to have violated the election code or campaign financing laws to elect as a matter of right a formal hearing before the Division of Administrative Hearings; authorizing an administrative law judge to assess civil penalties upon the finding of a violation; amending s. 106.26, F.S.; authorizing the commission to file a complaint in the circuit court where the witness resides; amending s. 106.265, F.S.; authorizing an administrative law judge to assess a civil penalty upon a finding of a violation of the election code or campaign financing laws; providing for civil penalties to be assessed against an electioneering communications organization; removing reference to the expired Election Campaign Financing Trust Fund; directing that moneys from penalties and fines be deposited into the General Revenue Fund; amending s. 106.29, F.S.; requiring specified committees that make contributions or expenditures to influence the results of a special election or special primary election to file campaign treasurer's reports by certain dates; providing for applicable campaign finance reporting dates, to conform; deleting a requirement that each state executive committee file the original and one copy of its reports with the division; revising provisions relating to penalties for late filing, to conform and to provide requirements for sufficiency of notice; amending s. 106.35, F.S.; deleting a requirement that the division adopt rules relating to the format and filing of certain printed campaign treasurer's reports under the Florida Election Campaign Financing Act; amending s. 106.355, F.S.; eliminating the duty of the department to provide funds from the Election Campaign Financing Trust Fund when certain expenditure limits are exceeded; amending s. 11.045, F.S.; excluding funds received or spent under s. 106.012, F.S., from the defini-

tion of "expenditure"; amending s. 112.312, F.S.; excluding funds received or spent under s. 106.012, F.S., or contributions or expenditures reported pursuant to federal election law from the definition of "gift"; amending s. 112.3215, F.S.; excluding funds received or spent under s. 106.012, F.S., or contributions or expenditures reported pursuant to federal election law from the definition of "expenditure"; amending s. 876.05, F.S.; deleting the requirement that candidates for public office take a public employee oath; amending s. 100.101, F.S.; to conform to changes made by the act; repealing s. 103.161, F.S., relating to the removal or suspension of officers or members of state executive committees or county executive committees; repealing s. 876.07, F.S., relating to the requirement that a candidate take a public employee oath as a prerequisite to qualifying for public office, to conform; amending s. 101.161, F.S.; revising terminology; transferring to a new subsection requirements applicable to joint resolutions; providing that a joint resolution may include a ballot summary and alternate ballot summaries; providing that a joint resolution may include a ballot summary or alternate ballot summaries, listed in order of preference, describing the chief purpose of the amendment or revision in clear and unambiguous language; requiring a joint resolution to specify placement on the ballot of a ballot title and either a ballot summary embodied in the joint resolution or the full text of the proposed amendment or revision; requiring placement on the ballot of the ballot title and ballot summary, or the ballot title and the full text of the proposed amendment or revision, as specified by a joint resolution; requiring placement on the ballot of the full text of an amendment or revision if the court determines that each ballot summary embodied in a joint resolution is defective unless the Secretary of State certifies to the court that placement of the full text on the ballot is incompatible with voting systems that must be utilized during the election at which the proposed amendment will be presented to voters and that no other available accommodation will enable persons with disabilities to vote on the proposed amendment or revision; requiring the Attorney General to revise a ballot summary under certain circumstances; requiring the court to retain jurisdiction over challenges to any revised ballot summary submitted by the Attorney General; requiring challenges to revised ballot summaries to be filed within 10 days after the revised ballot summary is submitted to the court by the Attorney General; creating a presumption that the full text of an amendment or revision must be considered a clear and unambiguous statement of the substance and effect of an amendment or revision proposed by joint resolution and sufficient notice to electors under certain circumstances; establishing rules of construction for construing proposed ballot titles, ballot summaries, or the full text of proposed amendments or revisions; requiring legal challenges to ballot language to be filed within certain time periods; requiring complaints or petitions challenging ballot language to assert all grounds for such challenges; providing that any grounds not asserted are waived; requiring the courts to describe with specificity each deficiency in a ballot title, summary, or full text of a proposed amendment or revision; requiring the courts to accord actions challenging ballot language specified by a joint resolution priority over other pending cases and issue orders as expeditiously as possible; providing retroactive applicability to joint resolutions passed during the 2011 regular session; providing effective dates.

—was referred to the Committees on Rules Subcommittee on Ethics and Elections; Rules; and Budget.

By Economic Affairs Committee, Transportation & Economic Development Appropriations Subcommittee, Transportation & Highway Safety Subcommittee and Representative(s) Brandes, Bembry, Ray—

CS for CS for CS for HB 1363—A bill to be entitled An act relating to transportation; amending s. 120.80, F.S., relating to rulemaking; exempting the adjustment of tolls under specified provisions from provisions requiring a statement of estimated regulatory costs and a requirement for legislative ratification; amending s. 316.091, F.S.; prohibiting use of human-powered vehicles on limited access highways and bridges; requiring the Department of Transportation to establish a pilot program to open certain limited access highways and bridges to bicycles and other human-powered vehicles; providing requirements for the pilot program; authorizing the department to continue or expand the program after the end of the pilot period; requiring a report to the Governor and the Legislature; amending s. 316.302, F.S.; exempting operators of farm labor vehicles from certain safety regulations under certain circumstances; amending s. 331.303, F.S.; defining "spaceport launch support facilities"; amending s. 334.03, F.S.; revising definitions

for purposes of the Florida Transportation Code; amending s. 334.044, F.S.; revising the powers and duties of the department relating to jurisdictional responsibility and designating facilities; revising the types of transportation projects for which landscaping materials must be purchased; limiting the amount of funds that may be allocated for such purchases; revising the department's duties related to agreements with Space Florida; amending s. 334.047, F.S.; removing a provision prohibiting the department from establishing a maximum number of miles of urban principal arterial roads within a district or county; amending s. 336.021, F.S.; revising the date when imposition of the ninth-cent fuel tax is to be levied; amending s. 336.025, F.S.; revising the dates when impositions or rate changes of the local option fuel tax are to be levied and when counties must notify the Department of Revenue of such rates or rate changes; revising the definition of "transportation expenditures"; amending s. 337.111, F.S.; providing additional forms of security for the cost of removal of monuments or memorials or modifications to an installation site at highway rest areas; removing a provision requiring renewal of a bond; amending ss. 337.403 and 337.404, F.S.; revising provisions for alleviation of interference with a public road or publically imposed rail corridor caused by a utility facility; requiring the utility owner to initiate and complete the work necessary within a certain time period; providing for notice to the utility; revising provisions for payment of costs; revising provisions for completion of work when the utility owner does not perform the work; amending s. 337.408, F.S.; revising provisions for certain facilities installed within the right-of-way limits of roads; requiring counties and municipalities to indemnify the department from certain claims relating to the installation, removal, or relocation of a noncompliant bench or shelter; authorizing the department to direct a county or municipality to remove or relocate a bus stop, bench, transit shelter, waste disposal receptacle, public pay telephone, or modular news rack that is not in compliance with applicable laws or rules; directing the department to remove or relocate such installation and charge the cost to the county or municipality; authorizing the department to deduct the cost from funding available to the municipality or county from the department; removing a provision for the replacement of an unusable transit bus bench that was in service before a certain date; revising the title of chapter 338, F.S.; repealing s. 338.001, F.S., relating to provisions for the Florida Intrastate Highway System Plan; amending s. 338.01, F.S.; including authority of the department in provisions for the establishment of limited access facilities; amending s. 339.155, F.S.; revising provisions for statewide transportation planning by the department; providing for federally required transportation planning factors; revising provisions for the Florida Transportation Plan; removing requirements that the plan include a long-range component and a short-range component; removing certain reporting requirements; revising requirements for public participation in the planning process; amending s. 339.175, F.S.; providing that representatives of the department shall serve as nonvoting advisers to a metropolitan planning organization; authorizing the appointment of additional nonvoting advisers; amending s. 339.63, F.S.; providing for inclusion of certain access facilities in the Strategic Intermodal System and the Emerging Strategic Intermodal System; amending s. 339.64, F.S.; revising provisions for development of the Strategic Intermodal System Plan; removing the Statewide Intermodal Transportation Advisory Council; creating s. 339.65, F.S.; providing for the department to plan and develop Strategic Intermodal System highway corridors; providing for allocations of funds on a specified basis; providing for corridor projects to be included in the department's adopted work program and changes to be a separate part of the tentative work program; amending s. 341.302, F.S.; providing for construction of safety measures along passenger rail corridors and improvements at intermodal stations; amending s. 348.0003, F.S.; revising financial disclosure requirements for certain transportation authorities; amending s. 349.03, F.S.; providing for financial disclosure requirements for the Jacksonville Transportation Authority; amending s. 349.04, F.S.; providing that the Jacksonville Transportation Authority may conduct meetings and workshops using communications media technology; providing that certain actions may not be taken unless a quorum is present in person; providing that members must be physically present to vote on any item; amending s. 373.413, F.S.; providing legislative intent regarding flexibility in the permitting of stormwater management systems; requiring the cost of stormwater treatment for a transportation project to be balanced with benefits to the public; absolving the Department of Transportation of responsibility for the abatement of pollutants entering its stormwater facilities from offsite sources and from updating permits for adjacent lands impacted by right-of-way acquisition; authorizing the water management districts and the Department of Environmental Protection to adopt rules; creating s. 479.075, F.S.; de-

fining the terms “sign” and “sign permit fee”; establishing limitations on fees charged for sign permits; requiring a fee schedule to be based on actual costs; providing that the fee may not exceed certain costs; requiring the local government maintain information to justify certain costs; providing that specified provisions do not apply to certain signs; providing for effect with respect to any agreement, resolution, or ordinance; requiring removal of a sign to adhere to specified provisions; amending s. 479.106, F.S.; revising requirements for an application for a permit to remove, cut, or trim trees or vegetation around a sign; requiring that the application include a vegetation management plan, a mitigation contribution to a trust fund, or a combination of both; providing certain evaluation criteria; providing criteria for the use of herbicides; providing a time limit within which the Department of Transportation must act; providing that the permit is valid for 5 years; providing for an extension of the permit; reducing the number of non-conforming signs that must be removed before a permit may be issued for certain signs; providing criteria for view zones; requiring the department to provide notice to the sign owner of beautification projects or vegetation planting; amending s. 28, ch. 2008-174, Laws of Florida; revising the expiration of a pilot program that authorizes the Palm Beach County school district to recognize its business partners by displaying such business partners’ names on school district property in unincorporated areas; designating Edna S. Hargrett-Thrower Avenue in Orange County; designating SP4 Thomas Berry Corbin Memorial Highway and U.S. Navy BMC Samuel Calhoun Chavous, Jr. Memorial Highway in Dixie County; designating Marine Lance Corporal Brian R. Buesing Memorial Highway, United States Army Sergeant Karl A. Campbell Memorial Highway, and U.S. Army SPC James A. Page Memorial Highway in Levy County; designating Veterans Memorial Highway in Putnam County; designating Ben G. Watts Highway in Washington County; designating Mardi Gras Way, West Park Boulevard, and Pembroke Park Boulevard in Broward County; designating Stark Memorial Drive and Duval County Law Enforcement Memorial Overpass in Duval County; designating Verna Bell Way in Nassau County; designating Deputy Hal P. Croft and Deputy Ronald Jackson Memorial Highway in Union County; designating Dr. Oscar Elias Biset Boulevard in Miami-Dade County; designating Alma Lee Loy Bridge in Indian River County; amending ss. 24 and 45, ch. 2010-230, Laws of Florida; revising the designation for Miss Lillie Williams Boulevard and Father Gerard Jean-Juste Street in Miami-Dade County; directing the Department of Transportation to erect suitable markers; amending ss. 163.3180, 288.063, 311.07, 311.09, 316.2122, 316.515, 336.01, 338.222, 338.223, 338.2275, 338.228, 339.2819, 339.285, 341.8225, 479.01, 479.07, and 479.261, F.S., relating to transportation concurrency, contracts, port facilities, Florida Seaport Transportation and Economic Development Council, low-speed vehicles and mini trucks, width and height limitations, the county road system, turnpike projects, revenue bonds, Transportation Regional Incentive Program, Enhanced Bridge Program for Sustainable Transportation, high-speed rail projects, outdoor advertising, sign permits, and the Logo sign program, respectively; revising cross-references; amending ss. 163.3187, 318.12, 335.02, 338.227, 338.234, 339.62, 341.053, and 403.7211, F.S., relating to comprehensive plans, traffic infractions, standards for lanes, services related to the financing of projects, concessions along the turnpike, components of the Strategic Intermodal System, Intermodal Development Program, and hazardous waste facilities, respectively; revising references to conform to the incorporation of the Florida Intrastate Highway System into the Strategic Intermodal System and to changes made by the act; amending s. 20.23, F.S.; providing that the Florida Statewide Passenger Rail Commission has the primary and exclusive authority to monitor certain designated functions related to passenger rail systems; removing from the Florida Transportation Commission the responsibility and duty to monitor the efficiency, productivity, and management of all publicly funded passenger rail systems in the state; amending s. 311.09, F.S.; providing that Citrus County may apply for a grant for a feasibility study through the Florida Seaport Transportation and Economic Development Council; providing for the evaluation of the application; requiring the Department of Transportation to include the study in its budget request under certain circumstances; amending s. 212.055, F.S.; requiring counties to revise, as necessary, any interlocal agreements entered into with municipalities for the distribution of proceeds of the discretionary sales surcharge in order that newly participating municipalities may receive a share of the distribution; specifying conditions by which a municipality may receive a distribution of the sales surcharge; amending s. 316.613, F.S.; providing an exception for certain for-hire passenger vehicles from provisions requiring the use of child restraint devices in motor vehicles; providing effective dates.

—was referred to the Committees on Transportation; Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Budget.

By Economic Affairs Committee, Community & Military Affairs Subcommittee and Representative(s) Workman, Caldwell—

CS for HB 7129—A bill to be entitled An act relating to growth management; amending s. 163.3161, F.S.; redesignating the “Local Government Comprehensive Planning and Land Development Regulation Act” as the “Community Planning Act”; revising and providing intent and purpose of act; amending s. 163.3164, F.S.; revising definitions; amending s. 163.3167, F.S.; revising scope of the act; revising and providing duties of local governments and municipalities relating to comprehensive plans; deleting retroactive effect; creating s. 163.3168, F.S.; encouraging local governments to apply for certain innovative planning tools; authorizing the state land planning agency and other appropriate state and regional agencies to use direct and indirect technical assistance; amending s. 163.3171, F.S.; providing legislative intent; amending s. 163.3174, F.S.; deleting certain notice requirements relating to the establishment of local planning agencies by a governing body; amending s. 163.3175, F.S.; providing that certain comments, underlying studies, and reports provided by a military installation’s commanding officer are not binding on local governments; providing additional factors for local government consideration in impacts to military installations; clarifying requirements for adopting criteria to address compatibility of lands relating to military installations; amending s. 163.3177, F.S.; revising and providing duties of local governments; revising and providing required and optional elements of comprehensive plans; revising requirements of schedules of capital improvements; revising and providing provisions relating to capital improvements elements; revising major objectives of, and procedures relating to, the local comprehensive planning process; revising and providing required and optional elements of future land use plans; providing required transportation elements; revising and providing required conservation elements; revising and providing required housing elements; revising and providing required coastal management elements; revising and providing required intergovernmental coordination elements; amending s. 163.31777, F.S.; revising requirements relating to public schools’ interlocal agreements; deleting duties of the Office of Educational Facilities, the state land planning agency, and local governments relating to such agreements; deleting an exemption; amending s. 163.3178, F.S.; deleting a deadline for local governments to amend coastal management elements and future land use maps; amending s. 163.3180, F.S.; revising and providing provisions relating to concurrency; revising concurrency requirements; revising application and findings; revising local government requirements; revising and providing requirements relating to transportation concurrency, transportation concurrency exception areas, urban infill, urban redevelopment, urban service, downtown revitalization areas, transportation concurrency management areas, long-term transportation and school concurrency management systems, development of regional impact, school concurrency, service areas, financial feasibility, interlocal agreements, and multimodal transportation districts; revising duties of the Office of Program Policy Analysis and the state land planning agency; providing requirements for local plans; providing for the limiting the liability of local governments under certain conditions; amending s. 163.3182, F.S.; revising definitions; revising provisions relating to transportation deficiency plans and projects; amending s. 163.3184, F.S.; providing a definition; providing requirements for comprehensive plans and plan amendments; providing an expedited state review process for adoption of comprehensive plan amendments; providing requirements for the adoption of comprehensive plan amendments; creating the state-coordinated review process; providing and revising provisions relating to the review process; revising requirements relating to local government transmittal of proposed plan or amendments; providing for comment by reviewing agencies; deleting provisions relating to regional, county, and municipal review; revising provisions relating to state land planning agency review; revising provisions relating to local government review of comments; deleting and revising provisions relating to notice of intent and processes for compliance and noncompliance; providing procedures for administrative challenges to plans and plan amendments; providing for compliance agreements; providing for mediation and expeditious resolution; revising powers and duties of the administration commission; revising provisions relating to areas of critical state concern; providing for concurrent zoning; amending s. 163.3187, F.S.; deleting provisions relating to the amendment of adopted comprehensive plan and providing

the process for adoption of small-scale comprehensive plan amendments; repealing s. 163.3189, F.S., relating to process for amendment of adopted comprehensive plan; amending s. 163.3191, F.S., relating to the evaluation and appraisal of comprehensive plans; providing and revising local government requirements including notice, amendments, compliance, mediation, reports, and scoping meetings; amending s. 163.3229, F.S.; revising limitations on duration of development agreements; amending s. 163.3235, F.S.; revising requirements for periodic reviews of a development agreements; amending s. 163.3239, F.S.; revising recording requirements; amending s. 163.3243, F.S.; revising parties who may file an action for injunctive relief; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; authorizing the adoption of sector plans under certain circumstances; amending s. 163.3246, F.S.; revising provisions relating to the local government comprehensive planning certification program; conforming provisions to changes made by the act; deleting reporting requirements of the Office of Program Policy Analysis and Government Accountability; repealing s. 163.32465, F.S., relating to state review of local comprehensive plans in urban areas; amending s. 163.3247, F.S.; providing for future repeal and abolition of the Century Commission for a Sustainable Florida; creating s. 163.3248, F.S.; providing for the designation of rural land stewardship areas; providing purposes and requirements for the establishment of such areas; providing for the creation of rural land stewardship overlay zoning district and transferable rural land use credits; providing certain limitation relating to such credits; providing for incentives; providing eligibility for incentives; providing legislative intent; amending s. 380.06, F.S.; revising requirements relating to the issuance of permits for development by local governments; revising criteria for the determination of substantial deviation; providing for extension of certain expiration dates; revising exemptions governing developments of regional impact; revising provisions to conform to changes made by this act; amending s. 380.0651, F.S.; revising provisions relating to statewide guidelines and standards for certain multiscreen movie theaters, industrial plants, industrial parks, distribution, warehousing and wholesaling facilities, and hotels and motels; revising criteria for the determination of when to treat two or more developments as a single development; amending s. 331.303, F.S.; conforming a cross-reference; amending s. 380.115, F.S.; subjecting certain developments required to undergo development-of-regional-impact review to certain procedures; amending s. 380.065, F.S.; deleting certain reporting requirements; conforming provisions to changes made by the act; amending s. 380.0685, F.S., relating to use of surcharges for beach renourishment and restoration; repealing Rules 9J-5 and 9J-11.023, Florida Administrative Code, relating to minimum criteria for review of local government comprehensive plans and plan amendments, evaluation and appraisal reports, land development regulations, and determinations of compliance; amending ss. 70.51, 163.06, 163.2517, 163.3162, 163.3217, 163.3220, 163.3221, 163.3229, 163.360, 163.516, 171.203, 186.513, 189.415, 190.004, 190.005, 193.501, 287.042, 288.063, 288.975, 290.0475, 311.07, 331.319, 339.155, 339.2819, 369.303, 369.321, 378.021, 380.115, 380.031, 380.061, 403.50665, 403.973, 420.5095, 420.615, 420.5095, 420.9071, 420.9076, 720.403, 1013.30, 1013.33, and 1013.35, F.S.; revising provisions to conform to changes made by this act; extending permits and other authorizations extended under s. 14, ch. 2009-96, Laws of Florida; extending certain previously granted buildout dates; requiring a permitholder to notify the authorizing agency of its intended use of the extension; exempting certain permits from eligibility for an extension; providing for applicability of rules governing permits; declaring that certain provisions do not impair the authority of counties and municipalities under certain circumstances; requiring the state land planning agency to review certain administrative and judicial proceedings; providing procedures for such review; providing that all local governments shall be governed by certain provisions of general law; providing a directive of the Division of Statutory Revision; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; and Budget.

By Government Operations Subcommittee and Representative(s) Pilon—

CS for HB 677—A bill to be entitled An act relating to public records; amending s. 119.0712, F.S.; providing an exemption from public records requirements for information held by the Office of Financial Regulation that is received from another state or federal regulatory, administrative, or criminal justice agency and that is otherwise confidential or exempt pursuant to the laws of that state or pursuant to federal law; providing an exemption from public records requirements for information held by the office that is received or developed by the office as part of a joint or multiagency examination or investigation with another state or federal regulatory, administrative, or criminal justice agency; specifying conditions under which the Office of Financial Regulation may obtain and use such information; providing for retroactive application; providing for future review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Banking and Insurance; Criminal Justice; and Governmental Oversight and Accountability.

By Representative(s) Rouson, Kriseman, Mayfield, Patronis, Williams, T.—

HM 9—A memorial to the Congress of the United States, urging Congress to support the marketing of Florida seafood.

—was referred to the Committees on Environmental Preservation and Conservation; Commerce and Tourism; and Agriculture.

ENROLLING REPORTS

CS for SB 400, CS for SB 782, SB 1204 and CS for SB 1970 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 29, 2011.

R. Philip Twogood, Secretary

SM 484 has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on April 29, 2011.

R. Philip Twogood, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 28 was corrected and approved.

CO-INTRODUCERS

Senators Alexander—SB 726; Altman—SB 726; Benacquisto—SB 726; Bennett—SB 726; Bogdanoff—SB 726; Braynon—SB 726; Dean—SB 726; Detert—SB 726; Diaz de la Portilla—SB 726; Dockery—SB 726; Evers—SB 726; Fasano—SB 726, CS for CS for SB 1448; Flores—SB 726, CS for CS for SB 1448; Gaetz—SB 726, CS for CS for SB 1594; Garcia—SB 726; Gardiner—SB 726; Haridopolos—SB 726; Hays—CS for SB 376, SB 726; Hill—SB 726; Jones—SB 726; Joyner—SB 726; Latvala—SB 726; Lynn—SB 726; Margolis—SB 726; Montford—SB 726; Negron—SB 726; Norman—SB 726; Oelrich—CS for CS for SB 236, SM 484, SB 726, SB 762, SJR 1438, SB 1770; Rich—SB 726; Richter—SB 726; Ring—SB 726; Sachs—SB 726; Simmons—SB 726; Siplin—SB 726; Smith—SB 726; Sobel—SB 726; Storms—SB 726; Thrasher—SB 726; Wise—SB 726

RECESS

On motion by Senator Thrasher, the Senate recessed at 3:50 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Monday, May 2 or upon call of the President.



Journal of the Senate

Number 19—Regular Session

Monday, May 2, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 9:00 a.m. A quorum present—38:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Excused: Senator Bullard

PRAYER

The following prayer was offered by Senator Wise:

Almighty Father, Creator of Heaven and Earth, the Great Physician and Healer, this legislative body would like to ask for your special healing power, specifically for Senator Larcenia Bullard and for Dave Bitner. You know their physical issues and with your healing power, we ask that their bodies be healed. You have said, "ask and you shall receive," and we are asking today at this very moment that these two godly individuals receive your mercy and healing power.

I would ask that you provide the leadership of the Florida House and Senate with the wisdom to make the right decisions for the welfare of the citizens of Florida during deliberations this very day. Nothing seems easy, but if we seek your divine guidance, you will guide our decisions. Nothing is impossible if we seek your wisdom first, and that is why we start each day in this Senate by seeking your wisdom. We lean not on our own understanding, but seek your guidance in all that we do.

Lastly, I ask that you provide each of us assembled here today the peace that passes all understanding. You are the great Healer, the Prince of Peace and the Great I Am. And we all say, Amen.

PLEDGE

Senate Pages Victor Chrispin of Jacksonville; Rebekah Giordano of New Port Richey; Elizabeth Fechtel of Leesburg; and Dakota Treffeisen of Lake Panasoffkee, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Jon R. Ward of Panama City, sponsored by Senator Gaetz, as doctor of the day. Dr. Ward specializes in Dermatology.

ADOPTION OF RESOLUTIONS

At the request of Senator Hill—

By Senator Hill—

SR 184—A resolution recognizing May 12, 2011, as "Fibromyalgia Awareness Day" in Florida.

WHEREAS, an estimated 10 million people in the United States and millions of people worldwide have been diagnosed as having fibromyalgia, a disease for which there is no known cause or cure, and

WHEREAS, it often takes an average of 5 years to receive a diagnosis of fibromyalgia, and medical professionals frequently are inadequately educated on the diagnosis and treatment of fibromyalgia, and

WHEREAS, fibromyalgia is a chronic pain disorder that is becoming an increasingly common diagnosis and taking a toll emotionally, financially, and socially on patients and their family, friends, coworkers, and communities, and

WHEREAS, fibromyalgia is a life-altering diagnosis, preventing patients from contributing to society at the level they once did because of myriad symptoms that come and go unpredictably and vary in severity, and

WHEREAS, the chronically ill place a larger burden on the health care and insurance systems and on employers due to the costs associated with treatment, medications, and sometimes hospitalizations associated with the disorder, and

WHEREAS, society as a whole is also affected when patients are physically unable to work and must depend on government assistance in order to survive, and

WHEREAS, increased awareness and expanded knowledge of the realities of fibromyalgia will allow the community at large to better support patients who struggle with the challenges of this chronic pain disorder, as well as their families, friends, coworkers, and employers, and

WHEREAS, the National Fibromyalgia Association is a nonprofit charitable organization and the publisher of Fibromyalgia AWARE, the first and only consumer magazine that covers fibromyalgia, and

WHEREAS, the National Fibromyalgia Association, the Fibro Chronic Babes of Jacksonville, and other groups around the country have joined

together to promote fibromyalgia awareness and support, including improved education, diagnosis, research, and treatment, and

WHEREAS, the National Fibromyalgia Association is urging fibromyalgia patients and their supporters, health care providers, and the public to join its efforts on or around May 12, 2011, to walk for a solution in their community or participate in an effort to bring awareness to the far-reaching effects of fibromyalgia, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That May 12, 2011, is recognized as “Fibromyalgia Awareness Day” in Florida, and the Senate urges all Floridians to support the search for a cure and assist individuals and families in dealing with this disorder.

—**SR 184** was introduced, read and adopted by publication.

At the request of Senator Hill—

By Senator Hill—

SR 186—A resolution urging support of the American Stroke Association’s “Power to End Stroke” campaign and recognizing May 2011 as “Power to End Stroke Month” in Florida.

WHEREAS, stroke is the third leading cause of death in the United States, striking about 700,000 Americans each year and killing 150,000, and

WHEREAS, stroke is also a leading cause of serious long-term disability in the United States, with more than 1.1 million adults experiencing functional limitations or difficulty with activities of daily living resulting from stroke, and

WHEREAS, on the average, a stroke occurs every 45 seconds in the United States and takes a life every 3 minutes, and

WHEREAS, the estimated direct and indirect costs of stroke in the United States this year will be more than \$62 billion, and

WHEREAS, the majority of Americans are unaware of their risk factors for a stroke and are unaware of the signs and symptoms of an impending stroke, and

WHEREAS, statistics show that African Americans have almost twice the risk of a first stroke compared to Caucasians, primarily because of their increased risk of hypertension, high cholesterol, and diabetes, and

WHEREAS, the American Stroke Association in 2008 launched the “Power to End Stroke” campaign, the goal of which is to educate and empower African Americans, as well as those of other ethnic groups, to fight stroke in their communities, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate recognizes May 2011 as “Power to End Stroke Month” in Florida and urges all residents of this state to recognize that stroke must be taken seriously in order to reduce its risks.

BE IT FURTHER RESOLVED that the Senate urges all Floridians to support the American Stroke Association’s “Power to End Stroke” campaign by becoming familiar with the warning signs, symptoms, and risk factors associated with stroke and live stronger, healthier lives.

—**SR 186** was introduced, read and adopted by publication.

At the request of Senator Gaetz—

By Senators Gaetz and Evers—

SR 2178—A resolution recognizing the Pensacola State College Lady Pirates women’s basketball team.

WHEREAS, the Pensacola State College Lady Pirates women’s basketball team recently competed in the National Junior College Athletic Association National Championship Tournament in Salina, Kansas, after spending most of the year ranked first in the national polls, and

WHEREAS, the Pensacola State College Lady Pirates finished the National Junior College Athletic Association National Championship Tournament with a third-place national ranking, and

WHEREAS, the Pensacola State College Lady Pirates completed the season with a phenomenal 35 wins and 1 loss, winning a college record of 34 straight games and earning their first trip to nationals since 1985, and

WHEREAS, the Pensacola State College Lady Pirates were undefeated in regular season play in the Panhandle Conference and in the Florida State College Athletic Association State Championship Tournament, winning the Florida State Championship, and

WHEREAS, Lady Pirates Coach Chanda Rigby was named Panhandle Conference Coach of the Year and State of Florida Coach of the Year for her outstanding leadership, and

WHEREAS, Lady Pirates player Jessica Merritt was named a First-Team All-American, as well as First-Team All-State, All-Conference, and Florida State Tournament Most Valuable Player, and

WHEREAS, Lady Pirate player Meghan Perkins was named a First-Team All-American, was a member of the All-National Tournament Team, and was named Player of the Year by the Florida State College Athletic Association and Panhandle Conference Player of the Year, as well as All-State, All-Panhandle Conference Player, and was an All-State Tournament Player, and

WHEREAS, the Pensacola State College Lady Pirates represented this state in the National Junior College Athletic Association National Tournament with wins over Malcolm X College, Copiah-Lincoln Community College, and Northern Oklahoma Community College, losing only to Northern Idaho Community College, and

WHEREAS, Pensacola State College Lady Pirates players Brandy Broome, Meghan Perkins, Jessica Merritt, Ashley Olvera, Natalie Burke, Tawanna Lee, Najat Ouardad, Patricia Bright, Darnisha Hamilton, Jenisha Jackson, and Karneshia Garrett represented Pensacola State College, the Florida Panhandle Conference, and the State of Florida with outstanding athletic teamwork, superior sportsmanship, and collegiate distinction, and

WHEREAS, Lady Pirates Karneshia Garrett, Najat Ouardad, Meghan Perkins, and Jessica Merritt were named to the All-Panhandle Conference Team, with Lady Pirates Brandy Broome, Tawanna Lee, Ashley Olvera, and Darnisha Hamilton named to the All-Panhandle Conference Second Team, and

WHEREAS, the success of the Lady Pirates basketball team would not have been possible without the dedication and enthusiastic support of Assistant Coaches Kayla Ard and LaToya Thomas, staff members Verdine Warner, Deb Lee, Marcie Grace, and John Noski, Pensacola State College Athletic Director Bill Hamilton, Pensacola State College President Ed Meadows, Student Services Vice President Tom Gilliam, Pensacola State College cheerleaders Emily L. Burkett, Showalter D. Cooper, Rebecca A. Fenn, Kelsey L. Gibson, Ariel A. Henry, Bradley M. NeSmith, Patricia L. Pyle, Holly C. Spencer, Porscha R. Tucker, and Lindsey L. Yeagle, Cheerleading Coach La Rita J. Carter, and all Pensacola State College Lady Pirates basketball fans from Escambia and Santa Rosa Counties, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the members of the Florida Senate recognize the Pensacola State College Lady Pirates women’s basketball team for a championship season and do hereby commend the players, coaches, and staff for their outstanding play in the National Junior College Athletic Association National Championship Tournament.

—**SR 2178** was introduced, read and adopted by publication.

At the request of Senator Gaetz—

By Senator Gaetz—

SR 2204—A resolution urging the Congress of the United States to enact legislation establishing an effective and comprehensive public

alert warning system that embraces state-of-the-art technology and new media and promotes coordination and cooperation between the public and private sectors.

WHEREAS, in 1997, the Emergency Alert System (EAS) superseded the Emergency Broadcast System (EBS) and has since been incorporated into the Integrated Public Alert and Warning System, a program of the Federal Emergency Management Agency (FEMA), and

WHEREAS, the EAS is designed to enable the President of the United States to speak to the nation within 10 minutes following the occurrence of a national emergency, and

WHEREAS, the EAS currently covers AM, FM, and Land Mobile Radio Service; VHF, UHF, and cable television, including low-power stations; digital television and cable providers; Sirius XM satellite radio, IBOC, DAB, and digital radio broadcasters; and Direct TV, Dish Network, and all other DBS providers, and

WHEREAS, rapidly advancing technology and the introduction of new media require that Congress take steps to ensure the capability of the Federal Government to quickly adapt the distribution and content of emergency communications, and

WHEREAS, it is critical to the health and well-being of all Americans that Congress investigate and conduct hearings to inventory, evaluate, and assess public alert and warning capabilities and promote integration of the public alert and warning systems of federal, state, territorial, tribal, and local governments, and

WHEREAS, in situations of war, terrorist attack, natural disaster, or other hazards to public safety, it is essential that the national public alert and warning system reach all Americans regardless of geographic location, language, or disability, and

WHEREAS, it is vital to the national interest that Congress establish training and testing protocols for the public alert and warning system and that all levels of government be required to consult, coordinate, and cooperate with the private sector, including emergency response providers, to implement an effective and comprehensive public alert warning system that uses state-of-the-art technology and embraces new media, NOW THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That Florida Senate urges the Congress of the United States to enact legislation establishing an effective and comprehensive public alert warning system that embraces state-of-the-art technology and new media and promotes coordination and cooperation between the public and private sectors.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the Speaker and the Minority Leader of the United States House of Representatives, the Majority Leader and the Minority Leader of the United States Senate, and to all sitting members of the Florida delegation to the Congress of the United States.

—**SR 2204** was introduced, read and adopted by publication.

BILLS ON THIRD READING

Consideration of **CS for CS for SB 818** and **CS for HJR 7111** was deferred.

CS for CS for HB 99—A bill to be entitled An act relating to commercial insurance rates; amending s. 627.062, F.S.; exempting additional categories or kinds of insurance and types of commercial lines risks from being subject to certain otherwise applicable rate filing requirements; deleting a requirement that an insurer's rate change notice include total premium written for an exempt class of insurance; removing a requirement that specified types of records and information related to a rate change be retained by an insurer; requiring actuarial data regarding a rate change for an exempt class of insurance be retained by an insurer for a specified time; requiring the insurer to incur examination expenses; removing a requirement that a rating organization maintain certain statistics related to changes to loss cost for exempt classes of insurance; requiring certain actuarial data related to loss cost

be retained by a rating organization for a specified time; requiring a rating organization to incur examination expenses; deleting authority for the Office of Insurance Regulation to require all necessary information from an insurer in order to evaluate a rate change; amending s. 627.0651, F.S.; expanding an exemption from certain otherwise applicable rate filing requirements to include all commercial motor vehicle insurance; deleting a requirement that a commercial motor vehicle insurer's rate change notice include total premium written; removing a requirement that specified types of records and information related to a commercial motor vehicle insurance rate change be retained by an insurer; requiring actuarial data regarding a commercial motor vehicle insurance rate change be retained by an insurer for a specified time; requiring an insurer for commercial motor vehicle insurance to incur examination expenses; removing a requirement that a rating organization maintain certain statistics related to changes to loss cost for commercial motor vehicle insurance; requiring actuarial data related to loss cost for commercial motor vehicle insurance be retained by a rating organization for a specified time; requiring a rating organization for commercial motor vehicle insurance to incur examination expenses; deleting authority for the Office of Insurance Regulation to require all necessary information from an commercial motor vehicle insurer in order to evaluate a rate change; providing an effective date.

—was read the third time by title.

On motion by Senator Oelrich, **CS for CS for HB 99** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Hays	Richter
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Flores	Norman	

Nays—1

Fasano

Vote after roll call:

Yea—Ring

Nay—Storms

Consideration of **CS for CS for SB 396** was deferred.

CS for HB 1329—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; making scholarships available to students with disabilities who have a 504 accommodation plan issued under s. 504 of the federal Rehabilitation Act; allowing a parent to request and receive a scholarship for a student to enroll in and attend a private school if the student has a 504 accommodation plan; providing that students with certain temporary 504 accommodation plans are ineligible for a scholarship; requiring that the school district notify a parent of available options within 10 days after a 504 accommodation plan is issued; providing that a parent may choose to enroll the student in a public school in an adjacent district under certain conditions; providing for scholarship amounts; providing an effective date.

—was read the third time by title.

On motion by Senator Wise, **CS for HB 1329** was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Richter
Benacquisto	Garcia	Simmons
Bennett	Gardiner	Siplin
Bogdanoff	Hays	Storms
Dean	Hill	Thrasher
Diaz de la Portilla	Jones	Wise
Dockery	Latvala	
Evers	Lynn	

Nays—9

Braynon	Montford	Sachs
Joyner	Oelrich	Smith
Margolis	Rich	Sobel

Vote after roll call:

Nay to Yea—Braynon

CS for SB 1754—A bill to be entitled An act relating to health insurance; creating s. 624.24, F.S.; prohibiting a person from being compelled to purchase health insurance except under specified conditions; specifying that the act does not prohibit the collection of certain debts; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 1754**, on motion by Senator Garcia, by two-thirds vote **CS for HB 1193** was withdrawn from the Committees on Banking and Insurance; Health Regulation; and Rules.

On motion by Senator Garcia, by two-thirds vote—

CS for HB 1193—A bill to be entitled An act relating to health insurance; creating s. 624.24, F.S.; prohibiting a person from being compelled to purchase health insurance except under specified conditions; specifying that the act does not prohibit the collection of certain debts; providing an effective date.

—a companion measure, was substituted for **CS for SB 1754** and by two-thirds vote read the second time by title.

On motion by Senator Garcia, by two-thirds vote **CS for HB 1193** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Evers	Margolis
Alexander	Fasano	Montford
Altman	Flores	Negron
Benacquisto	Gaetz	Norman
Bennett	Garcia	Oelrich
Bogdanoff	Gardiner	Richter
Dean	Hays	Simmons
Detert	Hill	Storms
Diaz de la Portilla	Jones	Thrasher
Dockery	Lynn	Wise

Nays—7

Braynon	Sachs	Sobel
Joyner	Siplin	
Rich	Smith	

Vote after roll call:

Nay—Ring

Yea to Nay—Hill

SPECIAL ORDER CALENDAR

Consideration of **CS for SB 106** was deferred.

CS for CS for SB 204—A bill to be entitled An act relating to controlled substances; amending s. 893.02, F.S.; defining the term “homologue” for purposes of the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 893.03, F.S.; including certain hallucinogenic substances on the list of controlled substances in Schedule I; amending s. 893.13, F.S.; providing that it is a misdemeanor of the first degree to be in possession of not more than a specified amount of certain hallucinogenic substances; providing an exception for the powdered form of such substances; reenacting ss. 893.13(1), (2), (4), and (5), 893.135(1)(l), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties regarding controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 204**, on motion by Senator Wise, by two-thirds vote **CS for CS for HB 39** was withdrawn from the Committees on Criminal Justice; Health Regulation; Judiciary; and Budget.

On motion by Senator Wise—

CS for CS for HB 39—A bill to be entitled An act relating to controlled substances; amending s. 893.02, F.S.; defining the term “homologue” for purposes of the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 893.03, F.S.; including certain hallucinogenic substances on the list of controlled substances in Schedule I; amending s. 893.13, F.S.; providing that it is a misdemeanor of the first degree to be in possession of not more than a specified amount of certain hallucinogenic substances; providing an exception for the powdered form of such substances; reenacting ss. 893.13(1), (2), (4), and (5), 893.135(1)(l), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties regarding controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 204** and read the second time by title.

On motion by Senator Wise, by two-thirds vote **CS for CS for HB 39** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

Vote after roll call:

Yea—Ring

CS for SB 224—A bill to be entitled An act relating to local government accountability; amending s. 11.40, F.S., relating to the Legislative Auditing Committee; clarifying when the Department of Community Affairs may institute procedures for declaring that a special district is inactive; amending s. 30.49, F.S.; specifying the level of detail required for each fund in the sheriff's proposed budget; revising the categories for expenditures; amending s. 112.63, F.S., relating to the review of the actuarial reports and statements of retirement plans of governmental entities by the Department of Management Services; providing that the failure of a special district to make appropriate adjustments or provide additional information authorizes the department to seek a writ of certiorari; amending s. 129.01, F.S.; revising provisions relating to the preparation of county budgets; specifying the level of detail required for each fund in the budget; amending s. 129.02, F.S.; revising provisions relating to the preparation of special district budgets; specifying the level of detail required for each fund in the budget; amending s. 129.021, F.S.; conforming cross-references; amending s. 129.03, F.S.; deleting a time restriction on preparing and presenting a tentative county budget; requiring tentative county budgets to be posted on the county's website; amending s. 129.06, F.S.; revising provisions relating to the execution and amendment of county budgets; requiring revised budgets to be posted on the county's website; amending s. 129.07, F.S.; revising provisions relating to the prohibition against exceeding the county budget; amending s. 129.201, F.S.; conforming and revising provisions relating to the budget of the supervisor of elections; specifying the level of detail required for each fund in the proposed budget; revising expenditure categories; amending s. 166.241, F.S.; revising provisions relating to the preparation or amendment of municipal budgets; specifying the level of detail for each fund in the budget; requiring such budgets and amendments to such budgets to be posted on the website of the municipality or related county; amending s. 189.4044, F.S.; adding failure to file a registered office or agent with the department for 1 or more years as a criteria for declaring a special district inactive; amending s. 189.412, F.S.; adding the Legislative Auditing Committee to the list of entities that obtain special district noncompliance status reports; amending s. 189.418, F.S.; revising provisions relating to the preparation or amendment of special district budgets; specifying the level of detail for each fund in the budget; requiring such budgets to be posted on the website of the special district or related local general-purpose government or governing authority; specifying how the budget may be amended under certain circumstances; requiring special districts to comply with certain reporting requirements; authorizing a local governing authority to request certain financial information from special districts located solely within the boundaries of the authority; requiring special districts to cooperate with such requests; amending s. 189.419, F.S.; revising procedures relating to a special district's failure to file certain reports or information; amending s. 189.421, F.S.; revising procedures relating to the failure of a special district to disclose financial reports; authorizing the Department of Community Affairs to seek a writ of certiorari; amending s. 195.087, F.S.; requiring the final approved budget of the property appraiser and tax collector to be posted on their respective website or, if not available, the county's website; amending s. 218.32, F.S.; revising the schedule for submitting a local governmental entity's audit and annual financial reports to the Department of Financial Services; requiring the department to notify the Special District Information Program if it does not receive a financial report from a local governmental entity; requiring a local governmental entity to provide a link to the entity's financial report on the department's website; amending s. 218.35, F.S.; requiring the budget for certain county-related duties to be itemized in accordance with the uniform accounting system of the Department of Financial Services; specifying the level of detail for each fund in the clerk of the court's budget; requiring the court clerk's approved budget to be posted on the county's website; amending s. 218.39, F.S.; revising the timeframe for completing a local governmental entity's annual financial audit; requiring that an auditor prepare an audit report; requiring that such report be filed with the Auditor General within a specified time; requiring that the Auditor General notify the Legislative Auditing Committee of any audit report indicating that an audited entity has failed to take corrective action; requiring that the chair of a local governmental entity appear before the committee under certain circumstances; amending s. 218.503, F.S.; revising provisions relating to oversight by the Governor when an entity's financial statements show it cannot cover a deficit of funds; amending s. 373.536, F.S.; requiring that

water management district budgets be posted on the district website; amending s. 1011.03, F.S.; requiring the summary of the tentative budget, the tentative budget, and the budget of a district school board to be posted on the district's official website; amending s. 1011.051, F.S.; revising provisions relating to the guidelines for district school boards to maintain an ending fund balance for the general fund; amending s. 1011.64, F.S.; updating obsolete accounting terminology for school districts; providing an effective date.

—was read the second time by title. On motion by Senator Dean, by two-thirds vote **CS for SB 224** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Ring

CS for CS for SB 236—A bill to be entitled An act relating to state parks; amending s. 258.0145, F.S.; providing for the parents of certain deceased veterans and the spouse and parents of law enforcement officers and firefighters who die in the line of duty to receive annual entrance passes to state parks at no charge; designating the Jack Mashburn Marina at St. Andrews State Park in Bay County; directing the Department of Environmental Protection to erect suitable markers; exempting parks within the state park system which have free-roaming animal populations from the liability provisions in s. 588.15, F.S.; amending s. 380.0685, F.S., relating to a surcharge imposed on admission fees to state parks in areas of critical state concern located in certain counties; providing for certain municipalities to use the proceeds of the surcharge for land acquisition or beach renourishment or restoration; providing limitations for purposes of determining state matching funds; providing an effective date.

—was read the second time by title.

Senator Oelrich offered the following amendment which was moved by Senator Hays and adopted:

Amendment 1 (651792)—Delete lines 48-50 and insert:

Section 3. *The state is exempt from the provisions of s. 588.15, Florida Statutes, with respect to any property within the state park system that has free-roaming animal populations.*

SENATOR FASANO PRESIDING

On motion by Senator Hays, further consideration of **CS for CS for SB 236** as amended was deferred.

SB 474—A bill to be entitled An act relating to sales representative contracts; repealing s. 686.201, F.S., relating to sales representative contracts, commissions, requirements, termination of agreements, and civil remedies; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 474**, on motion by Senator Evers, by two-thirds vote **HB 4023** was withdrawn from the Committees on Commerce and Tourism; Judiciary; and Rules.

On motion by Senator Evers—

HB 4023—A bill to be entitled An act relating to sales representative contracts involving commissions; repealing s. 686.201, F.S., relating to sales representative contracts involving commissions; providing an effective date.

—a companion measure, was substituted for **SB 474** and read the second time by title.

On motion by Senator Evers, by two-thirds vote **HB 4023** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Bennett	Gardiner	Richter
Bogdanoff	Hays	Ring
Braynon	Hill	Sachs
Dean	Jones	Simmons
Detert	Latvala	Siplin
Diaz de la Portilla	Lynn	Smith
Dockery	Margolis	Sobel
Evers	Montford	Storms
Fasano	Negron	Thrasher
Flores	Norman	Wise

Nays—1

Joyner

Vote after roll call:

Yea—Benacquisto

CS for SB 524—A bill to be entitled An act relating to seaports; amending s. 311.12, F.S.; deleting provisions relating to statewide minimum standards for seaport security; deleting provisions authorizing the Department of Law Enforcement to exempt all or part of a seaport from specified requirements in certain circumstances; revising provisions relating to seaport security plans; revising requirements for certain secure or restricted areas; removing the Department of Law Enforcement and seaport security directors as entities authorized to designate a high terrorist threat level; deleting provisions requiring that the Department of Law Enforcement administer a statewide seaport access eligibility reporting system; deleting provisions requiring that persons seeking authorization to access secure and restricted areas of a seaport execute an affidavit; prohibiting a seaport from charging any fee for administration or production of access control credentials that require or are associated with a fingerprint-based background check, in addition to the fee for the federal TWIC; providing for issuance of seaport-specific access credentials; deleting provisions requiring fingerprint-based state criminal history checks on seaport employee applicants, current employees, and other authorized persons; deleting provisions authorizing waivers from security requirements in certain circumstances; revising provisions relating to inspections; revising reporting requirements; revising the parties that determine the allocation of appropriated funds for security project needs; amending ss. 311.121, 311.123, and 311.124, F.S.; conforming provisions to changes made by the act; repealing s. 311.115, F.S., relating to the Seaport Security Standards Advisory Council; amending s. 310.002, F.S.; redefining the term “port” to include Port Citrus; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; amending s. 374.976, F.S.; conforming provisions to include Port Citrus in provisions relating to the authority of inland navigation districts; amending s. 403.021, F.S.; conforming provisions to include Port Citrus in legislative

declarations relating to environmental control; amending s. 403.061, F.S.; conforming provisions to include Port Citrus in provisions relating to powers of the Department of Environmental Protection; amending s. 403.813, F.S.; conforming provisions to include Port Citrus in provisions relating to permits issued at Department of Environmental Protection district centers; amending s. 403.816, F.S.; conforming provisions to include Port Citrus in provisions relating to certain maintenance projects at deepwater ports and beach restoration projects; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Latvala, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Latvala moved the following amendment which was adopted:

Amendment 1 (281852) (with directory and title amendments)—Delete lines 465-630 and insert:

Section 2. Subsection (2) of section 311.121, Florida Statutes, is amended to read:

311.121 Qualifications, training, and certification of licensed security officers at Florida seaports.—

(2) The authority or governing board of each seaport identified under s. 311.09 that is subject to the ~~statewide minimum~~ seaport security standards ~~referenced established~~ in s. 311.12 shall require that a candidate for certification as a seaport security officer:

(a) Has received a Class D license as a security officer under chapter 493.

(b) Has successfully completed the certified training curriculum for a Class D license or has been determined by the Department of Agriculture and Consumer Services to have equivalent experience as established by rule of the department.

(c) Has completed the training or training equivalency and testing process established by this section for becoming a certified seaport security officer.

Section 3. Subsection (1) of section 311.123, Florida Statutes, is amended to read:

311.123 Maritime domain security awareness training program.—

(1) The Florida Seaport Transportation and Economic Development Council, in conjunction with the Department of Law Enforcement ~~and the Office of Drug Control within the Executive Office of the Governor~~, shall create a maritime domain security awareness training program to instruct all personnel employed within a seaport’s boundaries about the security procedures required of them for implementation of the seaport security plan required under s. 311.12(2)(~~2~~).

Section 4. Subsection (1) of section 311.124, Florida Statutes, is amended to read:

311.124 Trespassing; detention by a certified seaport security officer.—

(1) Any Class D or Class G seaport security officer certified under the federal Maritime Transportation Security Act of 2002 guidelines ~~and s. 311.121~~ or any employee of the seaport security force certified under the federal Maritime Transportation Security Act of 2002 guidelines ~~and s. 311.121~~ who has probable cause to believe that a person is trespassing pursuant to s. 810.08 or s. 810.09 or this chapter in a designated secure or restricted area pursuant to s. 311.12(3)(~~4~~) is authorized to detain such person in a reasonable manner for a reasonable period of time pending the arrival of a law enforcement officer, and such action does not render the security officer criminally or civilly liable for false arrest, false imprisonment, or unlawful detention.

Section 5. *Section 311.115, Florida Statutes, is repealed.*

Section 6. Subsection (4) of section 310.002, Florida Statutes, is amended to read:

310.002 Definitions.—As used in this chapter, except where the context clearly indicates otherwise:

(4) “Port” means any place in the state into which vessels enter or depart and includes, without limitation, Fernandina, Nassau Inlet, Jacksonville, St. Augustine, Canaveral, *Port Citrus*, Ft. Pierce, Palm Beach, Port Everglades, Miami, Key West, Boca Grande, Charlotte Harbor, Punta Gorda, Tampa, Port Tampa, Port Manatee, St. Petersburg, Clearwater, Apalachicola, Carrabelle, Panama City, Port St. Joe, and Pensacola.

Section 7. Subsection (1) of section 311.09, Florida Statutes, is amended, and subsection (13) is added to that section to read:

311.09 Florida Seaport Transportation and Economic Development Council.—

(1) The Florida Seaport Transportation and Economic Development Council is created within the Department of Transportation. The council consists of the following 18 ~~17~~ members: the port director, or the port director’s designee, of each of the ports of Jacksonville, Port Canaveral, *Port Citrus*, Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee, St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key West, and Fernandina; the secretary of the Department of Transportation or his or her designee; the director of the Office of Tourism, Trade, and Economic Development or his or her designee; and the secretary of the Department of Community Affairs or his or her designee.

(13) *Until July 1, 2014, Citrus County may apply for a grant through the council to perform a feasibility study regarding the establishment of a port in Citrus County. The council shall evaluate such application in accordance with subsections (5) – (9) and, if approved, the Department of Transportation shall include the feasibility in its budget request pursuant to subsection (1). After such feasibility study is funded and performed and the study determines that a port in Citrus is not feasible, the membership of Port Citrus on the council shall terminate.*

And the directory clause is amended as follows:

Delete lines 60 and 61 and insert:

Section 1. Subsections (9) through (11) of section 311.12, Florida Statutes, are redesignated as subsections (5) through (7), respectively, and present subsections (1) through (8) of that section are amended to read:

And the title is amended as follows:

Delete lines 28-40 and insert: requirements in certain circumstances; amending ss. 311.121, 311.123, and 311.124, F.S.; conforming provisions to changes made by the act; repealing s. 311.115, F.S., relating to the Seaport Security Standards Advisory Council; amending s. 310.002, F.S.; redefining the term “port” to include Port Citrus; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; authorizing Citrus County to apply for a grant through the council to perform a feasibility study regarding the establishment of a port in Citrus County; amending s. 374.976, F.S.;

On motion by Senator Latvala, further consideration of **CS for SB 524** as amended was deferred.

SB 534—A bill to be entitled An act relating to firesafety; amending s. 633.01, F.S.; revising the rulemaking authority and responsibilities of the State Fire Marshal relating to educational and ancillary plants; amending s. 633.021, F.S.; revising the definition of the term “firesafety inspector”; amending s. 633.081, F.S.; revising requirements and procedures for inspections of buildings and equipment; abolishing special state firesafety inspector classifications and certifications; providing criteria, procedures, and requirements for special state firesafety inspectors to be certified as firesafety inspectors; amending s. 1013.12, F.S.; revising procedures and requirements for certain standards and inspection of educational property; providing procedures, criteria, and requirements for inspections of charter schools; providing reporting requirements; revising requirements for inspections of public post-

secondary education facilities; deleting a provision requiring that the State Fire Marshal publish an annual report; amending s. 1013.371, F.S.; revising firesafety inspection requirements for educational institution boards to conform to certain codes; revising certain code enforcement authority of such boards; amending s. 1013.38, F.S.; requiring educational institution boards to submit certain facility site plans to certain local governmental entities for review; authorizing such entities to review site plans for compliance with certain provisions of the Florida Fire Prevention Code; specifying that site plans are not subject to local ordinances or local amendments to the Florida Fire Prevention Code; providing criteria for approving site plans and correcting firesafety compliance deficiencies; providing for referral of disputes to the State Fire Marshal; authorizing such boards to use certain firesafety inspectors for certain compliance reviews; imposing additional requirements for such boards relating to construction, renovation, or remodeling of educational facilities; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 534**, on motion by Senator Wise, by two-thirds vote **HB 331** was withdrawn from the Committees on Banking and Insurance; Education Pre-K - 12; Community Affairs; Higher Education; and Budget.

On motion by Senator Wise—

HB 331—A bill to be entitled An act relating to firesafety; amending s. 633.01, F.S.; revising the rulemaking authority and responsibilities of the State Fire Marshal relating to educational and ancillary plants; amending s. 633.021, F.S.; revising the definition of the term “firesafety inspector”; amending s. 633.081, F.S.; revising requirements and procedures for inspections of buildings and equipment; abolishing special state firesafety inspector classifications and certifications; providing criteria, procedures, and requirements for special state firesafety inspectors to be certified as firesafety inspectors; amending s. 1013.12, F.S.; revising procedures and requirements for certain standards and inspection of educational property; providing procedures, criteria, and requirements for inspections of charter schools; providing reporting requirements; revising requirements for inspections of public post-secondary education facilities; deleting a provision requiring that the State Fire Marshal publish an annual report; amending s. 1013.371, F.S.; revising firesafety inspection requirements for educational institution boards to conform to certain codes; revising certain code enforcement authority of such boards; amending s. 1013.38, F.S.; requiring educational institution boards to submit certain facility site plans to certain local governmental entities for review; authorizing such entities to review site plans for compliance with certain provisions of the Florida Fire Prevention Code; specifying that site plans are not subject to local ordinances or local amendments to the Florida Fire Prevention Code; providing criteria for approving site plans and correcting firesafety compliance deficiencies; providing for referral of disputes to the State Fire Marshal; authorizing such boards to use certain firesafety inspectors for certain compliance reviews; imposing additional requirements for such boards relating to construction, renovation, or remodeling of educational facilities; providing an effective date.

—a companion measure, was substituted for **SB 534** and read the second time by title.

On motion by Senator Wise, by two-thirds vote **HB 331** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Gardiner	Rich
Bennett	Hays	Richter
Bogdanoff	Hill	Ring
Braynon	Jones	Sachs
Dean	Joyner	Simmons
Detert	Latvala	Siplin
Diaz de la Portilla	Lynn	Smith
Dockery	Margolis	Sobel
Evers	Montford	Storms
Fasano	Negron	Thrasher

Wise

Nays—None

Vote after roll call:

Yea—Garcia

Consideration of **CS for CS for SB 556** was deferred.

CS for SB 580—A bill to be entitled An act relating to residential building permits; amending s. 553.79, F.S.; prohibiting local enforcement agencies and building code officials or entities from requiring certain inspections of buildings, structures, or real property as a condition of issuance of certain residential building permits; providing certain exceptions to the application of the act; providing for expiration of the act following an amendment to the Florida Building Code by the Florida Building Commission which incorporates the provisions of the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 580**, on motion by Senator Oelrich, by two-thirds vote **CS for HB 407** was withdrawn from the Committees on Community Affairs; Regulated Industries; and Budget.

On motion by Senator Oelrich—

CS for HB 407—A bill to be entitled An act relating to residential building permits; amending s. 553.79, F.S.; prohibiting local enforcing agencies and building code officials or entities from requiring certain inspections of buildings, structures, or real property as a condition of issuance of certain residential building permits; providing for application; providing for conditional repeal; providing an effective date.

—a companion measure, was substituted for **CS for SB 580** and read the second time by title.

On motion by Senator Oelrich, by two-thirds vote **CS for HB 407** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

CS for SJR 592—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of Section 32 of Article XII of the State Constitution to expand the availability of the property tax discount on the homesteads of veterans who became disabled as the result of a combat injury to veterans who were not Florida residents when they entered the military and to provide an effective date.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 6 of Article VII and the creation of Section 32 of Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or

rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 6. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of twenty-five thousand dollars and, for all levies other than school district levies, on the assessed valuation greater than fifty thousand dollars and up to seventy-five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years. The exemption shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of section 4 by a state agency designated by general law. This exemption is repealed on the effective date of any amendment to this Article which provides for the assessment of homestead property at less than just value.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the Legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax levies. Such ad valorem tax relief shall be in the form and amount established by general law.

(d) The legislature may, by general law, allow counties or municipalities, for the purpose of their respective tax levies and subject to the provisions of general law, to grant an additional homestead tax exemption not exceeding fifty thousand dollars to any person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner and who has attained age sixty-five and whose household income, as defined by general law, does not exceed twenty thousand dollars. The general law must allow counties and municipalities to grant this additional exemption, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

(e) Each veteran who is age 65 or older who is partially or totally permanently disabled shall receive a discount from the amount of the ad valorem tax otherwise owed on homestead property the veteran owns and resides in if the disability was combat related, ~~the veteran was a resident of this state at the time of entering the military service of the United States,~~ and the veteran was honorably discharged upon separation from military service. The discount shall be in a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veterans Affairs. To qualify for the discount granted by this subsection, an applicant must submit to the county property appraiser, by March 1, ~~proof of residency at the time of entering military service,~~ an official letter from the United States Department of Veterans Affairs stating the percentage of the veteran's service-connected disability and such evidence that reasonably identifies the disability as combat related; and a copy of the veteran's honorable discharge. If the property appraiser denies the request for a discount, the appraiser must notify the applicant in writing of the reasons for the denial, and the veteran may reapply. The Legislature may, by general law, waive the annual application requirement in subsequent

years. This subsection ~~shall take effect December 7, 2006~~, is self-executing, and does not require implementing legislation.

ARTICLE XII

SCHEDULE

SECTION 32. Veterans disabled due to combat injury; homestead property tax discount.—The amendment to subsection (e) of Section 6 of Article VII relating to the homestead property tax discount for veterans who became disabled as the result of a combat injury shall take effect January 1, 2013.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 6

ARTICLE XII, SECTION 32

VETERANS DISABLED DUE TO COMBAT INJURY; HOMESTEAD PROPERTY TAX DISCOUNT.—Proposing an amendment to Section 6 of Article VII and the creation of Section 32 of Article XII of the State Constitution to expand the availability of the property discount on the homesteads of veterans who became disabled as the result of a combat injury to include those who were not Florida residents when they entered the military and schedule the amendment to take effect January 1, 2013.

—was read the second time in full. On motion by Senator Bennett, by two-thirds vote **CS for SJR 592** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—38

Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

CS for SB 664—A bill to be entitled An act relating to missing person investigations; amending s. 937.0201, F.S.; defining terms; amending s. 937.021, F.S.; providing that certain specified persons are immune from civil liability for damages for complying with the request to release Silver Alert information to appropriate agencies; providing a presumption that a person recording, reporting, transmitting, displaying, or releasing such information acted in good faith; amending s. 937.022, F.S., relating to the Missing Endangered Persons Information Clearinghouse; authorizing only the law enforcement agency having jurisdiction over a case to request that the clearinghouse activate a state Silver Alert involving a missing adult who is suspected by a law enforcement agency of meeting the criteria for activation of the Silver Alert Plan; providing an effective date.

—was read the second time by title. On motion by Senator Benacquisto, by two-thirds vote **CS for SB 664** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	
Flores	Norman	

Nays—None

Consideration of **CS for SB 670** was deferred.

On motion by Senator Hays—

SB 762—A bill to be entitled An act relating to the Florida Climate Protection Act; repealing s. 403.44, F.S., relating to a cap-and-trade regulatory program to reduce greenhouse gas emissions from electric utilities; amending s. 366.8255, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 762** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 768** and **CS for CS for SB 786** was deferred.

CS for SB 828—A bill to be entitled An act relating to public records; amending s. 119.0713, F.S.; expanding an exemption from public-records requirements to include certain records relating to investigations in the custody of an inspector general of a local government; providing for future repeal and legislative review of such revisions to the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 828**, on motion by Senator Bogdanoff, by two-thirds vote **CS for HB 667** was withdrawn from the Committees on Community Affairs; Judiciary; and Governmental Oversight and Accountability.

On motion by Senator Bogdanoff—

CS for HB 667—A bill to be entitled An act relating to public records; amending s. 119.0713, F.S.; expanding an exemption from public records requirements to include certain records relating to investigations in the custody of an inspector general of a local government; providing for future repeal and legislative review of such revisions to the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 828** and read the second time by title.

On motion by Senator Bogdanoff, by two-thirds vote **CS for HB 667** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—37

Alexander	Benacquisto	Braynon
Altman	Bogdanoff	Dean

Detert	Jones	Ring
Diaz de la Portilla	Joyner	Sachs
Dockery	Latvala	Simmons
Evers	Lynn	Siplin
Fasano	Margolis	Smith
Flores	Montford	Sobel
Gaetz	Negron	Storms
Garcia	Norman	Thrasher
Gardiner	Oelrich	Wise
Hays	Rich	
Hill	Richter	

Nays—None

CS for CS for SB 786—A bill to be entitled An act relating to landlord and tenant; amending ss. 810.08 and 810.09, F.S.; allowing a law enforcement officer to remove persons who trespass in a structure or conveyance or on property if the law enforcement officer receives an affidavit from an owner or mortgagee of the property; providing an effective date.

—was read the second time by title. On motion by Senator Diaz de la Portilla, by two-thirds vote **CS for CS for SB 786** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 898—A bill to be entitled An act relating to the Florida Faith-based and Community-based Advisory Council; repealing s. 14.31(8), F.S.; abrogating the repeal of provisions governing the Florida Faith-based and Community-based Advisory Council; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Bennett, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bennett moved the following amendment which was adopted:

Amendment 1 (326538) (with title amendment)—Between lines 11 and 12 insert:

Section 2. Present subsection (4) of section 14.23, Florida Statutes, is renumbered as subsection (5), and a new subsection (4) is added to that section to read:

14.23 State-Federal relations.—

(4) *ANNUAL REPORT.*—By January 1 of each year, the office shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives detailing the office's budget, personnel, and activities.

And the title is amended as follows:

Delete lines 2-6 and insert: An act relating to the Executive Office of the Governor; repealing s. 14.31(8), F.S.; abrogating the repeal of provisions governing the Florida Faith-based and Community-based Advisory Council; amending s. 14.23, F.S.; requiring the Office of State-Federal Relations to submit an annual report to the Governor and Legislature detailing its budget, personnel, and activities; providing an effective date.

On motion by Senator Bennett, by two-thirds vote **SB 898** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 106—A bill to be entitled An act relating to public records; defining the term “publicly owned performing arts center”; creating an exemption from public-records requirements for information that identifies a donor or prospective donor of a donation made for the benefit of a publicly owned performing arts center if the donor desires to remain anonymous; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; amending s. 272.136, F.S.; creating an exemption from public-records requirements for information identifying a donor or prospective donor to the direct-support organization of the Legislative Research Center and Museum at the Historic Capitol; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title. On motion by Senator Ring, by two-thirds vote **CS for SB 106** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 994—A bill to be entitled An act relating to public records; creating s. 332.16, F.S.; providing definitions; providing an exemption from public-records requirements for proprietary confidential business information and trade secrets held by a public airport and for any proposal or counterproposal exchanged between a public airport and a nongovernmental entity relating to the sale, use, development, or lease

of airport facilities; providing for expiration of the exemptions; providing for future legislative review and repeal of the exemptions under the Open Government Sunset Review Act; providing a finding of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 994**, on motion by Senator Latvala, by two-thirds vote **CS for HB 913** was withdrawn from the Committees on Community Affairs; Commerce and Tourism; and Governmental Oversight and Accountability.

On motion by Senator Latvala—

CS for HB 913—A bill to be entitled An act relating to public records; creating s. 332.16, F.S.; providing definitions; providing an exemption from public records requirements for proprietary confidential business information and trade secrets held by a public airport and for any proposal or counterproposal exchanged between a public airport and a nongovernmental entity relating to the sale, use, development, or lease of airport facilities; providing for expiration of the exemptions; providing for future legislative review and repeal of the exemptions under the Open Government Sunset Review Act; providing a finding of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 994** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 913** was placed on the calendar of Bills on Third Reading.

CS for SB 1072—A bill to be entitled An act relating to the recording of real property documents; creating s. 695.28, F.S.; establishing that certain electronic documents accepted for recordation are validly recorded; providing legislative intent; providing for prospective and retroactive application; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1072**, on motion by Senator Latvala, by two-thirds vote **HB 951** was withdrawn from the Committees on Judiciary; Banking and Insurance; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Latvala—

HB 951—A bill to be entitled An act relating to the recording of real property documents; creating s. 695.28, F.S.; establishing that certain electronic documents accepted for recordation are validly recorded; providing legislative intent; providing for prospective and retroactive application; providing an effective date.

—a companion measure, was substituted for **CS for SB 1072** and read the second time by title.

On motion by Senator Latvala, by two-thirds vote **HB 951** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 1144—A bill to be entitled An act relating to local government; amending s. 125.35, F.S.; authorizing a board of county commissioners to negotiate the lease of certain real property for a limited period; amending s. 337.29, F.S.; authorizing transfers of right-of-way between local governments by deed; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1144**, on motion by Senator Margolis, by two-thirds vote **HB 767** was withdrawn from the Committees on Community Affairs; Judiciary; and Transportation.

On motion by Senator Margolis—

HB 767—A bill to be entitled An act relating to local government; amending s. 125.35, F.S.; authorizing a board of county commissioners to negotiate the lease of certain real property for a limited period; amending s. 337.29, F.S.; authorizing transfers of right-of-way between local governments by deed; providing an effective date.

—a companion measure, was substituted for **SB 1144** and read the second time by title.

On motion by Senator Margolis, by two-thirds vote **HB 767** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

CS for SB 670—A bill to be entitled An act relating to powers of attorney; providing directives to the Division of Statutory Revision; creating s. 709.2101, F.S.; providing a short title; creating s. 709.2102, F.S.; providing definitions; creating s. 709.2103, F.S.; providing applicability; providing exceptions; creating s. 709.2104, F.S.; providing for a durable power of attorney; creating s. 709.2105, F.S.; specifying the qualifications for an agent; providing requirements for the execution of a power of attorney; creating s. 709.2106, F.S.; providing for the validity of powers of attorney created by a certain date or in another jurisdiction; providing for the validity of a military power of attorney; providing for the validity of a photocopy or electronic copy of a power of attorney; creating s. 709.2107, F.S.; providing for the meaning and effectiveness of a power of attorney; creating s. 709.2108, F.S.; specifying when a power of attorney is effective; providing limitations with respect to a future power of attorney; creating s. 709.2109, F.S.; providing for the termination or suspension of a power of attorney or an agent's authority; creating s. 709.2110, F.S.; providing for the revocation of a power of attorney; creating s. 709.2111, F.S.; providing for the designation of co-agents and successor agents; specifying the responsibility of a successor agent for a predecessor agent; authorizing a co-agent to delegate certain banking transaction to a co-agent; creating s. 709.2112, F.S.; providing for the reimbursement and compensation of agents; creating s. 709.2113, F.S.; providing for the agent's acceptance of appointment; creating s. 709.2114, F.S.; providing for an agent's duties; limiting an agent's liability, absent a breach of duty; requiring that an agent make certain disclosures upon order of a court, upon the death of the principal, or under certain other circumstances; creating s. 709.2115, F.S.; providing for the exoneration of an agent; providing exceptions; creating s.

709.2116, F.S.; providing for judicial relief; authorizing the award of attorney's fees and costs; providing for a judicial challenge to an agent's exercise of power based on a conflict of interest; specifying the burden of proof required to overcome that challenge; creating s. 709.2117, F.S.; providing for an agent's liability; creating s. 709.2118, F.S.; providing for an agent's resignation; creating s. 709.2119, F.S.; providing for the acceptance of and reliance upon a power of attorney; authorizing a third party to require an affidavit; providing for the validity of acts taken on behalf of a principal who is reported as missing by a branch of the United States Armed Forces; providing a restriction on the conveyance of homestead property held by such a principal; creating s. 709.2120, F.S.; providing for liability if a third person refuses to accept a power of attorney under certain circumstances; providing for an award of damages and attorney's fees and costs; creating s. 709.2121, F.S.; requiring that notice of certain events be provided to an agent or other third person; specifying the form of the notice and when it is effective; creating s. 709.2201, F.S.; providing for the authority of an agent; providing limitations; providing that an agent's authority extends to property later acquired by the principal; creating s. 709.2202, F.S.; specifying that certain authority requires separate signed enumeration; restricting the amount of certain gifts made by an agent; specifying certain acts that do not require specific authority if the agent is authorized to conduct banking transactions; limiting the application of such provision; creating s. 709.2208, F.S.; providing for authority to conduct banking and security transactions; creating s. 709.2301, F.S.; specifying the role of common law; creating s. 709.2302, F.S.; providing for the preemption of laws relating to financial institutions; creating s. 709.2303, F.S.; providing for the recognition of other remedies; creating s. 709.2401, F.S.; specifying the relationship of the act to federal law regulating electronic signatures; creating s. 709.2402, F.S.; providing for powers of attorney executed before the effective date of the act; amending s. 736.0602, F.S.; conforming a cross-reference; repealing s. 709.01, F.S., relating to the authority of an agent when the principal is dead; repealing s. 709.015, F.S., relating to the authority of an agent when the principal is missing; repealing s. 709.08, F.S., relating to durable powers of attorney; repealing s. 709.11, F.S., relating to a deployment-contingent power of attorney; providing an effective date.

—was read the second time by title.

Senator Joyner moved the following amendments which were adopted:

Amendment 1 (170018)—Delete lines 259 and 260 and insert: *is conditioned on the principal's lack of capacity and the power of*

Amendment 2 (211542)—Delete lines 1004-1008 and insert:

(1) *With respect to formalities of execution, this part applies to a power of attorney created on or after October 1, 2011.*

(2) *With respect to all matters other than formalities of execution, this part applies to a power of attorney regardless of the date of creation.*

(3) *With respect to a power of attorney existing on October 1, 2011, this part does not invalidate such power of attorney and it shall remain in effect. If a right was acquired under any other law before October 1, 2011, that law continues to apply to the right even if it has been repealed or superseded.*

(4) *An act of an agent occurring before October 1, 2011, is not affected by this part.*

MOTION

On motion by Senator Richter, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Richter moved the following amendment which was adopted:

Amendment 3 (619742)—Delete lines 576-579 and insert:

(1)(a) *A third person who in good faith accepts a power of attorney that appears to be executed in the manner required by law at the time of its execution may rely upon the power of attorney and the actions of the agent which are reasonably within the scope of the agent's authority and may enforce any obligation created by the actions of the agent as if:*

On motion by Senator Joyner, by two-thirds vote **CS for SB 670** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 1168—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public-records requirements for the dissemination of a photograph, videotape, or other image of any part of the body of a victim of a sexual offense which is made or broadcast by a video voyeur and which constitutes criminal investigation information or criminal intelligence information in an agency investigation; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; reenacting s. 92.56(1)(a), F.S., relating to judicial proceedings and court records involving sexual offenders, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; reenacting s. 119.0714(1)(h), F.S., relating to court files and records, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; reenacting s. 794.024(1), F.S., relating to the unlawful disclosure of identifying information, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1168**, on motion by Senator Oelrich, by two-thirds vote **CS for HB 409** was withdrawn from the Committees on Criminal Justice; Judiciary; and Governmental Oversight and Accountability.

On motion by Senator Oelrich—

CS for HB 409—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; expanding the exemption from public records requirements for criminal intelligence information and criminal investigative information to include photographs, videotapes, or images of any part of the body of a victim of the sexual offense of video voyeurism; providing for future review and repeal of the exemption; providing a statement of public necessity; reenacting s. 92.56(1)(a), F.S., relating to judicial proceedings and court records involving sexual offenders, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; reenacting s. 119.0714(1)(h), F.S., relating to court files and records, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; reenacting s. 794.024(1), F.S., relating to the unlawful disclosure of identifying information, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 1168** and read the second time by title.

On motion by Senator Oelrich, by two-thirds vote **CS for HB 409** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Alexander	Altman
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Benacquisto	Garcia	Oelrich
Bennett	Gardiner	Rich
Bogdanoff	Hays	Richter
Braynon	Hill	Ring
Dean	Jones	Sachs
Detert	Joyner	Simmons
Diaz de la Portilla	Latvala	Siplin
Dockery	Lynn	Smith
Evers	Margolis	Sobel
Fasano	Montford	Storms
Flores	Negron	Thrasher
Gaetz	Norman	Wise

Nays—None

SB 1190—A bill to be entitled An act relating to driver's licenses and identification cards; amending ss. 322.14 and 322.051, F.S.; providing for a person's status as a veteran to be indicated on his or her driver's license or identification card upon payment of an additional fee and presentation of the person's Form DD 214; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1190**, on motion by Senator Detert, by two-thirds vote **HB 1165** was withdrawn from the Committees on Military Affairs, Space, and Domestic Security; Transportation; and Budget.

On motion by Senator Detert—

HB 1165—A bill to be entitled An act relating to driver's licenses and identification cards; amending ss. 322.14 and 322.051, F.S.; providing for a person's status as a veteran to be indicated on his or her driver's license or identification card upon payment of an additional fee and presentation of the person's Form DD 214; providing an effective date.

—a companion measure, was substituted for **SB 1190** and read the second time by title.

Senator Detert moved the following amendment which was adopted:

Amendment 1 (874872)—Delete lines 39-63 and insert:

(c) A capital "V" shall be exhibited on the driver's license of a veteran upon the payment of an additional \$1 fee for the license and the presentation of a copy of the person's DD Form 214, issued by the United States Department of Defense.

(2) The department may require other pertinent information to be exhibited on a driver's license.

Section 2. Subsection (8) of section 322.051, Florida Statutes, is amended to read:

322.051 Identification cards.—

(8)(a) The department shall, upon receipt of the required fee, issue to each qualified applicant for an identification card a color photographic or digital image identification card bearing a fullface photograph or digital image of the identification cardholder. Notwithstanding chapter 761 or s. 761.05, the requirement for a fullface photograph or digital image of the identification cardholder may not be waived. A space shall be provided upon which the identification cardholder shall affix his or her usual signature, as required in s. 322.14, in the presence of an authorized agent of the department so as to ensure that such signature becomes a part of the identification card.

(b) A capital "V" shall be exhibited on the identification card of a veteran upon the payment of an additional \$1 fee for the license and the presentation of a copy of the person's DD Form 214, issued by the United States Department of Defense.

MOTION

On motion by Senator Detert, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Detert moved the following amendment which was adopted:

Amendment 2 (436842)—Delete lines 38-64 and insert:

(c) A capital "V" shall be exhibited on the driver's license of a veteran upon the payment of an additional \$1 fee for the license and the presentation of a copy of the person's DD Form 214, issued by the United States Department of Defense.

(2) The department may require other pertinent information to be exhibited on a driver's license.

Section 2. Subsection (8) of section 322.051, Florida Statutes, is amended to read:

322.051 Identification cards.—

(8)(a) The department shall, upon receipt of the required fee, issue to each qualified applicant for an identification card a color photographic or digital image identification card bearing a fullface photograph or digital image of the identification cardholder. Notwithstanding chapter 761 or s. 761.05, the requirement for a fullface photograph or digital image of the identification cardholder may not be waived. A space shall be provided upon which the identification cardholder shall affix his or her usual signature, as required in s. 322.14, in the presence of an authorized agent of the department so as to ensure that such signature becomes a part of the identification card.

(b) A capital "V" shall be exhibited on the identification card of a veteran upon the payment of an additional \$1 fee for the license and the presentation of a copy of the person's DD Form 214, issued by the United States Department of Defense.

On motion by Senator Detert, by two-thirds vote **HB 1165** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for CS for SB 1198—A bill to be entitled An act relating to communications services tax; amending s. 202.16, F.S.; requiring that a dealer compute the communications services tax based on a rounding algorithm; providing criteria; providing for application of the tax; providing options to the dealer for applying the rounding algorithm; providing that a dealer may apply the rounding algorithm to the aggregate tax amount under certain conditions; providing that a dealer is not required to collect the tax based on a bracket system; removing the provision requiring the Department of Revenue to make available tax amounts and applicable brackets; providing that the provisions of the act are remedial in nature and apply retroactively; providing that the act does not provide a basis for assessment of any tax not paid or create a right to certain refunds or credits; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1198**, on motion by Senator Bogdanoff, by two-thirds vote **CS for CS for CS for HB 887** was withdrawn from the Committees on Communications, Energy, and Public Utilities; Budget Subcommittee on Finance and Tax; Budget; and Rules.

On motion by Senator Bogdanoff—

CS for CS for CS for HB 887—A bill to be entitled An act relating to communications services tax; amending s. 202.16, F.S.; requiring that a dealer compute the communications services tax based on a rounding algorithm; providing criteria; providing for application of the tax; providing options to the dealer for applying the rounding algorithm; authorizing a dealer to apply the rounding algorithm to the aggregate tax amount under certain conditions; providing that a dealer is not required to collect the tax based on a bracket system; removing the provision requiring the Department of Revenue to make available tax amounts and applicable brackets; providing that the provisions of the act are remedial in nature and apply retroactively; providing that the act does not provide a basis for assessment of any tax not paid or create a right to certain refunds or credits; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1198** and read the second time by title.

On motion by Senator Bogdanoff, by two-thirds vote **CS for CS for CS for HB 887** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Consideration of **CS for CS for SB 1252** was deferred.

CS for CS for SB 1254—A bill to be entitled An act relating to auditory-oral education programs; providing a short title; amending s. 1002.20, F.S.; revising provisions relating to public school choice options for parents of public school students to include auditory-oral education programs; creating s. 1002.391, F.S.; providing definitions; providing that a parent of a child who is deaf or hard of hearing may enroll the child in an auditory-oral education program at a school accredited by OPTION Schools, Inc., or at a school in which the supervisor and the majority of faculty are certified as Listening and Spoken Language Specialists by the AG Bell Academy for Listening and Spoken Language; providing that the child may continue attending the school and complete the development of listening and spoken language skills if specified criteria are met; requiring that the level of services be determined by the individual educational plan team or individualized family support plan team; providing that a child is no longer eligible under certain circumstances; amending s. 1002.66, F.S.; adding Listening and Spoken Language specialists and an appropriate acoustical environment to the list of specialized instructional services from which a parent with an eligible child may choose; amending s. 1003.01, F.S.; adding services provided by a certified Listening and Spoken Language specialist to the definition of the term “special education services”; amending s. 1011.62, F.S.; revising provisions relating to the funding model for exceptional student education programs to require the Department of Education to review and revise the descriptions of services and supports in the matrix of services used to determine exceptional education cost factors; providing an effective date.

—was read the second time by title. On motion by Senator Wise, by two-thirds vote **CS for CS for SB 1254** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for CS for SB 1366—A bill to be entitled An act relating to administrative monitoring of providers of child welfare services, mental health services, and substance abuse services; amending s. 402.7306, F.S.; defining the term “mental health and substance abuse service provider” as it relates to the monitoring of providers of child welfare services, mental health services, and substance abuse services; requiring the Department of Children and Family Services, the Department of Health, the Agency for Persons with Disabilities, the Agency for Health Care Administration, community-based care lead agencies, managing entities, and agencies that have contracted with monitoring agents to adopt certain revised policies for the administrative monitoring of child welfare service providers, mental health service providers, and substance abuse service providers; conforming provisions to changes made by the act; limiting the frequency of required administrative, licensure, and programmatic monitoring for mental health service providers and substance abuse service providers that are accredited by specified entities; providing certain exception to the limitations on monitoring; requiring that the corporate, fiscal, and administrative records of mental health service providers and substance abuse service providers be included in a consolidated data warehouse and archive; providing an effective date.

—was read the second time by title.

Senator Storms moved the following amendments which were adopted:

Amendment 1 (276936)—Delete line 86 and insert: *state agency requires, that documentation, except documentation relating to licensure applications and fees, must be requested by*

Amendment 2 (487474)—Delete line 106 and insert: *Federal certification and precertification reviews are exempt*

On motion by Senator Storms, by two-thirds vote **CS for CS for SB 1366** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Richter
Benacquisto	Garcia	Ring
Bennett	Gardiner	Sachs
Bogdanoff	Hays	Simmons
Braynon	Hill	Siplin
Dean	Jones	Smith
Detert	Joyner	Sobel
Diaz de la Portilla	Latvala	Storms
Dockery	Lynn	Thrasher
Evers	Montford	Wise

Nays—None

Vote after roll call:

Yea—Margolis, Oelrich, Rich

Consideration of **SB 1398** and **CS for SB 1410** was deferred.

SCR 1558—A concurrent resolution calling for the Congress of the United States to call a convention pursuant to Article V of the United States Constitution to propose a constitutional amendment permitting repeal of any federal law or regulation by vote of two-thirds of the state legislatures.

WHEREAS, Article I of the United States Constitution begins “All legislative powers herein granted shall be vested in a Congress,” and

WHEREAS, the Congress has exceeded the legislative powers granted in the Constitution thereby encroaching on the powers that are “reserved to the states respectively, or to the people” as the Tenth Amendment affirms and the rights “retained by the people” to which the Ninth Amendment refers, and

WHEREAS, this encroachment includes the accumulation of federal debt, which combined with interest represents a future tax, and is of such great proportion that responsibility for its payment will be passed to future, unborn generations of Americans to assume without their consent, thereby disparaging their rights, and

WHEREAS, this encroachment also includes compelling state and local governments to comply with federal laws and regulations without accompanying funding for such mandates, and

WHEREAS, in Federalist No. 85, Alexander Hamilton wrote in reference to Article V of the Constitution and the calling of a convention for the purpose of proposing amendments that, “We may safely rely on the disposition of the State legislatures to erect barriers against the encroachments of the national authority,” and

WHEREAS, the Constitution should be amended in order to halt federal encroachment and restore a proper balance between the powers of Congress and those of the several states, and to prevent the denial or disparagement of the rights retained by the people, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That the State of Florida hereby applies and makes application to the Congress of the United States to call a convention pursuant to Article V of the United States Constitution for the limited purpose of proposing a constitutional amendment that permits the repeal of any federal law or regulation by vote of two-thirds of the state legislatures, and the Florida delegation to such convention, when called, shall propose the following amendment: “Any provision of law or regulation of the United States may be repealed by the several states, and such repeal shall be effective when the legislatures of two-thirds of the several states approve resolutions for this purpose that particularly describe the same provision or provisions of law or regulation to be repealed,” and

BE IT FURTHER RESOLVED that this resolution is revoked and withdrawn, nullified, and superseded to the same effect as if it had never been passed, and retroactive to the date of passage, if it is used for the purpose of calling a convention or used in support of conducting a convention to amend the Constitution of the United States for any purpose other than consideration of the amendment proposed in this resolution, and

BE IT FURTHER RESOLVED that the State of Florida reserves its right to add future amendments as the Legislature deems warranted to this application, and

BE IT FURTHER RESOLVED that delegates to such convention, when called, be selected according to procedures established by the legislatures of the several states, and

BE IT FURTHER RESOLVED that certified copies of the foregoing resolution be immediately forwarded by the Secretary of State of the State of Florida, under the great seal, to the President of the United

States, the Secretary of State of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and the Administrator of General Services of the United States, and to each member of the Florida delegation to the United States Congress so that they may be apprised of the sense of the Florida Legislature in this matter.

—was read the second time in full. On motion by Senator Benacquisto, **SCR 1558** was adopted and certified to the House.

CS for SB 1410—A bill to be entitled An act relating to a patient’s bill of rights and responsibilities; amending s. 381.026, F.S.; defining the term “primary care provider” as it relates to the Florida Patient’s Bill of Rights and Responsibilities; authorizing a primary care provider to publish and post a schedule of certain charges for medical services offered to patients; providing requirements for the schedule; providing that the schedule may group the provider’s services by price levels and list the services in each price level; providing an exemption from continuing education requirements for a primary care provider who posts such a schedule; requiring a primary care provider’s estimates of charges for medical services to be consistent with the prices listed on the posted schedule; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 1410** to **CS for CS for HB 935**.

Pending further consideration of **CS for SB 1410** as amended, on motion by Senator Negron, by two-thirds vote **CS for CS for HB 935** was withdrawn from the Committees on Health Regulation; Budget Subcommittee on Health and Human Services Appropriations; and Budget.

On motion by Senator Negron the rules were waived and—

CS for CS for HB 935—A bill to be entitled An act relating to health care price transparency; amending s. 381.026, F.S.; providing a definition; authorizing a primary care provider to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the provider’s services by price levels and list the services in each price level; providing an exemption from license fee and continuing education requirements for a provider who publishes and maintains a schedule of charges; requiring a primary care provider’s estimates of charges for medical services to be consistent with the posted schedule; requiring a provider to post the schedule of charges for a certain time period; providing for repayment of license fees and compliance with continuing education requirements previously waived if the schedule of charges was not posted for a certain time period; amending s. 395.002, F.S.; providing a definition; creating s. 395.107, F.S.; requiring urgent care centers to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the urgent care center’s services by price levels and list the services in each price level; providing a fine for failure to publish and post a schedule of medical services; providing an effective date.

—a companion measure, was substituted for **CS for SB 1410** as amended and read the second time by title.

On motion by Senator Negron, further consideration of **CS for CS for HB 935** was deferred.

CS for CS for SB 1568—A bill to be entitled An act relating to insurer insolvency; amending s. 215.5595, F.S.; authorizing a residential property insurer to renegotiate a note issued by the Insurance Capital Build-Up Incentive Program under certain circumstances; amending s. 624.424, F.S.; revising the time limitations on an insurer’s use of the same accountant for preparing its annual statement; amending s. 624.610, F.S.; specifying the rating organizations that are deemed acceptable by the Financial Services Commission to assess certain insurers providing reinsurance; amending s. 631.152, F.S.; authorizing the Department of Financial Services to request appointment as ancillary re-

ceiver if necessary in order to obtain records to adjudicate covered claims; providing for the reimbursement of specified costs associated with ancillary delinquency proceedings; creating s. 631.2715, F.S.; providing for the State Risk Management Trust Fund to cover specified officers, employees, agents, and other representatives of the Department of Financial Services for liability under specified federal laws relating to receiverships; amending s. 631.391, F.S.; imposing penalties on persons who fail to cooperate in providing records; amending s. 631.54, F.S.; revising the definition of the term “covered claim” to exclude a claim rejected or denied by another state’s guaranty fund based upon that state’s statutory exclusions; amending s. 631.56, F.S.; providing that a board member of the Florida Insurance Guaranty Association representing an insurer in receivership shall be terminated as a board member; specifying a termination date; amending s. 631.904, F.S.; revising the definition of the term “covered claim” to exclude a claim rejected or denied by another state’s guaranty fund based upon that state’s statutory exclusions; amending s. 631.912, F.S.; providing that any board member of the Florida Workers’ Compensation Insurance Guaranty Association who is employed by, or has a material relationship with, an insurer in receivership shall be terminated as a board member; specifying a termination date; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 1568** to **CS for HB 1007**.

Pending further consideration of **CS for CS for SB 1568** as amended, on motion by Senator Montford, by two-thirds vote **CS for HB 1007** was withdrawn from the Committees on Banking and Insurance; Budget; and Rules.

On motion by Senator Montford, by two-thirds vote—

CS for HB 1007—A bill to be entitled An act relating to insurer insolvency; amending s. 215.5595, F.S., relating to the Insurance Capital Build-Up Incentive Program; providing for renegotiation of surplus notes issued before a specified date; providing for an exemption from certain premium-to-surplus ratios in certain circumstances; amending s. 624.610, F.S.; revising surplus requirements for assuming insurers in connection with reinsurance credits; specifying rating agencies that may rate such assuming insurers; creating s. 631.400, F.S.; providing for rehabilitation plans for title insurers; providing that each title insurer doing business in this state is liable for an assessment for claims against title insurers ordered into rehabilitation; providing for an annual assessment upon request of a receiver; providing for emergency assessments in certain circumstances; providing limits on the amount of an assessment; providing that assessments are considered an asset of the estate and subject to specified provisions; providing for use of assessment proceeds; providing for availability of information concerning unpaid claims; specifying circumstances for release of title insurers from rehabilitation; prohibiting a title insurer in rehabilitation from issuing new policies until released from rehabilitation and permission to issue new policies granted; providing that officers, directors, and shareholders of a title insurer who served in that capacity within the 2-year period prior to the date the insurer was ordered into rehabilitation or liquidation may not thereafter serve in that capacity unless the officer, director, and shareholder meets specified criteria; creating s. 631.401, F.S.; providing for surcharges on title insurance policies to collect the amount needed to cover an assessment for an insolvent insurer; providing for a maximum period for a surcharge; providing a maximum for a surcharge; providing for responsibility for payment of a surcharge; providing for collection of surcharges by a title insurer doing business in the state writing no premiums in the prior calendar year; providing for remission and collection of surcharges within a specified period; specifying a limit on the amount in surcharges that may be retained by a title insurer; requiring notification when the collection of an assessment is completed; requiring an accounting of assessments paid and surcharges collected; providing for disposition of surcharges collected in excess of the amount assessed; amending s. 631.152, F.S.; authorizing the Department of Financial Services to request appointment as ancillary receiver if necessary for obtaining records to adjudicate covered claims; providing for the reimbursement of specified costs associated with ancillary delinquency proceedings; creating s. 631.2715, F.S.; providing for State Risk Management Trust Fund coverage for specified officers, employees, agents, and other representatives of the Department of Financial Services for liability under specified federal laws relating to receiverships; amending s. 631.391, F.S.; providing liability to persons who fail to cooperate in the

providing of records; amending s. 631.54, F.S.; providing that a covered claim for purposes of specified guaranty provisions does not include a claim rejected or denied by another state’s guaranty fund based upon that state’s statutory exclusions; amending s. 631.56, F.S.; providing that any board member of the Florida Insurance Guaranty Association representing an insurer in receivership shall be terminated as a board member; specifying a termination date; amending s. 631.904, F.S.; providing that a covered claim for purposes of specified guaranty provisions does not include a claim rejected or denied by another state’s guaranty fund based upon that state’s statutory exclusions; amending s. 631.912, F.S.; providing that any board member of the Florida Workers’ Compensation Insurance Guaranty Association who is employed by, or has a material relationship with, an insurer in receivership shall be terminated as a board member; specifying a termination date; amending s. 631.717, F.S.; providing that specified provisions relieving the Florida Life and Health Insurance Guaranty Association of liability for certain acts of a member insurer do not relieve the association of liability for valid insurance policy or contract claims if warranted after a specified review; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1568** as amended and by two-thirds vote read the second time by title.

On motion by Senator Montford, by two-thirds vote **CS for HB 1007** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Lynn	Storms
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	Wise
Dockery	Negron	
Evers	Norman	

Nays—None

Vote after roll call:

Yea—Joyner, Smith, Sobel

Consideration of **CS for CS for SB 1696** was deferred.

SB 1778—A bill to be entitled An act relating to clove cigarettes; repealing s. 859.058, F.S., relating to prohibitions against sale, use, possession, transfer, or other disposing of clove cigarettes or similar products; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **SB 1778** to **HB 4121**.

Pending further consideration of **SB 1778** as amended, on motion by Senator Bogdanoff, by two-thirds vote **HB 4121** was withdrawn from the Committee on Health Regulation.

On motion by Senator Bogdanoff—

HB 4121—A bill to be entitled An act relating to clove cigarettes; repealing s. 859.058, F.S., relating to prohibitions against sale, use, possession, transfer, or other disposing of clove cigarettes or similar products; providing an effective date.

—a companion measure, was substituted for **SB 1778** as amended and read the second time by title.

On motion by Senator Bogdanoff, by two-thirds vote **HB 4121** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Hays	Sachs
Braynon	Hill	Simmons
Dean	Jones	Smith
Detert	Joyner	Sobel
Diaz de la Portilla	Latvala	Storms
Dockery	Margolis	Thrasher
Evers	Montford	
Fasano	Negron	

Nays—4

Altman	Lynn	Siplin
Wise		

On motion by Senator Hays—

CS for CS for SB 1824—A bill to be entitled An act relating to regulated professions and occupations; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to release certain digital images to the Department of Business and Professional Regulation to identify certain persons; amending s. 455.213, F.S.; authorizing the Department of Business and Professional Regulation to grant waivers of renewal fees under certain circumstances; amending s. 455.271, F.S.; revising continuing education requirements for certain license reactivations; amending s. 475.42, F.S.; revising violations and penalties for real estate professionals; amending s. 477.0212, F.S.; revising continuing education requirements for cosmetology license reactivations; amending s. 477.0265, F.S.; revising prohibited acts for cosmetologists; amending s. 481.217, F.S.; revising continuing education requirements for license reactivation of architect or interior design licenses; amending s. 481.315, F.S.; revising continuing education requirements for landscape architect license reactivations; amending s. 489.116, F.S.; revising continuing education requirements for contractor license reactivations; amending s. 489.519, F.S.; revising continuing education requirements for electrical and alarm system contractor license reactivations; repealing s. 475.611(1)(v), F.S., relating to Uniform Standards of Professional Appraisal Practice; repealing s. 475.626(1)(b) and (c), F.S., relating to violations and penalties against registered appraisers; amending s. 475.624, F.S.; establishing professional standards for appraisers by board rule; amending s. 475.628, F.S.; authorizing the board to adopt rules establishing standards of professional appraisal practice; amending s. 509.032, F.S.; clarifying provisions relating to the preemption to the state of the regulation of public lodging and public food service establishments; amending s. 509.261, F.S.; providing for remedial training in response to certain violations by public lodging and food service establishments; amending s. 10, chapter 2010-84, Laws of Florida; delaying the effective date of provisions relating to the discipline of appraisal management companies; creating s. 473.3066, F.S.; authorizing the Board of Accountancy to establish a peer review oversight committee; providing for membership and duties of the oversight committee; requiring the board to adopt rules under certain circumstances; amending s. 473.311, F.S.; revising licensure renewal requirements for firms engaged in certain aspects of the practice of public accounting; requiring such firms to comply with certain peer review requirements; providing an exception; creating s. 473.3125, F.S.; defining terms for purposes of peer review requirements; requiring firms engaged in certain aspects of the practice of public accounting to enroll in peer review programs and undergo peer reviews; providing for the frequency of peer reviews; providing exceptions; requiring firms that fail a specified number of peer reviews to submit certain documentation to the board; requiring the board to adopt rules establishing minimum standards for peer review programs and requiring a peer review administering organization to submit certain information; providing for the approval of peer review administering organizations; authorizing the board to withdraw approval of peer review administering organizations under certain cir-

cumstances; providing that certain persons who perform specified administrative services for a peer review administering organization are immune from civil liability; providing that the proceedings, records, and workpapers of peer review administering organizations are confidential and privileged; providing exceptions; prohibiting persons involved in peer reviews from testifying; amending s. 473.323, F.S.; providing additional grounds for the discipline of firms engaged in certain aspects of the practice of public accounting, to which penalties apply; authorizing disciplinary actions to be taken against firms that fail to enroll in a peer review program, to undergo a peer review, or to cooperate with a peer review administering organization approved by the board; revising requirements for reissuance of licenses after compliance with disciplinary final orders; conforming provisions; amending s. 481.205, F.S.; authorizing the Board of Architecture and Interior Design to contract with certain private entities for specific functions; repealing s. 686.201, F.S., relating to sales representative contracts involving commissions; amending s. 373.461, F.S.; requiring certain appraisers to follow specific standards of professional practice in appraisals involving the restoration of the Lake Apopka Basin; amending s. 475.25, F.S.; conforming and clarifying certain real estate appraisal standards and practices; amending s. 475.615, F.S.; conforming provisions relating to standards of professional practice for real estate appraisers; amending s. 475.617, F.S.; conforming provisions relating to appraisal practice; amending s. 475.6175, F.S.; conforming provisions relating to appraisal practice; amending s. 475.6235, F.S.; conforming provisions relating to appraisal practice; amending s. 475.6245, F.S.; conforming provisions relating to appraisal practice; providing effective dates.

—was read the second time by title.

Senator Bogdanoff moved the following amendments which were adopted:

Amendment 1 (429094) (with title amendment)—Between lines 883 and 884 insert:

Section 31. Section 489.118, Florida Statutes, is amended to read:

489.118 Certification of registered contractors; grandfathering provisions.—The board shall, upon receipt of a completed application and appropriate fee, issue a certificate in the appropriate category to any contractor registered under this part who makes application to the board and can show that he or she meets each of the following requirements:

(1) Currently holds a valid registered local license in one of the contractor categories defined in s. 489.105(3)(a)-(p).

(2) Has, for that category, passed a written examination that the board finds to be substantially similar to the examination required to be licensed as a certified contractor under this part. For purposes of this subsection, a written, proctored examination such as that produced by the National Assessment Institute, Block and Associates, NAI/Block, Experior Assessments, Professional Testing, Inc., or Assessment Systems, Inc., shall be considered to be substantially similar to the examination required to be licensed as a certified contractor. The board may not impose or make any requirements regarding the nature or content of these cited examinations.

(3) Has at least 5 years of experience as a contractor in that contracting category, or as an inspector or building administrator with oversight over that category, at the time of application. For contractors, only time periods in which the contractor license is active and the contractor is not on probation shall count toward the 5 years required by this subsection.

(4) Has not had his or her contractor's license revoked at any time, had his or her contractor's license suspended within the last 5 years, or been assessed a fine in excess of \$500 within the last 5 years.

(5) Is in compliance with the insurance and financial responsibility requirements in s. 489.115(5).

Applicants wishing to obtain a certificate pursuant to this section must make application by November 1, 2015 ~~2005~~.

And the title is amended as follows:

Delete line 106 and insert: provisions relating to appraisal practice; amending s. 489.118, F.S.; extending the date within which certain registered contractors may apply for certification; providing

Amendment 2 (200932) (with title amendment)—Between lines 883 and 884 insert:

Section 31. Subsection (43) of section 499.003, Florida Statutes, is amended to read:

499.003 Definitions of terms used in this part.—As used in this part, the term:

(43) “Prescription drug” means a prescription, medicinal, or legend drug, ~~including, but not limited to, finished dosage forms or active ingredients~~ subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act or s. 465.003(8), s. 499.007(13), or subsection (11), subsection (46), or subsection (53). *The term does not mean an active pharmaceutical ingredient.*

And the title is amended as follows:

Delete line 106 and insert: provisions relating to appraisal practice; amending s. 499.003, F.S.; redefining the term “prescription drug” to exclude active pharmaceutical ingredients; providing

MOTION

On motion by Senator Hays, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Hays moved the following amendment which was withdrawn:

Amendment 3 (945556) (with title amendment)—Delete line 703 and insert: 481.205 Board of Architecture and Interior Design.—

And the title is amended as follows:

Delete lines 88 and 89 and insert: F.S.; authorizing the Board of Architecture to contract with certain private

Pursuant to Rule 4.19, **CS for CS for SB 1824** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 1972** was deferred.

CS for SB 2010—A bill to be entitled An act relating to faith- and character-based correctional institution programs; amending s. 944.803, F.S.; revising legislative findings; providing legislative intent with respect to expansion of the faith- and character-based initiative; providing requirements for faith- and character-based programs; deleting provisions relating to funding; revising requirements for participation by inmates in such programs; deleting provisions requiring the assignment of chaplains to community correctional centers; providing for the faith- and character-based institutions within the state correctional system to allow peer-to-peer programming whenever appropriate; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 2010** as amended, on motion by Senator Braynon, by two-thirds vote **CS for CS for HB 369** was withdrawn from the Committees on Criminal Justice; Budget; and Rules.

On motion by Senator Braynon—

CS for CS for HB 369—A bill to be entitled An act relating to faith- and character-based correctional institution programs; amending s. 944.803, F.S.; revising legislative findings; providing legislative intent; providing requirements for faith- and character-based programs; deleting provisions relating to funding; revising requirements for participation; deleting provisions relating to assignment of chaplains; allowing peer-to-peer programming whenever appropriate; providing an effective date.

—a companion measure, was substituted for **CS for SB 2010** as amended and read the second time by title.

On motion by Senator Braynon, by two-thirds vote **CS for CS for HB 369** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Gardiner	Rich
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

RECONSIDERATION OF BILL

On motion by Senator Dean, the Senate reconsidered the vote by which—

CS for SB 224—A bill to be entitled An act relating to local government accountability; amending s. 11.40, F.S., relating to the Legislative Auditing Committee; clarifying when the Department of Community Affairs may institute procedures for declaring that a special district is inactive; amending s. 30.49, F.S.; specifying the level of detail required for each fund in the sheriff’s proposed budget; revising the categories for expenditures; amending s. 112.63, F.S., relating to the review of the actuarial reports and statements of retirement plans of governmental entities by the Department of Management Services; providing that the failure of a special district to make appropriate adjustments or provide additional information authorizes the department to seek a writ of certiorari; amending s. 129.01, F.S.; revising provisions relating to the preparation of county budgets; specifying the level of detail required for each fund in the budget; amending s. 129.02, F.S.; revising provisions relating to the preparation of special district budgets; specifying the level of detail required for each fund in the budget; amending s. 129.021, F.S.; conforming cross-references; amending s. 129.03, F.S.; deleting a time restriction on preparing and presenting a tentative county budget; requiring tentative county budgets to be posted on the county’s website; amending s. 129.06, F.S.; revising provisions relating to the execution and amendment of county budgets; requiring revised budgets to be posted on the county’s website; amending s. 129.07, F.S.; revising provisions relating to the prohibition against exceeding the county budget; amending s. 129.201, F.S.; conforming and revising provisions relating to the budget of the supervisor of elections; specifying the level of detail required for each fund in the proposed budget; revising expenditure categories; amending s. 166.241, F.S.; revising provisions relating to the preparation or amendment of municipal budgets; specifying the level of detail for each fund in the budget; requiring such budgets and amendments to such budgets to be posted on the website of the municipality or related county; amending s. 189.4044, F.S.; adding failure to file a registered office or agent with the department for 1 or more years as a criteria for declaring a special district inactive; amending s. 189.412, F.S.; adding the Legislative Auditing Committee to the list of entities that obtain special district noncompliance status reports; amending s. 189.418, F.S.; revising provisions relating to the preparation or amendment of special district budgets; specifying the level of detail for each fund in the budget; requiring such budgets to be posted on the website of the special district or related local general-purpose government or governing authority; specifying how the budget may be amended under certain circumstances; requiring special districts to comply with certain reporting requirements; authorizing a local governing authority to request certain financial information from special districts located solely within the boundaries of the authority; requiring special districts to cooperate with such requests; amending s. 189.419, F.S.; revising procedures relating to a special district’s failure to file certain reports or

information; amending s. 189.421, F.S.; revising procedures relating to the failure of a special district to disclose financial reports; authorizing the Department of Community Affairs to seek a writ of certiorari; amending s. 195.087, F.S.; requiring the final approved budget of the property appraiser and tax collector to be posted on their respective website or, if not available, the county's website; amending s. 218.32, F.S.; revising the schedule for submitting a local governmental entity's audit and annual financial reports to the Department of Financial Services; requiring the department to notify the Special District Information Program if it does not receive a financial report from a local governmental entity; requiring a local governmental entity to provide a link to the entity's financial report on the department's website; amending s. 218.35, F.S.; requiring the budget for certain county-related duties to be itemized in accordance with the uniform accounting system of the Department of Financial Services; specifying the level of detail for each fund in the clerk of the court's budget; requiring the court clerk's approved budget to be posted on the county's website; amending s. 218.39, F.S.; revising the timeframe for completing a local governmental entity's annual financial audit; requiring that an auditor prepare an audit report; requiring that such report be filed with the Auditor General within a specified time; requiring that the Auditor General notify the Legislative Auditing Committee of any audit report indicating that an audited entity has failed to take corrective action; requiring that the chair of a local governmental entity appear before the committee under certain circumstances; amending s. 218.503, F.S.; revising provisions relating to oversight by the Governor when an entity's financial statements show it cannot cover a deficit of funds; amending s. 373.536, F.S.; requiring that water management district budgets be posted on the district website; amending s. 1011.03, F.S.; requiring the summary of the tentative budget, the tentative budget, and the budget of a district school board to be posted on the district's official website; amending s. 1011.051, F.S.; revising provisions relating to the guidelines for district school boards to maintain an ending fund balance for the general fund; amending s. 1011.64, F.S.; updating obsolete accounting terminology for school districts; providing an effective date.

—passed this day.

Senator Garcia moved the following amendment:

Amendment 1 (768030) (with title amendment)—Between lines 1372 and 1373 insert:

Section 26. Subsection (1) of section 170.201, Florida Statutes, is amended to read:

170.201 Special assessments.—

(1) In addition to other lawful authority to levy and collect special assessments, the governing body of a municipality may levy and collect special assessments to fund capital improvements and municipal services, including, but not limited to, fire protection, emergency medical services, garbage disposal, sewer improvement, street improvement, and parking facilities. *Without limiting the foregoing, a municipality that has a population of fewer than 100 persons for the previous year's taxing year, may also levy and collect special assessments to fund special security and crime prevention services and facilities, including guard and gatehouse facilities for the current taxing year. However, if prior to the levy of the assessment, the cost of the services and facilities are funded by ad valorem taxes, the taxes shall be abated annually thereafter, in an amount equal to the full amount of the special assessment.* The governing body of a municipality may apportion costs of such special assessments based on:

(a) The front or square footage of each parcel of land; or

(b) An alternative methodology, so long as the amount of the assessment for each parcel of land is not in excess of the proportional benefits as compared to other assessments on other parcels of land.

And the title is amended as follows:

Delete line 112 and insert: obsolete accounting terminology for school districts; amending s. 170.201, F.S.; authorizing certain municipalities to levy and collect special assessments to fund special security and crime prevention services and facilities; providing for the abatement of taxes if the cost of those services and facilities are funded by ad valorem taxes;

On motion by Senator Dean, further consideration of **CS for SB 224** with pending **Amendment 1 (768030)** was deferred.

RECONSIDERATION OF BILL

On motion by Senator Detert, the Senate reconsidered the vote by which—

HB 1165—A bill to be entitled An act relating to driver's licenses and identification cards; amending ss. 322.14 and 322.051, F.S.; providing for a person's status as a veteran to be indicated on his or her driver's license or identification card upon payment of an additional fee and presentation of the person's Form DD 214; providing an effective date.

—as amended passed this day.

On motion by Senator Detert, the Senate reconsidered the vote by which **Amendment 1 (874872)** was adopted.

Amendment 1 (874872) was withdrawn.

On motion by Senator Detert, **HB 1165** was passed as amended and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Consideration of **CS for SB 2040**, **CS for CS for SB 1122** and **CS for SB 1590** was deferred.

CS for SB 1328—A bill to be entitled An act relating to public records; amending s. 119.0712, F.S.; providing an exemption from public-records requirements for information held by the Office of Financial Regulation which is received from another state or federal agency and which is otherwise confidential or exempt pursuant to the laws of that state or federal law; providing an exemption from public-records requirements for information held by the office which is received or developed by the office as part of a joint or multiagency examination or investigation with another state or federal agency; specifying conditions under which the Office of Financial Regulation may obtain and use such information; providing for retroactive application; providing for future review and repeal; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1328**, on motion by Senator Hays, by two-thirds vote **CS for HB 677** was withdrawn from the Committees on Banking and Insurance; Criminal Justice; and Governmental Oversight and Accountability.

On motion by Senator Hays—

CS for HB 677—A bill to be entitled An act relating to public records; amending s. 119.0712, F.S.; providing an exemption from public records requirements for information held by the Office of Financial Regulation that is received from another state or federal regulatory, administrative, or criminal justice agency and that is otherwise confidential or exempt pursuant to the laws of that state or pursuant to federal law; providing

an exemption from public records requirements for information held by the office that is received or developed by the office as part of a joint or multiagency examination or investigation with another state or federal regulatory, administrative, or criminal justice agency; specifying conditions under which the Office of Financial Regulation may obtain and use such information; providing for retroactive application; providing for future review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 1328** and read the second time by title.

On motion by Senator Hays, by two-thirds vote **CS for HB 677** was read the third time by title, passed by the required two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for CS for SB 1502—A bill to be entitled An act relating to an ad valorem tax exemption for deployed servicemembers; creating s. 196.173, F.S.; providing for certain servicemembers who receive a homestead exemption and who are deployed in certain military operations to receive an additional ad valorem tax exemption; designating qualifying military operations; requiring the Department of Revenue to notify property appraisers and tax collectors of the designated military operations; requiring the Department of Military Affairs to submit a report annually of military operations to the President of the Senate, the Speaker of the House of Representatives, and the tax committees of each house of the Legislature; specifying the calculation to be used in determining the exemption amount; requiring that a servicemember apply to the property appraiser to receive the exemption in the year following the year of a qualifying deployment; providing for the application forms to be prescribed by the Department of Revenue and furnished to an applicant by the property appraiser; requiring that a property appraiser consider applications for an exemption within a certain time; providing a definition; amending s. 194.011, F.S.; requiring a person appealing the denial of a deployed servicemember exemption to the value adjustment board to file the appeal within a certain time; amending s. 196.011, F.S.; providing requirements for the forms used for claims for the exemption for deployed servicemembers; authorizing the Department of Revenue to adopt emergency rules; providing for application of the act to qualifying deployments in the 2010 calendar year; providing for the act to apply to tax rolls beginning in 2011; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1502**, on motion by Senator Simmons, by two-thirds vote **CS for CS for HB 1141** was withdrawn from the Committees on Military Affairs, Space, and Domestic Security; Community Affairs; and Budget.

On motion by Senator Simmons—

CS for CS for HB 1141—A bill to be entitled An act relating to an ad valorem tax exemption for deployed servicemembers; creating s. 196.173, F.S.; providing for certain servicemembers who receive a homestead exemption and who are deployed in certain military operations to receive an additional ad valorem tax exemption; designating military operations to receive the additional ad valorem tax exemption; requiring the Department of Revenue to notify property appraisers and

tax collectors of the designated military operations; requiring the Department of Military Affairs to submit a report annually of military operations to the President of the Senate, the Speaker of the House of Representatives, and the tax committees of each house of the Legislature; specifying the calculation to be used in determining the exemption amount; requiring that a servicemember apply to the property appraiser to receive the exemption in the year following the year of a qualifying deployment; providing for the application forms to be prescribed by the Department of Revenue and furnished to an applicant by the property appraiser; authorizing certain persons to apply to the property appraiser to receive an exemption on behalf of a servicemember; requiring that a property appraiser consider applications for an exemption within a certain time; providing a definition; amending s. 194.011, F.S.; requiring a person appealing the denial of a deployed service member exemption to the value adjustment board to file the appeal within a certain time; amending s. 196.011, F.S.; providing requirements for the forms used for claims for the exemption for deployed servicemembers; authorizing the Department of Revenue to adopt emergency rules; providing for application of the act to qualifying deployments in the 2010 calendar year; providing for the act to apply to tax rolls beginning in 2011; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1502** and read the second time by title.

On motion by Senator Simmons, by two-thirds vote **CS for CS for HB 1141** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

CS for SB 1850—A bill to be entitled An act relating to juvenile justice; amending s. 394.492, F.S.; including children 9 years of age or younger at the time of referral for a delinquent act within the definition of those children who are eligible to receive comprehensive mental health services; amending s. 985.02, F.S.; revising legislative intent for the juvenile justice system; amending s. 985.125, F.S.; encouraging law enforcement agencies, school districts, counties, municipalities, and the Department of Juvenile Justice to establish prearrest or postarrest diversion programs and to give first-time misdemeanor offenders and offenders who are 9 years of age or younger an opportunity to participate in the programs; amending s. 985.145, F.S.; requiring a juvenile probation officer to make a referral to the appropriate shelter if the completed risk assessment instrument shows that the child is ineligible for secure detention; amending s. 985.24, F.S.; prohibiting a child alleged to have committed a delinquent act or violation of law from being placed into secure, nonsecure, or home detention care because of a misdemeanor charge of domestic violence if the child lives in a family that has a history of family violence or if the child is a victim of abuse or neglect unless the child would otherwise be subject to secure detention based on prior history; prohibiting a child 9 years of age or younger from being placed into secure detention care unless the child is charged with a capital felony, a life felony, or a felony of the first degree; amending s. 985.245, F.S.; revising the development process for the risk assessment instrument; revising factors to be considered in assessing a child's risk of re-arrest or failure to appear; amending s. 985.255, F.S.; providing that a child may be placed in home detention care or detained in secure detention care under certain circumstances; providing that a child who is charged with committing a felony offense of domestic violence and who

does not meet detention criteria may nevertheless be held in secure detention care if the court makes certain specific written findings; amending s. 985.441, F.S.; removing obsolete provisions relating to committing a child to a program or facility for serious or habitual juvenile offenders; authorizing a court to commit a female child adjudicated as delinquent to the department for placement in a mother-infant program designed to serve the needs of juvenile mothers or expectant juvenile mothers who are committed as delinquents; amending s. 985.45, F.S.; providing that whenever a child is required by the court to participate in any juvenile justice work program, the child is considered an employee of the state for the purpose of workers' compensation; amending s. 985.632, F.S.; establishing legislative intent that the Department of Juvenile Justice collect and analyze available statistical data for the purpose of ongoing evaluation of all juvenile justice programs; redefining terms; requiring the department to use a standard methodology to annually measure, evaluate, and report program outputs and youth outcomes for each program and program group; requiring that the department submit an annual report to the appropriate committees of the Legislature and the Governor; requiring that the department notify specified parties of substantive changes to the standard methodology used in its evaluation; requiring that the department apply a program accountability measures analysis to each commitment program; deleting obsolete provisions; amending s. 985.652, F.S.; removing a private corporation operating a state-owned training school under a contract with the Department of Juvenile Justice from insurance coverage provided by the Division of Risk Management of the Department of Financial Services; repealing ss. 985.03(48), 985.03(56), 985.47, 985.483, 985.486, and 985.636, F.S., relating to, respectively, legislative intent for serious or habitual juvenile offenders in the juvenile justice system, definitions of terms for a training school and the serious or habitual juvenile offender program, the serious or habitual juvenile offender program in the juvenile justice system, the intensive residential treatment program for offenders less than 13 years of age, and the designation of persons holding law enforcement certification within the Office of the Inspector General to act as law enforcement officers; amending s. 985.494, F.S.; requiring a child who is adjudicated delinquent, or for whom adjudication is withheld, to be committed to a maximum-risk residential program for an act that would be a felony if committed by an adult if the child has completed two different high-risk residential commitment programs; repealing s. 985.445, F.S., relating to cases involving grand theft of a motor vehicle committed by a child; amending ss. 985.0301 and 985.565, F.S.; conforming references to changes made by the act; amending s. 985.66, F.S.; removing all references to the Juvenile Justice Standards and Training Commission; requiring the Department of Juvenile Justice to be responsible for staff development and training; specifying the duties and responsibilities of the department for staff development; removing obsolete provisions to conform to changes made by the act; repealing s. 985.48(8), F.S., relating to activities of the Juvenile Justice Standards and Training Commission with respect to training and treatment services for juvenile sexual offenders; amending ss. 984.14 and 985.14, F.S.; revising provisions to conform to changes made by the act; reenacting s. 914.13(3), F.S., relating to taking a child into custody allegedly from a family or a child in need of services, to incorporate the amendment made to s. 984.14, F.S., in a reference thereto; providing an effective date.

—was read the second time by title. On motion by Senator Evers, by two-thirds vote **CS for SB 1850** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

CS for SB 224—A bill to be entitled An act relating to local government accountability; amending s. 11.40, F.S., relating to the Legislative Auditing Committee; clarifying when the Department of Community Affairs may institute procedures for declaring that a special district is inactive; amending s. 30.49, F.S.; specifying the level of detail required for each fund in the sheriff's proposed budget; revising the categories for expenditures; amending s. 112.63, F.S., relating to the review of the actuarial reports and statements of retirement plans of governmental entities by the Department of Management Services; providing that the failure of a special district to make appropriate adjustments or provide additional information authorizes the department to seek a writ of certiorari; amending s. 129.01, F.S.; revising provisions relating to the preparation of county budgets; specifying the level of detail required for each fund in the budget; amending s. 129.02, F.S.; revising provisions relating to the preparation of special district budgets; specifying the level of detail required for each fund in the budget; amending s. 129.021, F.S.; conforming cross-references; amending s. 129.03, F.S.; deleting a time restriction on preparing and presenting a tentative county budget; requiring tentative county budgets to be posted on the county's website; amending s. 129.06, F.S.; revising provisions relating to the execution and amendment of county budgets; requiring revised budgets to be posted on the county's website; amending s. 129.07, F.S.; revising provisions relating to the prohibition against exceeding the county budget; amending s. 129.201, F.S.; conforming and revising provisions relating to the budget of the supervisor of elections; specifying the level of detail required for each fund in the proposed budget; revising expenditure categories; amending s. 166.241, F.S.; revising provisions relating to the preparation or amendment of municipal budgets; specifying the level of detail for each fund in the budget; requiring such budgets and amendments to such budgets to be posted on the website of the municipality or related county; amending s. 189.4044, F.S.; adding failure to file a registered office or agent with the department for 1 or more years as a criteria for declaring a special district inactive; amending s. 189.412, F.S.; adding the Legislative Auditing Committee to the list of entities that obtain special district noncompliance status reports; amending s. 189.418, F.S.; revising provisions relating to the preparation or amendment of special district budgets; specifying the level of detail for each fund in the budget; requiring such budgets to be posted on the website of the special district or related local general-purpose government or governing authority; specifying how the budget may be amended under certain circumstances; requiring special districts to comply with certain reporting requirements; authorizing a local governing authority to request certain financial information from special districts located solely within the boundaries of the authority; requiring special districts to cooperate with such requests; amending s. 189.419, F.S.; revising procedures relating to a special district's failure to file certain reports or information; amending s. 189.421, F.S.; revising procedures relating to the failure of a special district to disclose financial reports; authorizing the Department of Community Affairs to seek a writ of certiorari; amending s. 195.087, F.S.; requiring the final approved budget of the property appraiser and tax collector to be posted on their respective website or, if not available, the county's website; amending s. 218.32, F.S.; revising the schedule for submitting a local governmental entity's audit and annual financial reports to the Department of Financial Services; requiring the department to notify the Special District Information Program if it does not receive a financial report from a local governmental entity; requiring a local governmental entity to provide a link to the entity's financial report on the department's website; amending s. 218.35, F.S.; requiring the budget for certain county-related duties to be itemized in accordance with the uniform accounting system of the Department of Financial Services; specifying the level of detail for each fund in the clerk of the court's budget; requiring the court clerk's approved budget to be posted on the county's website; amending s. 218.39, F.S.; revising the timeframe for completing a local governmental entity's annual financial audit; requiring that an auditor prepare an audit report; requiring that such report be filed with the Auditor General within a specified time; requiring that the Auditor General notify the Legislative Auditing Committee of any audit report indicating that an audited entity has failed to take corrective action; requiring that the chair of a local governmental entity appear before the committee under certain circumstances; amending s. 218.503, F.S.; revising provisions relating to oversight by the Governor when an entity's financial statements show it

cannot cover a deficit of funds; amending s. 373.536, F.S.; requiring that water management district budgets be posted on the district website; amending s. 1011.03, F.S.; requiring the summary of the tentative budget, the tentative budget, and the budget of a district school board to be posted on the district's official website; amending s. 1011.051, F.S.; revising provisions relating to the guidelines for district school boards to maintain an ending fund balance for the general fund; amending s. 1011.64, F.S.; updating obsolete accounting terminology for school districts; providing an effective date.

—which was previously considered this day. Pending **Amendment 1 (768030)** by Senator Garcia was adopted by two-thirds vote.

On motion by Senator Dean, **CS for SB 224** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

SB 1494—A bill to be entitled An act relating to the Interstate Compact for Juveniles; reenacting s. 985.802, F.S., which expired by operation of law on August 26, 2010; providing purpose of the compact; providing definitions; providing for an Interstate Commission for Juveniles; providing for the appointment of commissioners; providing for an executive committee; providing for meetings; providing powers and duties of the Interstate Commission; providing for its organization and operation; providing for bylaws, officers, and staff; providing for qualified immunity from liability for the commissioners, the executive director, and employees; requiring the Interstate Commission to adopt rules; providing for oversight, enforcement, and dispute resolution by the Interstate Commission; providing for the activities of the Interstate Commission to be financed by an annual assessment from each compacting state; requiring member states to create a State Council for Interstate Juvenile Supervision; providing for the effective date of the compact and amendments thereto; providing for a state's withdrawal from and reinstatement to the compact; providing for assistance, certain penalties, suspension, or termination following default by a state; providing for judicial enforcement; providing for dissolution of the compact; providing for severability and construction of the compact; providing for the effect of the compact with respect to other laws and for its binding effect; reenacting s. 985.5025, F.S., which expired by operation of law on August 26, 2010; creating the State Council for Interstate Juvenile Offender Supervision to oversee state participation in the compact; providing membership; providing for records and open meetings; prescribing procedures if the council is abolished; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1494**, on motion by Senator Evers, by two-thirds vote **HB 1029** was withdrawn from the Committees on Criminal Justice; Budget Subcommittee on Criminal and Civil Justice Appropriations; Budget; and Rules.

On motion by Senator Evers—

HB 1029—A bill to be entitled An act relating to the Interstate Compact for Juveniles; reenacting s. 985.802, F.S.; providing purpose of the compact; providing definitions; providing for an Interstate Commission for Juveniles; providing for the appointment of commissioners; providing for an executive committee; providing for meetings; providing

powers and duties of the Interstate Commission; providing for its organization and operation; providing for bylaws, officers, and staff; providing for qualified immunity from liability for the commissioners, the executive director, and employees; requiring the Interstate Commission to adopt rules; providing for oversight, enforcement, and dispute resolution by the Interstate Commission; providing for the activities of the Interstate Commission to be financed by an annual assessment from each compacting state; requiring member states to create a State Council for Interstate Juvenile Supervision; providing for the effective date of the compact and amendments thereto; providing for a state's withdrawal from and reinstatement to the compact; providing for assistance, certain penalties, suspension, or termination following default by a state; providing for judicial enforcement; providing for dissolution of the compact; providing for severability and construction of the compact; providing for the effect of the compact with respect to other laws and for its binding effect; reenacting s. 985.8025, F.S.; creating the State Council for Interstate Juvenile Offender Supervision to oversee state participation in the compact; providing membership; providing for records and open meetings; prescribing procedures if the council is abolished; providing an effective date.

—a companion measure, was substituted for **SB 1494** and read the second time by title.

On motion by Senator Evers, by two-thirds vote **HB 1029** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Consideration of **CS for SB 1922** was deferred.

CS for CS for SJR 1954—A joint resolution proposing an amendment to Section 6 of Article VIII of the State Constitution to authorize amendments or revisions to the home rule charter of Miami-Dade County by special law approved by a vote of the electors; providing requirements for a bill proposing such a special law; authorizing the Miami-Dade County charter to provide for fixed term limits of commissioners.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 6 of Article VIII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VIII

LOCAL GOVERNMENT

SECTION 6. Schedule to Article VIII.—

(a) This article shall replace all of Article VIII of the Constitution of 1885, as amended, except those sections expressly retained and made a part of this article by reference.

(b) COUNTIES; COUNTY SEATS; MUNICIPALITIES; DISTRICTS. The status of the following items as they exist on the date this

article becomes effective is recognized and shall be continued until changed in accordance with law: the counties of the state; their status with respect to the legality of the sale of intoxicating liquors, wines and beers; the method of selection of county officers; the performance of municipal functions by county officers; the county seats; and the municipalities and special districts of the state, their powers, jurisdiction and government.

(c) OFFICERS TO CONTINUE IN OFFICE. Every person holding office when this article becomes effective shall continue in office for the remainder of the term if that office is not abolished. If the office is abolished the incumbent shall be paid adequate compensation, to be fixed by law, for the loss of emoluments for the remainder of the term.

(d) ORDINANCES. Local laws relating only to unincorporated areas of a county on the effective date of this article may be amended or repealed by county ordinance.

(e) CONSOLIDATION AND HOME RULE. Article VIII, Sections 9, 10, 11 and 24, of the Constitution of 1885, as amended, shall remain in full force and effect as to each county affected, as if this article had not been adopted, until that county shall expressly adopt a charter or home rule plan pursuant to this article. All provisions of the *Miami-Dade Metropolitan Dade County Home Rule Charter*, heretofore or hereafter adopted by the electors of *Miami-Dade Dade County* pursuant to Article VIII, Section 11, of the Constitution of 1885, as amended, shall be valid, and any amendments to such charter shall be valid; provided that the said provisions of such charter and the said amendments thereto are authorized under said Article VIII, Section 11, of the Constitution of 1885, as amended. *However, notwithstanding any provision of Article VIII, Section 11, of the Constitution of 1885, as amended, or any limitations under this subsection, the Miami-Dade County Home Rule Charter may be amended or revised by special law approved by the electors of Miami-Dade County and, if approved, shall be deemed an amendment or revision of the charter by the electors of Miami-Dade County. A bill proposing such a special law must be approved at a meeting of the local legislative delegation and filed by a member of that delegation. The charter may provide for fixed term limits of Miami-Dade County Commissioners.*

(f) ~~MIAMI-DADE DADE COUNTY~~; POWERS CONFERRED UPON MUNICIPALITIES. To the extent not inconsistent with the powers of existing municipalities or general law, the Metropolitan Government of *Miami-Dade Dade County* may exercise all the powers conferred now or hereafter by general law upon municipalities.

(g) DELETION OF OBSOLETE SCHEDULE ITEMS. The legislature shall have power, by joint resolution, to delete from this article any subsection of this Section 6, including this subsection, when all events to which the subsection to be deleted is or could become applicable have occurred. A legislative determination of fact made as a basis for application of this subsection shall be subject to judicial review.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VIII, SECTION 6

AUTHORIZING AMENDMENTS TO MIAMI-DADE COUNTY HOME RULE CHARTER BY SPECIAL LAW APPROVED BY REFERENDUM.—Authorizes amendments or revisions to the Miami-Dade County Home Rule Charter by a special law when the law is approved by a vote of the electors of Miami-Dade County. A bill proposing such a special law must be approved at a meeting of the local legislative delegation and filed by a member of that delegation. It also conforms references in the State Constitution to reflect the county's current name and states that the charter may provide for fixed term limits of Miami-Dade County Commissioners.

—was read the second time in full. On motion by Senator Garcia, by two-thirds vote **CS for CS for SJR 1954** was read the third time by title and failed to receive the required constitutional three-fifths vote of the membership. The vote was:

Yeas—15

Alexander	Fasano	Negron
Altman	Flores	Richter
Bennett	Gaetz	Ring
Detert	Garcia	Simmons
Evers	Gardiner	Thrasher

Nays—21

Bogdanoff	Jones	Oelrich
Braynon	Joyner	Rich
Dean	Latvala	Sachs
Diaz de la Portilla	Lynn	Siplin
Dockery	Margolis	Smith
Hays	Montford	Sobel
Hill	Norman	Wise

Vote after roll call:

Nay—Storms

Consideration of **CS for CS for SB 1128** was deferred.

CS for SB 380—A bill to be entitled An act relating to the training and certification of child welfare personnel; amending s. 402.40, F.S.; revising legislative intent; defining the terms “child welfare certification,” “core competency,” “preservice curriculum,” and “third-party credentialing entity”; providing required criteria for the approval of credentialing entities that develop and administer certification programs for persons who provide child welfare services; revising the use of the Child Welfare Training Trust Fund within the Department of Children and Family Services; revising provisions relating to preservice curricula; requiring persons who provide child welfare services to be certified by a third-party credentialing entity; allowing entities to add to or augment preservice curriculum; allowing entities to contract for training; requiring persons to master core competencies; providing for recognition for currently certified persons; deleting requirements relating to certification and trainer qualifications; deleting provisions relating to training academies; amending s. 402.731, F.S.; authorizing approval of third-party credentialing entities; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 380**, on motion by Senator Wise, by two-thirds vote **CS for HB 279** was withdrawn from the Committees on Children, Families, and Elder Affairs; Governmental Oversight and Accountability; and Budget.

On motion by Senator Wise—

CS for HB 279—A bill to be entitled An act relating to the training and certification of child welfare personnel; amending s. 402.40, F.S.; revising legislative intent; defining the terms “child welfare certification,” “core competency,” “preservice curriculum,” and “third-party credentialing entity”; providing required criteria for the approval of credentialing entities that develop and administer certification programs for persons who provide child welfare services; revising the use of the Child Welfare Training Trust Fund within the Department of Children and Family Services; revising provisions relating to preservice curricula; requiring persons who provide child welfare services to be certified by a third-party credentialing entity; allowing entities to add to or augment preservice curriculum; allowing entities to contract for training; requiring persons to master core competencies; providing for recognition for currently certified persons; deleting requirements relating to certification and trainer qualifications; deleting provisions relating to training academies; amending s. 402.731, F.S.; authorizing approval of third-party credentialing entities; providing an effective date.

—a companion measure, was substituted for **CS for SB 380** and read the second time by title.

On motion by Senator Wise, by two-thirds vote **CS for HB 279** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Oelrich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	
Flores	Norman	

Nays—None

THE PRESIDENT PRESIDING

CS for CS for SB 236—A bill to be entitled An act relating to state parks; amending s. 258.0145, F.S.; providing for the parents of certain deceased veterans and the spouse and parents of law enforcement officers and firefighters who die in the line of duty to receive annual entrance passes to state parks at no charge; designating the Jack Mashburn Marina at St. Andrews State Park in Bay County; directing the Department of Environmental Protection to erect suitable markers; exempting parks within the state park system which have free-roaming animal populations from the liability provisions in s. 588.15, F.S.; amending s. 380.0685, F.S., relating to a surcharge imposed on admission fees to state parks in areas of critical state concern located in certain counties; providing for certain municipalities to use the proceeds of the surcharge for land acquisition or beach renourishment or restoration; providing limitations for purposes of determining state matching funds; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 236**, on motion by Senator Hays, by two-thirds vote **CS for CS for HB 95** was withdrawn from the Committees on Military Affairs, Space, and Domestic Security; Environmental Preservation and Conservation; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Hays—

CS for CS for HB 95—A bill to be entitled An act relating to state parks; amending s. 258.0145, F.S.; providing for the parents of certain deceased veterans to receive annual entrance passes to state parks at no charge; amending s. 380.0685, F.S., relating to a surcharge imposed on admission fees to state parks in areas of critical state concern located in certain counties; providing for certain municipalities to use the proceeds of the surcharge for land acquisition or beach renourishment or restoration; providing limitations for purposes of determining state matching funds; exempting the state from specified liability provisions with respect to parks within the state park system that have free-roaming animal populations; designating Jack Mashburn Marina in Bay County; directing the Department of Environmental Protection to erect suitable markers; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 236** and read the second time by title.

MOTION

On motion by Senator Hays, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Hays moved the following amendment which was adopted:

Amendment 1 (748168) (with directory and title amendments)—Between lines 31 and 32 insert:

(4) *The surviving spouse and parents of a law enforcement officer, as defined in s. 943.10(1), or a firefighter, as defined in s. 633.30(1), who has*

died in the line of duty shall receive lifetime family annual entrance passes at no charge.

And the directory clause is amended as follows:

Delete line 22 and insert: Statutes, is amended, and subsection (4) is added to that section, to read:

And the title is amended as follows:

Delete line 4 and insert: veterans and the spouse and parents of law enforcement officers and firefighters who die in the line of duty to receive annual entrance passes to state parks

On motion by Senator Hays, by two-thirds vote **CS for CS for HB 95** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

ADOPTION OF RESOLUTIONS

On motion by Senator Latvala—

By Senators Latvala, Haridopolos, Alexander, Altman, Benacquisto, Bennett, Bogdanoff, Braynon, Dean, Detert, Diaz de la Portilla, Dockery, Evers, Fasano, Flores, Gaetz, Garcia, Gardiner, Hays, Hill, Jones, Joyner, Lynn, Margolis, Montford, Negron, Norman, Oelrich, Rich, Richter, Ring, Sachs, Simmons, Siplin, Smith, Sobel, Storms, Thrasher, and Wise—

SR 2214—A resolution recognizing the Florida State Lodge, Fraternal Order of Police, on the occasion of the 29th Annual Florida Law Enforcement Memorial Service and paying tribute to those who gave their lives in the line of duty.

WHEREAS, the mission of the Florida State Lodge, Fraternal Order of Police, includes promoting impartial enforcement of the law and enhancing the efficiency of the police profession in order to increase the confidence of the public in members of the profession, and

WHEREAS, the Florida State Lodge, Fraternal Order of Police, annually recognizes Florida law enforcement officers and federal officers assigned to Florida who are killed in the line of duty, and

WHEREAS, the annual memorial service of the Florida State Lodge, Fraternal Order of Police, is held at the Florida Law Enforcement Memorial Monument, which is located on the grounds of the Florida Capitol and contains the names of fallen law enforcement officers, and

WHEREAS, on May 2, 2011, the Florida State Lodge, Fraternal Order of Police, will honor these officers who died in 2010: Wesley Richard Whitmore, Jr., Polk County Sheriff's Office; Brandon L. Coates, Orange County Sheriff's Office; Mark A. Longway, Hillsborough County Sheriff's Office; David L. Curtis and Jeffrey A. Kocab, Tampa Police Department; Melissa J. Powers, Monroe County Sheriff's Office; Patrick Ambroise, Florida Highway Patrol; Chad A. Reed, Sr., Dixie County Sheriff's Office; and James Louis Anderson, St. Johns County Sheriff's Office, and

WHEREAS, these special men and women were dedicated to the protection of life and property and sacrificed their lives for their communities and for all Floridians, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the members of the Senate pay tribute to Wesley Richard Whitmore, Jr., Brandon L. Coates, Mark A. Longway, David L. Curtis, Jeffrey A. Kocab, Melissa J. Powers, Patrick Ambrose, Chad A. Reed, Sr., and James Louis Anderson and convey our deepest sympathy to their families, friends, and colleagues on the occasion of the 29th Annual Florida Law Enforcement Memorial Service.

—was introduced out of order and read by title. On motion by Senator Latvala, **SR 2214** was read the second time in full and adopted.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **SB 1980, HB 229, CS for HB 231, HB 233, HB 529, CS for HB 555, HB 657, HB 659, HB 699, HB 741, CS for HB 745, HB 861, HB 865, CS for HB 869, HB 985, HB 1009, HB 1045, CS for HB 1063, CS for HB 1293, HB 1307, HB 1311, CS for HB 1317, CS for HB 1345, HB 1351, CS for HB 1489, HB 4191, HB 4197, HB 4203, and HB 4205** were withdrawn from the Committee on Rules.

LOCAL BILL CALENDAR

SB 1980—A bill to be entitled An act relating to the Lealman Special Fire Control District, Pinellas County; amending chapter 2000-426, Laws of Florida, as amended; reducing the maximum ad valorem millage rate that may be levied by the district; providing requirements for the annexation of the unincorporated territory of the district by a municipality; requiring the approval of an annexation by a referendum of the electors within the district; providing for future expiration of the requirements for annexation; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Latvala, further consideration of **SB 1980** was deferred.

HB 229—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending chapter 23559, Laws of Florida, 1945, as amended; revising the General Employees' Pension Plan for the City of Tampa; revising the definitions of the terms "Salaries or Wages," "Employee," and "Military Service Time"; revising application of the term "Actuarial Equivalent"; defining the term "Limitation Year"; providing that all employee contributions to the pension fund after a certain date are mandatory and that the city shall pay such contributions to the fund on behalf of the employee; providing certain beneficiaries an option to roll over certain death benefits; providing for a refund of employee contributions; revising the provision that addresses the reemployment of retired employees; revising construction of the act; allowing DROP members the opportunity to elect an investment option, as determined by the board of trustees, to be applied to the participant's account for the plan year entering the DROP program and for each subsequent plan year; revising benefit limitations; revising requirements for distribution of benefits; providing a default distribution when a member fails to elect a distribution option; revising direct rollover options; revising the definitions of the terms "eligible rollover distribution," "eligible rollover plan," and "distributee"; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Joyner, further consideration of **HB 229** was deferred.

CS for HB 231—A bill to be entitled An act relating to the City Pension Fund for Firefighters and Police Officers in the City of Tampa, Hillsborough County; authorizing the City of Tampa to enter into a supplemental contract with certain firefighters and police officers to

comply with chapter 2009-97, Laws of Florida; revising the manner in which elective trustees are elected; increasing the maximum length of time prior to term commencement in which to conduct trustee elections; allowing the board to retain the services of more than one nationally recognized professional investment counselor; increasing the investment cap on foreign securities; providing that the investment cap on foreign securities is measured on a market value basis and may not be revised, amended, increased, or repealed except as provided by general law; allowing retired members to elect to receive a reduced retirement benefit in order to provide a surviving spouse benefit under certain circumstances; allowing members to purchase up to an additional 5 years of credited service based upon prior service as a full-time certified firefighter or certified police officer or for military service in the Armed Forces of the United States subject to certain conditions; allowing DROP participants upon entering DROP and annually thereafter to elect an option for accruing annual interest at a low-risk variable rate selected annually by the board of trustees, in its sole discretion, in lieu of a rate reflecting the fund's net investment performance, as determined by the board of trustees; prohibiting members from selecting certain pension contract changes and rejecting others; confirming in part the City of Tampa Firefighters and Police Officers Pension Contract; providing for severability; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Joyner, further consideration of **CS for HB 231** was deferred.

HB 233—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue an alcoholic beverage license to the City of Tampa for use within the buildings and adjoining grounds of Curtis Hixon Waterfront Park and Kiley Garden Park; providing for payment of the license fee; authorizing sale of alcoholic beverages for consumption within the buildings and their adjoining grounds; prohibiting sales for consumption off premises; providing for construction of this act; authorizing transfer and providing for subsequent reversion of the license under certain circumstances; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Joyner, further consideration of **HB 233** was deferred.

HB 529—A bill to be entitled An act relating to the Lee County Sheriff's Office; amending chapter 74-522, Laws of Florida, as amended; providing that certain retirement health insurance benefits shall not be available to specified employees; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Benacquisto, further consideration of **HB 529** was deferred.

CS for HB 555—A bill to be entitled An act relating to Indian River Mosquito Control District, Indian River County; amending chapter 2006-344, Laws of Florida; revising the powers of the board of commissioners relating to the employment of certain persons; specifying the provisions of law governing the election of commissioners and removing obsolete provisions for the staggering of initial terms; requiring the district to pay for the surety bonds required of commissioners before they assume office; requiring commissioners to elect a secretary/treasurer for the board; revising per diem and travel expense provisions for commissioners and employees; revising powers of the board relating to the control of mosquitoes and sandflies and deleting the power of the board to eliminate all species of mosquitoes and sandflies in the district; revising provisions relating to the board's purchasing, borrowing, and insurance requirements; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Negrón, further consideration of **CS for HB 555** was deferred.

HB 657—A bill to be entitled An act relating to Martin County; amending chapter 63-1619, Laws of Florida, as amended; limiting the issuance of special alcoholic beverage licenses to restaurants that serve a certain number of patrons, occupy a certain amount of floor space, and are located within the legal boundaries of the community redevelopment areas of the county; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Negrón, further consideration of **HB 657** was deferred.

HB 659—A bill to be entitled An act relating to Martin County; amending chapter 65-1906, as amended; revising the membership of the County Health Care Review Board; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Negrón, further consideration of **HB 659** was deferred.

HB 699—A bill to be entitled An act relating to the Southeast Volusia Hospital District, Volusia County; amending chapter 2003-310, Laws of Florida; expanding the representation of the Southeast Volusia Hospital District governing body; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Lynn, further consideration of **HB 699** was deferred.

HB 741—A bill to be entitled An act relating to the Lake Worth Drainage District, Palm Beach County; amending chapter 2009-258, Laws of Florida; authorizing the district to develop and operate water supply sources and facilities and to enter into interlocal agreements with local governments and public and private utilities for such purpose; providing for issuance of notes and bonds; prohibiting the district from engaging in retail water sales; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Benacquisto, further consideration of **HB 741** was deferred.

CS for HB 745—A bill to be entitled An act relating to the Polk County Historical Commission, Polk County; amending chapter 96-462, Laws of Florida; revising the number of commission members; providing for membership eligibility, terms of membership, meetings, attendance at meetings, and rules of procedure; providing for staff; providing powers and duties; providing for funding and the creation of dedicated accounts for the Polk County Historical Museum and the Genealogical Library; deleting provisions relating to the Polk County Historical Association; requiring the board of county commissioners to provide a repository for certain materials; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Alexander, further consideration of **CS for HB 745** was deferred.

HB 861—A bill to be entitled An act relating to the North Springs Improvement District, Broward County; amending chapter 2005-341, Laws of Florida, as amended; extending and enlarging the boundaries of the district; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Smith, further consideration of **HB 861** was deferred.

HB 865—A bill to be entitled An act relating to the Town of Southwest Ranches, Broward County; amending chapter 2000-475, Laws of Florida; amending the town's charter to remove inapplicable provisions and to make ministerial changes; providing further description of the town's rural residential character; eliminating previously repealed language; providing additional language relating to filling council vacancies; clarifying that only the town council is required to vote by roll call; clarifying that a roll call vote is required by the town council on all land use and quasi-judicial items; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Smith, further consideration of **HB 865** was deferred.

CS for HB 869—A bill to be entitled An act relating to the Manatee County Port Authority; amending chapter 2003-351, Laws of Florida; providing for the conveyance of title to submerged lands adjacent to the port authority's boundaries from the Board of Trustees of the Internal Improvement Trust Fund; defining the territorial boundaries of the submerged lands; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Bennett, further consideration of **CS for HB 869** was deferred.

HB 985—A bill to be entitled An act relating to Hillsborough County; amending chapter 2004-414, Laws of Florida, as amended, which relates to projects for which payment and performance bonds may be waived for the construction of a public building, for the prosecution and completion of a public work, or for repairs on a public building or public work when the cost of the project is at or below a certain threshold and the contract for the construction, completion, or repair is awarded pursuant to an economic development program established to encourage local small businesses to participate in county procurement programs; deferring the future repeal of the law; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Joyner, further consideration of **HB 985** was deferred.

HB 1009—A bill to be entitled An act relating to the City of Jacksonville, Duval County; amending chapter 87-471, Laws of Florida; adding a special zone in downtown Jacksonville; providing exception for space and seating requirements for liquor licenses for restaurants in the zone; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Wise, further consideration of **HB 1009** was deferred.

HB 1045—A bill to be entitled An act relating to the Loxahatchee Groves Water Control District, Palm Beach County; amending chapter 99-425, Laws of Florida, as amended; providing for the dedication of the width of roads to the public; providing requirements for such dedication; providing for prima facie evidence of public road easements; exempting certain property of an electric utility; assigning traffic control jurisdiction on all public roads within the district to the Town of Loxahatchee Groves; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Smith, further consideration of **HB 1045** was deferred.

CS for HB 1063—A bill to be entitled An act relating to the Canaveral Port District, Brevard County; amending chapter 2003-335, Laws of Florida, as amended; increasing the amount for which the Canaveral Port Authority may encumber personal properties and facilities of the authority; increasing the amount for which contracts for construction, improvement, repair, or building may be entered into or goods, supplies, or materials may be purchased by the district or authority; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Altman, further consideration of **CS for HB 1063** was deferred.

CS for HB 1293—A bill to be entitled An act relating to Brevard County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue an alcoholic beverage license to the Brevard Art Museum, Inc., for use within the museum's buildings; requiring payment of a license fee; providing for the sale of beverages for consumption at the museum; providing for transfer of the license; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Altman, further consideration of **CS for HB 1293** was deferred.

HB 1307—A bill to be entitled An act relating to the City of Mount Dora, Lake County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue up to a specified number of temporary permits to a nonprofit civic organization to sell alcoholic beverages for consumption on the premises at outdoor events on public right-of-way in the downtown area of Mount Dora; providing that such events require a street-closure permit from the City of Mount Dora; providing that the permits authorized by the act are in addition to certain other authorized temporary permits; requiring the nonprofit civic organization to comply with certain statutory requirements in obtaining the permits authorized by the act; requiring the division to adopt rules; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Dockery, further consideration of **HB 1307** was deferred.

HB 1311—A bill to be entitled An act relating to Walton County; providing that certain rigid coastal armoring structures constructed during a specified time may remain without the need to obtain a Department of Environmental Protection permit; providing conditions applicable to such structures; providing definitions; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Gaetz, further consideration of **HB 1311** was deferred.

CS for HB 1317—A bill to be entitled An act relating to Nassau County; creating the Nassau County targeted job creation zone pilot project; authorizing Nassau County to designate specified areas as targeted job creation zones and to implement specified exceptions, strategies, and incentives; providing for an alternative process for adoption and review of specified local government comprehensive plan amend-

ments; providing for repeal of the pilot project; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Wise, further consideration of **CS for HB 1317** was deferred.

CS for HB 1345—A bill to be entitled An act relating to the Charlotte County Airport Authority, Charlotte County; amending chapter 98-508, Laws of Florida, as amended; revising various provisions of the Charlotte County Airport Authority Act; revising definitions; expanding the purpose of the authority; revising provisions relating to members, officers, compensation, and meetings; revising powers of the authority; revising requirements for the expenditure of funds; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Detert, further consideration of **CS for HB 1345** was deferred.

HB 1351—A bill to be entitled An act relating to the South Broward Drainage District, Broward County; amending chapter 98-524, Laws of Florida, as amended; revising and providing definitions; conforming terminology; deleting and updating obsolete provisions; revising inconsistent provisions; revising the method of deciding elections of commissioners in the event of a tie vote; clarifying language relating to the imposition of district assessments and taxes; clarifying the type of property subject to district rules, criteria, and regulations; authorizing the board to take appropriate action as may be required of the district by another governmental agency; requiring the district to take designated water control elevations into consideration for all projects within the district; authorizing the treasurer, rather than the secretary, of the board to be involved in the preparation of the district's budget; clarifying procedures relating to special assessments; authorizing the treasurer to prepare the district tax record; requiring the district to prepare plans, specifications, and estimates for improvements; authorizing the district director to implement certain activities and receive documents relating to special assessments; conforming cross-references; prohibiting obstruction, damage, or destruction of district facilities and noncompliance with the district's 5-year recertification program rules, criteria, or regulations; clarifying applicability; providing severability; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Smith, further consideration of **HB 1351** was deferred.

CS for HB 1489—A bill to be entitled An act relating to Sebring Airport Authority, Highlands County; amending chapter 2005-300, Laws of Florida; revising powers of the authority; providing that the authority may acquire, lease as lessee or lessor, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain, and operate commercial and industrial facilities; providing that the authority may establish, operate, and maintain foreign-trade zone status under the alternative site framework in DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee Counties and the Cities of Belle Glade, Pahokee, and South Bay; expanding the power of the authority to purchase commodities or contractual services; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Alexander, further consideration of **CS for HB 1489** was deferred.

HB 4191—A bill to be entitled An act relating to Palm Beach County; amending chapter 96-466, Laws of Florida; deleting obsolete provisions relating to the establishment of an advisory committee to advise the

Palm Beach County Board of County Commissioners on improvements, operations, maintenance, and enhancement of the South Lake Worth Inlet and adjacent property and to assist in the development, coordination, and public review of the Inlet Management Plan; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Bogdanoff, further consideration of **HB 4191** was deferred.

HB 4197—A bill to be entitled An act relating to Okaloosa County; repealing chapter 81-442, Laws of Florida, relating to the establishment and duties of the Personnel Standards and Review Board for the Okaloosa County Sheriff's Department; repealing chapters 85-472 and 90-492, Laws of Florida, to conform; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Gaetz, further consideration of **HB 4197** was deferred.

HB 4203—A bill to be entitled An act relating to Okaloosa County; repealing chapter 69-798, Laws of Florida, relating to an exception for certain restaurants in the county to the limitation under general law on the number of alcoholic beverage licenses allowed to be issued in the county, to provide for the issuance of such licenses to restaurants in the county in excess of such limitation in accordance with the criteria and conditions specified in general law; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Gaetz, further consideration of **HB 4203** was deferred.

HB 4205—A bill to be entitled An act relating to the Pinecraft Lighting District, Sarasota County; abolishing the district; repealing chapters 67-2050, 69-1588, 70-931, 71-911, 72-689, and 76-486, Laws of Florida; transferring all assets and liabilities of the district to Sarasota County; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

On motion by Senator Gaetz, further consideration of **HB 4205** was deferred.

SPECIAL ORDER CALENDAR

CS for CS for SB 1128—A bill to be entitled An act relating to public retirement plans; amending s. 112.63, F.S.; requiring plans to regularly disclose the plan's accrued benefits; amending s. 112.66, F.S.; providing for the calculation of local government retirement benefits after a certain date; providing a prohibition on the use of certain compensation; prohibiting the use of surpluses for expenses outside the plan; prohibiting a reduction in certain contributions to a plan; amending s. 112.665, F.S.; requiring the Department of Management Services to provide a fact sheet on each local plan; amending s. 121.051, F.S.; providing that a local government employer is eligible for participation in the Florida Retirement System if it has no unfunded actuarial liabilities; amending s. 175.032, F.S.; revising the definition of the term "compensation" or "salary" for purposes of firefighters' pensions; amending s. 175.061, F.S.; authorizing a municipality to change the municipality's membership on the board of trustees operating its firefighters' pension plan under certain circumstances; amending s. 175.351, F.S.; revising provisions relating to benefits paid from the premium tax by a municipality or special fire control district that has its own pension plan; providing for the use of accumulated additional premium tax revenues; requiring such revenues to be used to fund a defined contribution supplemental plan under certain circumstances; conforming a cross-reference; amending s. 185.02, F.S.; revising the definition of the terms "compensation" and "salary" for purposes of police officers' pensions; amending s. 185.05, F.S.; author-

izing a municipality to change the municipality's membership on the board of trustees operating its police officers' pension plan under certain circumstances; amending s. 185.35, F.S.; revising provisions relating to benefits paid by a municipality that has its own pension plan; providing for the use of accumulated additional premium tax revenues; requiring such revenues to be used to fund a defined contribution supplemental plan under certain circumstances; directing the Department of Financial Services to rate the financial strength of local government defined benefit plans; specifying the factors for assigning the ratings; requiring local pension boards, local governments, the Division of Retirement, and all relevant entities to cooperate in providing data for the ratings; requiring the ratings to be posted on the department's website; creating the Task Force on Public Employee Disability Presumptions; providing for appointment and membership; specifying the issues for the task force to address; providing for a report to be submitted to the Governor, Chief Financial Officer, and Legislature by a certain date; providing for future expiration; directing the Department of Financial Services to submit a report on the financial health of local government pension plans to the Governor and Legislature by a certain date; specifying the issues the report must address; providing a declaration of important state interest; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Ring, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Ring moved the following amendment which was adopted:

Amendment 1 (905716) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Present paragraph (f) of subsection (1) of section 112.63, Florida Statutes, is redesignated as paragraph (g), and a new paragraph (f) is added to that subsection, to read:

112.63 Actuarial reports and statements of actuarial impact; review.—

(1) Each retirement system or plan subject to the provisions of this act shall have regularly scheduled actuarial reports prepared and certified by an enrolled actuary. The actuarial report shall consist of, but shall not be limited to, the following:

(f) *A disclosure of the present value of the plan's accrued vested, nonvested, and total benefits, as adopted by the Financial Accounting Standards Board, using the Florida Retirement System's assumed rate of return, in order to promote the comparability of actuarial data between local plans.*

The actuarial cost methods utilized for establishing the amount of the annual actuarial normal cost to support the promised benefits shall only be those methods approved in the Employee Retirement Income Security Act of 1974 and as permitted under regulations prescribed by the Secretary of the Treasury.

Section 2. Subsections (11) through (13) are added to section 112.66, Florida Statutes, to read:

112.66 General provisions.—The following general provisions relating to the operation and administration of any retirement system or plan covered by this part shall be applicable:

(11) *For noncollectively bargained service earned on or after July 1, 2011, or for service earned under collective bargaining agreements entered into on or after July 1, 2011, when calculating retirement benefits, a defined benefit pension system or plan sponsored by a local government may include up to 300 hours per year of overtime compensation as specified in the plan or collective bargaining agreement, but may not include any payments for accrued unused sick leave or annual leave. For those members whose terms and conditions of employment are collectively bargained, this subsection is effective for the first agreement entered into on or after July 1, 2011. This subsection does not apply to state-administered retirement systems or plans.*

(12) An actuarial or cash surplus in any system or plan may not be used for any expenses outside the plan.

(13) A local government sponsor of a retirement system or plan may not reduce contributions required to fund the normal cost. This subsection does not apply to state-administered retirement systems or plans.

Section 3. Present paragraphs (e) and (f) of subsection (1) of section 112.665, Florida Statutes, are redesignated as paragraphs (f) and (g), respectively, and a new paragraph (e) is added to that subsection, to read:

112.665 Duties of Department of Management Services.—

(1) The Department of Management Services shall:

(e) Provide a fact sheet for each participating local government defined benefit pension plan summarizing the plan's actuarial status. The fact sheet should provide a summary of the plan's most current actuarial data, minimum funding requirements as a percentage of pay, and a 5-year history of funded ratios. The fact sheet must include a brief explanation of each element in order to maximize the transparency of the local government plans. These documents shall be posted on the department's website. Plan sponsors that have websites must provide a link to the department's website.

Section 4. Subsection (3) of section 175.032, Florida Statutes, is amended to read:

175.032 Definitions.—For any municipality, special fire control district, chapter plan, local law municipality, local law special fire control district, or local law plan under this chapter, the following words and phrases have the following meanings:

(3) "Compensation" or "salary" means, for noncollectively bargained service earned before July 1, 2011, or for service earned under collective bargaining agreements in place before July 1, 2011, the fixed monthly remuneration paid a firefighter. If, where, as in the case of a volunteer firefighter, remuneration is based on actual services rendered, as in the case of a volunteer firefighter, the term means the total cash remuneration received yearly for such services, prorated on a monthly basis. For noncollectively bargained service earned on or after July 1, 2011, or for service earned under collective bargaining agreements entered into on or after July 1, 2011, the term has the same meaning except that when calculating retirement benefits, up to 300 hours per year in overtime compensation may be included as specified in the plan or collective bargaining agreement, but payments for accrued unused sick or annual leave may not be included.

(a) A retirement trust fund or plan may use a definition of salary other than the definition in this subsection but only if the monthly retirement income payable to each firefighter covered by the retirement trust fund or plan, as determined under s. 175.162(2)(a) and using such other definition, equals or exceeds the monthly retirement income that would be payable to each firefighter if his or her monthly retirement income were determined under s. 175.162(2)(a) and using the definition in this subsection.

(a)(b) Any retirement trust fund or plan that which now or hereafter meets the requirements of this chapter does shall not, solely by virtue of this subsection, reduce or diminish the monthly retirement income otherwise payable to each firefighter covered by the retirement trust fund or plan.

(b)(c) The member's compensation or salary contributed as employee-elective salary reductions or deferrals to any salary reduction, deferred compensation, or tax-sheltered annuity program authorized under the Internal Revenue Code shall be deemed to be the compensation or salary the member would receive if he or she were not participating in such program and shall be treated as compensation for retirement purposes under this chapter.

(c)(d) For any person who first becomes a member in any plan year beginning on or after January 1, 1996, compensation for that any plan year may shall not include any amounts in excess of the Internal Revenue Code s. 401(a)(17) limitation, (as amended by the Omnibus Budget Reconciliation Act of 1993), which limitation of \$150,000 shall be adjusted as required by federal law for qualified government plans and shall be further adjusted for changes in the cost of living in the manner

provided by Internal Revenue Code s. 401(a)(17)(B). For any person who first became a member before prior to the first plan year beginning on or after January 1, 1996, the limitation on compensation may shall be not be less than the maximum compensation amount that was allowed to be taken into account under the plan as in effect on July 1, 1993, which limitation shall be adjusted for changes in the cost of living since 1989 in the manner provided by Internal Revenue Code s. 401(a)(17)(1991).

Section 5. Paragraph (b) of subsection (1) of section 175.061, Florida Statutes, is amended to read:

175.061 Board of trustees; members; terms of office; meetings; legal entity; costs; attorney's fees.—For any municipality, special fire control district, chapter plan, local law municipality, local law special fire control district, or local law plan under this chapter:

(1) In each municipality and in each special fire control district there is hereby created a board of trustees of the firefighters' pension trust fund, which shall be solely responsible for administering the trust fund. Effective October 1, 1986, and thereafter:

(b) The membership of boards of trustees for local law plans shall be as follows:

1. If a municipality or special fire control district has a pension plan for firefighters only, the provisions of paragraph (a) shall apply.

2. If a municipality has a pension plan for firefighters and police officers, the provisions of paragraph (a) shall apply, except that one member of the board must shall be a firefighter as defined in s. 175.022 and one member of the board must shall be a police officer as defined in s. 185.02, respectively elected by a majority of the active firefighters or police officers who are members of the plan.

3. A any board of trustees operating a local law plan on July 1, 1999, which is combined with a plan for general employees shall hold an election of the firefighters, or firefighters and police officers, if included, to determine whether a plan is to be established for firefighters only, or for firefighters and police officers where included. Based on the election results, a new board shall be established as provided in subparagraph 1. or subparagraph 2., as appropriate. The municipality or fire control district shall enact an ordinance or resolution to implement the new board by October 1, 1999. The newly established board shall take whatever action is necessary to determine the amount of assets which is attributable to firefighters, or firefighters and police officers where included. Such assets shall include all employer, employee, and state contributions made by or on behalf of firefighters, or firefighters and police officers where included, and any investment income derived from such contributions. All such moneys shall be transferred into the newly established retirement plan, as directed by the board.

With respect to a any board of trustees operating a local law plan on June 30, 1986, nothing in this paragraph does not shall permit the reduction of the membership percentage of firefighters, or of firefighters and police officers where a joint or mixed fund exists. However, for the sole purpose of changing municipal representation, a municipality may by ordinance change the municipal representation on the board of trustees operating a local law plan by ordinance, only if such change does not reduce the membership percentage of firefighters, or firefighters and police officers, or the membership percentage of the municipal representation.

Section 6. Paragraph (b) of subsection (2) of section 175.091, Florida Statutes, is amended to read:

175.091 Creation and maintenance of fund.—For any municipality, special fire control district, chapter plan, local law municipality, local law special fire control district, or local law plan under this chapter:

(2) Member contribution rates may be adjusted as follows:

(b) Firefighter member contributions may be increased by consent of the members' collective bargaining representative or, if none, by majority consent of firefighter members of the fund to provide greater benefits.

Nothing in this section shall be construed to require adjustment of member contribution rates in effect on the date this act becomes a law,

including rates that exceed 5 percent of salary, provided that such rates are at least one-half of 1 percent of salary.

Section 7. Section 175.351, Florida Statutes, is amended to read:

175.351 Municipalities and special fire control districts having their own pension plans for firefighters.—For any municipality, special fire control district, local law municipality, local law special fire control district, or local law plan under this chapter, in order for municipalities and special fire control districts with their own pension plans for firefighters, or for firefighters and police officers ~~if, where~~ included, to participate in the distribution of the tax fund established pursuant to s. 175.101, local law plans must meet the minimum benefits and minimum standards set forth in this chapter.

(1) ~~PREMIUM TAX INCOME.~~—If a municipality has a pension plan for firefighters, or a pension plan for firefighters and police officers ~~if, where~~ included, which in the opinion of the division meets the minimum benefits and minimum standards set forth in this chapter, the board of trustees of the pension plan, as approved by a majority of firefighters of the municipality, may:

(a) Place the income from the premium tax in s. 175.101 in such pension plan for the sole and exclusive use of its firefighters, or for firefighters and police officers ~~if, where~~ included, where it shall become an integral part of that pension plan and shall be used to pay extra benefits to the firefighters included in that pension plan; or

(b) Place the income from the premium tax in s. 175.101 in a separate supplemental plan to pay extra benefits to firefighters, or to firefighters and police officers ~~if, where~~ included, participating in such separate supplemental plan.

(2) The premium tax provided by this chapter shall in all cases be used in its entirety to provide extra benefits to firefighters, or to firefighters and police officers ~~if, where~~ included. However, local law plans in effect on October 1, 1998, ~~must shall be required to~~ comply with the minimum benefit provisions of this chapter only to the extent that additional premium tax revenues become available to incrementally fund the cost of such compliance as provided in s. 175.162(2)(a). ~~If When~~ a plan is in compliance with such minimum benefit provisions, as subsequent additional premium tax revenues become available, they ~~must shall~~ be used to provide extra benefits. ~~Local law plans created by special act before May 27, 1939, are deemed to comply with this chapter.~~ For the purpose of this chapter, ~~the term:~~

(a) “Additional premium tax revenues” means revenues received by a municipality or special fire control district pursuant to s. 175.121 which exceed that amount received for calendar year 1997, ~~and the term~~

(b) “Extra benefits” means benefits in addition to or greater than those provided to general employees of the municipality and in addition to those in existence for firefighters on March 12, 1999. ~~Local law plans created by special act before May 23, 1939, shall be deemed to comply with this chapter.~~

~~(3)(2) A ADOPTION OR REVISION OF A LOCAL LAW PLAN.~~—No retirement plan or amendment to a retirement plan ~~may not shall~~ be proposed for adoption unless the proposed plan or amendment contains an actuarial estimate of the costs involved. ~~No~~ Such proposed plan or proposed plan change ~~may not shall~~ be adopted without the approval of the municipality, special fire control district, or, where permitted, the Legislature. Copies of the proposed plan or proposed plan change and the actuarial impact statement of the proposed plan or proposed plan change shall be furnished to the division ~~before prior to~~ the last public hearing thereon. Such statement ~~must shall~~ also indicate whether the proposed plan or proposed plan change is in compliance with s. 14, Art. X of the State Constitution and those provisions of part VII of chapter 112 which are not expressly provided in this chapter. Notwithstanding any other provision, only those local law plans created by special act of legislation ~~before prior to~~ May 27 23, 1939, ~~are shall~~ be deemed to meet the minimum benefits and minimum standards only in this chapter.

~~(4)(3)~~ Notwithstanding any other provision, with respect to any supplemental plan municipality:

(a) ~~Section 175.032(3)(a) shall not apply, and~~ A local law plan and a supplemental plan may continue to use their definition of compensation or salary in existence on ~~March 12, 1999~~ the effective date of this act.

(b) Section 175.061(1)(b) ~~does shall~~ not apply, and a local law plan and a supplemental plan shall continue to be administered by a board or boards of trustees numbered, constituted, and selected as the board or boards were numbered, constituted, and selected on December 1, 2000.

(c) The election set forth in paragraph (1)(b) ~~is shall~~ be deemed to have been made.

~~(5)(4)~~ The retirement plan setting forth the benefits and the trust agreement, if any, covering the duties and responsibilities of the trustees and the regulations of the investment of funds must be in writing, and copies ~~thereof must be~~ made available to the participants and to the general public.

Section 8. Subsection (4) of section 185.02, Florida Statutes, is amended to read:

185.02 Definitions.—For any municipality, chapter plan, local law municipality, or local law plan under this chapter, the following words and phrases as used in this chapter shall have the following meanings, unless a different meaning is plainly required by the context:

(4) “Compensation” or “salary” means, *for noncollectively bargained service earned before July 1, 2011, or for service earned under collective bargaining agreements in place before July 1, 2011*, the total cash remuneration including “overtime” paid by the primary employer to a police officer for services rendered, but not including any payments for extra duty or a special detail work performed on behalf of a second party employer. ~~However,~~ A local law plan may limit the amount of overtime payments which can be used for retirement benefit calculation purposes; ~~however, but in no event shall~~ such overtime limit ~~may not~~ be less than 300 hours per officer per calendar year. *For noncollectively bargained service earned on or after July 1, 2011, or for service earned under collective bargaining agreements entered into on or after July 1, 2011, the term has the same meaning except that when calculating retirement benefits, up to 300 hours per year in overtime compensation may be included as specified in the plan or collective bargaining agreement, but payments for accrued unused sick or annual leave may not be included.*

(a) Any retirement trust fund or plan ~~that which now or hereafter~~ meets the requirements of this chapter ~~does shall~~ not, solely by virtue of this subsection, reduce or diminish the monthly retirement income otherwise payable to each police officer covered by the retirement trust fund or plan.

(b) The member’s compensation or salary contributed as employee-elective salary reductions or deferrals to any salary reduction, deferred compensation, or tax-sheltered annuity program authorized under the Internal Revenue Code shall be deemed to be the compensation or salary the member would receive if he or she were not participating in such program and shall be treated as compensation for retirement purposes under this chapter.

(c) For any person who first becomes a member in any plan year beginning on or after January 1, 1996, compensation for ~~that any~~ plan year ~~may shall~~ not include any amounts in excess of the Internal Revenue Code s. 401(a)(17) limitation, (as amended by the Omnibus Budget Reconciliation Act of 1993), which limitation of \$150,000 shall be adjusted as required by federal law for qualified government plans and shall be further adjusted for changes in the cost of living in the manner provided by Internal Revenue Code s. 401(a)(17)(B). For any person who first became a member ~~before prior to~~ the first plan year beginning on or after January 1, 1996, the limitation on compensation ~~may shall~~ be not be less than the maximum compensation amount that was allowed to be taken into account under the plan as in effect on July 1, 1993, which limitation shall be adjusted for changes in the cost of living since 1989 in the manner provided by Internal Revenue Code s. 401(a)(17)(1991).

Section 9. Paragraph (b) of subsection (1) of section 185.05, Florida Statutes, is amended to read:

185.05 Board of trustees; members; terms of office; meetings; legal entity; costs; attorney’s fees.—For any municipality, chapter plan, local law municipality, or local law plan under this chapter:

(1) In each municipality described in s. 185.03 there is hereby created a board of trustees of the municipal police officers' retirement trust fund, which shall be solely responsible for administering the trust fund. Effective October 1, 1986, and thereafter:

(b) The membership of boards of trustees for local law plans ~~is shall~~ be as follows:

1. If a municipality has a pension plan for police officers only, the provisions of paragraph (a) shall apply.

2. If a municipality has a pension plan for police officers and firefighters, the provisions of paragraph (a) ~~shall~~ apply, except that one member of the board shall be a police officer ~~as defined in s. 185.02~~ and one member shall be a firefighter as defined in s. 175.032, respectively, elected by a majority of the active firefighters and police officers who are members of the plan.

3. Any board of trustees operating a local law plan on July 1, 1999, which is combined with a plan for general employees shall hold an election of the police officers, or police officers and firefighters if included, to determine whether a plan is to be established for police officers only, or for police officers and firefighters where included. Based on the election results, a new board shall be established as provided in subparagraph 1. or subparagraph 2., as appropriate. The municipality shall enact an ordinance to implement the new board by October 1, 1999. The newly established board shall take whatever action is necessary to determine the amount of assets which is attributable to police officers, or police officers and firefighters where included. Such assets shall include all employer, employee, and state contributions made by or on behalf of police officers, or police officers and firefighters where included, and any investment income derived from such contributions. All such moneys shall be transferred into the newly established retirement plan, as directed by the board.

With respect to any board of trustees operating a local law plan on June 30, 1986, ~~nothing in this paragraph does not shall~~ permit the reduction of the membership percentage of police officers or police officers and firefighters. *However, for the sole purpose of changing municipal representation, a municipality may by ordinance change the municipal representation on the board of trustees operating a local law plan by ordinance, only if such change does not reduce the membership percentage of police officers, or police officers and firefighters, or the membership percentage of the municipal representation.*

Section 10. Paragraph (b) of subsection (2) of section 185.07, Florida Statutes, is amended to read:

185.07 Creation and maintenance of fund.—For any municipality, chapter plan, local law municipality, or local law plan under this chapter:

(2) Member contribution rates may be adjusted as follows:

(b) Police officer member contributions may be increased by consent of the members' collective bargaining representative or, if none, by majority consent of police officer members of the fund ~~to provide greater benefits.~~

Nothing in this section shall be construed to require adjustment of member contribution rates in effect on the date this act becomes a law, including rates that exceed 5 percent of salary, provided that such rates are at least one-half of 1 percent of salary.

Section 11. Section 185.35, Florida Statutes, is amended to read:

185.35 Municipalities having their own pension plans for police officers.—For any municipality, chapter plan, local law municipality, or local law plan under this chapter, in order for municipalities with their own pension plans for police officers, or for police officers and firefighters *if where* included, to participate in the distribution of the tax fund established pursuant to s. 185.08, local law plans must meet the minimum benefits and minimum standards set forth in this chapter:

(1) ~~PREMIUM TAX INCOME.~~—If a municipality has a pension plan for police officers, or for police officers and firefighters *if where* included, which, in the opinion of the division, meets the minimum benefits and minimum standards set forth in this chapter, the board of trustees of the

pension plan, as approved by a majority of police officers of the municipality, may:

(a) Place the income from the premium tax in s. 185.08 in such pension plan for the sole and exclusive use of its police officers, or its police officers and firefighters *if where* included, where it shall become an integral part of that pension plan and shall be used to pay extra benefits to the police officers included in that pension plan; or

(b) May place the income from the premium tax in s. 185.08 in a separate supplemental plan to pay extra benefits to the police officers, or police officers and firefighters *if where* included, participating in such separate supplemental plan.

(2) The premium tax provided by this chapter shall in all cases be used in its entirety to provide extra benefits to police officers, or to police officers and firefighters *if where* included. However, local law plans in effect on October 1, 1998, ~~must shall be required to~~ comply with the minimum benefit provisions of this chapter only to the extent that additional premium tax revenues become available to incrementally fund the cost of such compliance as provided in s. 185.16(2). *If When* a plan is in compliance with such minimum benefit provisions, as subsequent additional tax revenues become available, they shall be used to provide extra benefits. *Local law plans created by special act before May 27, 1939, shall be deemed to comply with this chapter.* For the purpose of this chapter, *the term:*

(a) "Additional premium tax revenues" means revenues received by a municipality pursuant to s. 185.10 which exceed the amount received for calendar year 1997, ~~and the term~~

(b) "Extra benefits" means benefits in addition to or greater than those provided to general employees of the municipality and in addition to those in existence for police officers on March 12, 1999. ~~Local law plans created by special act before May 23, 1939, shall be deemed to comply with this chapter.~~

~~(3)(2) A ADOPTION OR REVISION OF A LOCAL LAW PLAN. No retirement plan or amendment to a retirement plan may not shall be proposed for adoption unless the proposed plan or amendment contains an actuarial estimate of the costs involved. No Such proposed plan or proposed plan change may not shall be adopted without the approval of the municipality or, where permitted, the Legislature. Copies of the proposed plan or proposed plan change and the actuarial impact statement of the proposed plan or proposed plan change shall be furnished to the division before prior to the last public hearing thereon. Such statement must shall also indicate whether the proposed plan or proposed plan change is in compliance with s. 14, Art. X of the State Constitution and those provisions of part VII of chapter 112 which are not expressly provided in this chapter. Notwithstanding any other provision, only those local law plans created by special act of legislation before prior to May 27 23, 1939, are shall be deemed to meet the minimum benefits and minimum standards only in this chapter.~~

~~(4)(3) Notwithstanding any other provision, with respect to any supplemental plan municipality:~~

(a) Section 185.02(4)(a) ~~does shall~~ not apply, and a local law plan and a supplemental plan may continue to use their definition of compensation or salary in existence on *March 12, 1999 the effective date of this act.*

(b) ~~Section 185.05(1)(b) shall not apply, and~~ A local law plan and a supplemental plan ~~must shall~~ continue to be administered by a board or boards of trustees numbered, constituted, and selected as the board or boards were numbered, constituted, and selected on December 1, 2000.

(c) The election set forth in paragraph (1)(b) ~~is shall be~~ deemed to have been made.

~~(5)(4) The retirement plan setting forth the benefits and the trust agreement, if any, covering the duties and responsibilities of the trustees and the regulations of the investment of funds must be in writing and copies made available to the participants and to the general public.~~

Section 12. *Financial rating of local pension plans.—The Department of Management Services shall develop a plan for creating standardized ratings for classifying the financial strength of all local government defined benefit pension plans.*

(1) In developing the plan, the department shall consider, without limitation:

- (a) The plan's current and future unfunded liabilities.
- (b) The plan's net asset value, managed returns, and funded ratio.
- (c) Metrics related to the sustainability of the plan, including, but not limited to, the percentage that the annual contribution is of the participating employee payroll.
- (d) Municipal bond ratings for the local government, if applicable.
- (e) Whether the local government has reduced contribution rates to the plan when the plan has an actuarial surplus.
- (f) Whether the local government uses any actuarial surplus in the plan for obligations outside the plan.

(2) The department may obtain data, information, and assistance from state agencies, local governments, or political subdivisions thereof, which shall provide the department with all relevant information and assistance on any matter within their knowledge or control.

(3) The department shall submit the plan, plus any related findings and recommendations, to the Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2012. The report must also include specific recommendations for legislative action during the 2012 Regular Session of the Legislature.

Section 13. *Task Force on Public Employee Disability Presumptions.*—

(1) The Task Force on Public Employee Disability Presumptions is created for the purpose of developing findings and issuing recommendations on the disability presumptions in ss. 112.18, 175.231, and 185.34, Florida Statutes.

(2) All members of the task force shall be appointed on or before July 15, 2011, and the task force shall hold its first meeting on or before August 15, 2011. The task force shall be composed of eight members as follows:

(a) Three members appointed by the President of the Senate, one of whom must be an attorney who primarily represents plaintiffs and has experience in the relevant laws, one of whom must be a representative of organized labor and a member of a pension plan under chapter 175, Florida Statutes, and one of whom must be from the Florida Association of Counties.

(b) Three members appointed by the Speaker of the House of Representatives, one of whom must be an attorney who primarily represents defendants and has experience in the relevant laws, one of whom must be a representative of organized labor and a member of a pension plan under chapter 185, Florida Statutes, and one of whom must be from the Florida League of Cities.

(c) A member employed by the Division of Retirement of the Department of Management Services who has experience in local government pension plans, appointed by the Governor.

(d) A member employed by the Department of Financial Services who has relevant expertise in state risk management, appointed by the Chief Financial Officer.

(3) The task force shall address issues, including, but not limited to:

(a) Data related to the operation of the statutory disability presumptions, and the fiscal impact on public employers in the areas of pensions and workers' compensation.

(b) The manner in which other states handle disability presumptions, and the fiscal impact on public employers.

(c) Proposals for changes to the existing disability presumptions.

(d) Evidentiary standards and burdens of proof for overcoming statutory disability presumptions, and whether consideration of risk factors and epidemiological data relating to nonwork-related conditions unique

to an individual employee, such as blood cholesterol, body mass index, history of tobacco and alcohol use, and other medical conditions or behaviors that are associated with the diseases or conditions listed in disability presumptions, are appropriate for consideration.

(4) The Department of Financial Services shall provide administrative support to the task force.

(5) Members of the task force shall serve without compensation while in the performance of their duties, but are entitled to reimbursement for per diem and travel expenses in accordance with s. 112.061, Florida Statutes.

(6) The task force may obtain data, information, and assistance from any state agency, local government, or any political subdivision thereof, which shall provide the task force with all relevant information and assistance on any matter within their knowledge or control.

(7) The task force shall submit a report, including findings and recommendations, to the Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2012. The report must include specific recommendations for legislative action during the 2012 Regular Session of the Legislature.

(8) The task force is dissolved upon submission of its report.

Section 14. *The Legislature finds that a proper and legitimate state purpose is served when employees and retirees of the state and of its political subdivisions, and the dependents, survivors, and beneficiaries of those employees and retirees, are extended the basic protections afforded by governmental retirement systems that provide fair and adequate benefits and that are managed, administered, and funded in an actuarially sound manner as required by s. 14, Article X of the State Constitution and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 15. This act shall take effect July 1, 2011.

And the title is amended as follows:

Delete everything before the enacting clause and insert: An act relating to public retirement plans; amending s. 112.63, F.S.; requiring plans to regularly disclose the plan's accrued benefits; amending s. 112.66, F.S.; providing for the calculation of local government retirement benefits after a certain date; providing a prohibition on the use of certain compensation for calculating retirement benefits; prohibiting the use of surpluses for expenses outside the plan; prohibiting a reduction in certain contributions to a plan; amending s. 112.665, F.S.; requiring the Department of Management Services to provide a fact sheet on each local plan; amending s. 175.032, F.S.; revising the definition of the term "compensation" or "salary" for purposes of firefighters' pensions; providing a prohibition on the use of certain compensation; amending s. 175.061, F.S.; authorizing a municipality to change the municipality's membership on the board of trustees operating its firefighters' pension plan under certain circumstances; amending s. 175.091, F.S.; deleting a limitation on the justification for approving an increase in member contributions; amending s. 175.351, F.S.; revising a date relating to local law plans; conforming a cross-reference; amending s. 185.02, F.S.; revising the definition of the terms "compensation" and "salary" for purposes of police officers' pensions; providing a prohibition on the use of certain compensation for calculating retirement benefits; amending s. 185.05, F.S.; authorizing a municipality to change the municipality's membership on the board of trustees operating its police officers' pension plan under certain circumstances; amending s. 185.07, F.S.; deleting a limitation on the justification for approving an increase in member contributions; amending s. 185.35, F.S.; revising a date relating to local law plans; directing the Department of Financial Services to develop a plan for rating the financial strength of local government defined benefit plans; specifying factors for consideration; requiring certain entities to cooperate in providing data for the plan; requiring the department to submit the plan to the Governor, Chief Financial Officer, and Legislature by a certain date; creating the Task Force on Public Employee Disability Presumptions; providing for appointment and membership; specifying the issues for the task force to address; providing for a report to be submitted to the Governor, Chief Financial Officer, and Legislature by a certain date; providing for future dissolution; providing a declaration of important state interest; providing an effective date.

On motion by Senator Ring, by two-thirds vote **CS for CS for SB 1128** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Mr. President	Flores	Negron
Alexander	Gaetz	Norman
Altman	Garcia	Oelrich
Bennett	Gardiner	Rich
Bogdanoff	Hays	Richter
Dean	Hill	Ring
Detert	Jones	Simmons
Diaz de la Portilla	Latvala	Sobel
Dockery	Lynn	Storms
Evers	Margolis	Thrasher
Fasano	Montford	Wise

Nays—4

Braynon	Joyner	Siplin
Smith		

Vote after roll call:

Yea—Benacquisto

RECESS

On motion by Senator Thrasher, the Senate recessed at 11:51 a.m. to reconvene at 1:30 p.m.

AFTERNOON SESSION

The Senate was called to order by President Haridopolos at 1:40 p.m. A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

SPECIAL ORDER CALENDAR

CS for CS for SB 1252—A bill to be entitled An act relating to insurance; amending s. 120.80, F.S.; allowing the Division of Administrative Hearings to have final order authority with respect to certain license applicants; amending s. 316.066, F.S.; revising the type of information that must be included in crash reports; authorizing the investigating officer to testify at trial or provide an affidavit concerning the content of the reports; amending ss. 440.12 and 440.20, F.S.; authorizing the payment of workers' compensation benefits through the use of a prepaid card; providing requirements; amending s. 440.49, F.S.; specifying that the assessment for the Special Disability Trust Fund be applied on a calendar year basis; amending s. 624.402, F.S.; revising provisions relating to certain insurers covering nonresidents domiciled outside the United States who are exempt from requirements to obtain a certificate of authority; amending s. 626.207, F.S., relating to penalties; providing definitions; barring persons convicted of certain crimes from licensure as an insurance agent; revising provisions relating to disqualifying periods for persons convicted of other crimes; providing an exemption from the limitation against state employment for persons convicted of certain crimes; amending s. 627.4133, F.S.; changing the designated person or persons who must be notified by an insurer from

the "insured" to the "first-named insured" in situations involving the nonrenewal, renewal premium, cancellation, or termination of workers' compensation, employer liability, or certain property and casualty insurance coverage; specifying the effective date for the cancellation of a policy requested in writing by the insured; amending s. 627.4137, F.S.; requiring a claimant's request about insurance coverage to be appropriately served upon the disclosing entity; amending s. 627.442, F.S.; providing that premium audits for workers' compensation coverage is not required; providing exceptions; amending s. 627.7277, F.S.; making a conforming change that specifies the "first-named insured" as the person who is to receive notification of a renewal premium; amending s. 627.728, F.S.; changing the designated person or persons who must be notified by an insurer from the "insured" to the "first-named insured" in certain situations involving the cancellation or nonrenewal of motor vehicle insurance coverage; making a conforming change that specifies the "first-named insured's insurance agent" as a person who is to receive certain notifications relating to motor vehicle insurance coverage; amending s. 627.7281, F.S.; making a conforming change that specifies the "first-named insured" as the person who is to receive notification of cancellation of motor vehicle insurance coverage; amending s. 627.7295, F.S.; providing that a binder or policy for motor vehicle insurance is not effective until a certain amount of the premium is paid; amending s. 628.901, F.S.; providing definitions; repealing s. 628.903, F.S., relating to the definition of the term "industrial insured captive insurer"; amending s. 628.905, F.S.; requiring a captive insurer to obtain a license and to file evidence that a person or firm with whom it intends to conduct business is reputable; providing that a certificate of insurance for an association captive insurer does not exceed the total funds of the association members; creating s. 628.908, F.S.; requiring a licensed captive insurer to maintain its principal place of business in this state and hold an annual meeting in this state; amending s. 628.909, F.S.; applying additional provisions of the insurance code to captive insurers; amending s. 634.403, F.S.; exempting certain persons from service warranty licensure requirements under certain circumstances; amending s. 817.234, F.S.; providing civil penalties for fraudulent insurance claims; providing effective dates.

—was read the second time by title.

MOTION

On motion by Senator Smith, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Smith moved the following amendment:

Amendment 1 (694784) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 440.12, Florida Statutes, is amended to read:

440.12 Time for commencement and limits on weekly rate of compensation.—

(1) ~~No~~ Compensation ~~is not shall be~~ allowed for the first 7 days of the disability, except for benefits provided ~~under for in~~ s. 440.13. However, if the injury results in disability of more than 21 days, compensation shall be allowed from the commencement of the disability.

(a) All weekly compensation payments, except for the first payment, shall be paid by check or, if authorized by the employee, on a prepaid card pursuant to paragraph (b) or deposited directly into the employee's account at a financial institution. As used in this subsection, the term "financial institution" means a financial institution as defined in s. 655.005(1)(h).

(b) Upon receipt of authorization by the employee as provided in paragraph (a), a carrier may use a prepaid card to deliver the payment of compensation to an employee if the employee is:

1. Provided with at least one means of accessing his or her entire compensation payment once per week without incurring fees;

2. Provided with the ability to make point-of-sale purchases without incurring fees from the financial institution issuing the prepaid card; and

3. *Provided with the terms and conditions of the prepaid card program, including a description of any fees that may be assessed.*

(c) *Each carrier shall keep a record of all payments made under this subsection, including the time and manner of such payments, and shall furnish these records or a report based on these records to the Division of Insurance Fraud and the Division of Workers' Compensation, upon request.*

(d) *The department may adopt rules to administer this section.*

Section 2. Paragraph (a) of subsection (1) of section 440.20, Florida Statutes, is amended to read:

440.20 Time for payment of compensation and medical bills; penalties for late payment.—

(1)(a) Unless it denies compensability or entitlement to benefits, the carrier shall pay compensation directly to the employee as required by ss. 440.14, 440.15, and 440.16, in accordance with the obligations set forth in those ~~such~~ sections. *Upon receipt of the employee's authorization as provided for in s. 440.12(1)(a) if authorized by the employee, the carrier's obligation to pay compensation directly to the employee is satisfied when the carrier directly deposits, by electronic transfer or other means, compensation into the employee's account at a financial institution or onto a prepaid card in accordance with s. 440.12(1).* As used in this paragraph, the term "financial institution" means a financial institution as defined in s. 655.005(1)(h). Compensation by direct deposit or through the use of a prepaid card is considered paid on the date the funds become available for withdrawal by the employee.

Section 3. Paragraph (b) of subsection (9) of section 440.49, Florida Statutes, is amended to read:

440.49 Limitation of liability for subsequent injury through Special Disability Trust Fund.—

(9) SPECIAL DISABILITY TRUST FUND.—

(b)1. The Special Disability Trust Fund shall be maintained by annual assessments upon the insurance companies writing compensation insurance in the state, the commercial self-insurers under ss. 624.462 and 624.4621, the assessable mutuals as defined in s. 628.6011, and the self-insurers under this chapter, which assessments shall become due and be paid quarterly at the same time and in addition to the assessments provided in s. 440.51. The department shall estimate annually in advance the amount necessary for the administration of this subsection and the maintenance of this fund and shall make such assessment in the manner hereinafter provided.

2. The annual assessment shall be calculated to produce during the next calendar ~~ensuing fiscal~~ year an amount which, when combined with that part of the balance anticipated to be in the fund on December 31 ~~June 30~~ of the current ~~fiscal~~ year which is in excess of \$100,000, is equal to the average of:

a. The sum of disbursements from the fund during the immediate past 3 calendar years, and

b. Two times the disbursements of the most recent calendar year.

c. *Such assessment rate shall first apply on a calendar year basis for the period beginning January 1, 2012, and shall be included in workers' compensation rate filings approved by the office which become effective on or after January 1, 2012. The assessment rate effective January 1, 2011, shall also apply to the interim period from July 1, 2011, through December 31, 2011, and shall be included in workers' compensation rate filings, whether regular or amended, approved by the office which become effective on or after July 1, 2011. Thereafter, the annual assessment rate shall take effect January 1 of the next calendar year and shall be included in workers' compensation rate filings approved by the office which become effective on or after January 1 of the next calendar year. Assessments shall become due and be paid quarterly.*

Such amount shall be prorated among the insurance companies writing compensation insurance in the state and the self-insurers. Provided however, for those carriers that have excluded ceded reinsurance premiums from their assessments on or before January 1, 2000, no assessments on ceded reinsurance premiums shall be paid by those car-

riers until such time as the former Division of Workers' Compensation of the Department of Labor and Employment Security or the department advises each of those carriers of the impact that the inclusion of ceded reinsurance premiums has on their assessment. The department may not recover any past underpayments of assessments levied against any carrier that on or before January 1, 2000, excluded ceded reinsurance premiums from their assessment prior to the point that the former Division of Workers' Compensation of the Department of Labor and Employment Security or the department advises of the appropriate assessment that should have been paid.

3. The net premiums written by the companies for workers' compensation in this state and the net premium written applicable to the self-insurers in this state are the basis for computing the amount to be assessed as a percentage of net premiums. Such payments shall be made by each carrier and self-insurer to the department for the Special Disability Trust Fund in accordance with such regulations as the department prescribes.

4. The Chief Financial Officer is authorized to receive and credit to such Special Disability Trust Fund any sum or sums that may at any time be contributed to the state by the United States under any Act of Congress, or otherwise, to which the state may be or become entitled by reason of any payments made out of such fund.

Section 4. Subsection (8) of section 624.402, Florida Statutes, is amended to read:

624.402 Exceptions, certificate of authority required.—A certificate of authority shall not be required of an insurer with respect to:

(8)(a) *An insurer domiciled outside the United States covering only persons who, at the time of issuance or renewal, are nonresidents of the United States if:*

1. *The insurer or any affiliated person as defined in s. 624.04 under common ownership or control with the insurer does not solicit, sell, or accept application for any insurance policy or contract to be delivered or issued for delivery to any person in any state;*

2. *The insurer registers with the office via a letter of notification upon commencing business from this state;*

3. *The insurer provides the following information, in English, to the office annually by March 1:*

a. *The name of the insurer, the country of domicile, the address of the insurer's principal office and office in this state, the names of the owners of the insurer and their percentage of ownership, the names of the officers and directors of the insurer, the name, e-mail, and telephone number of a contact person for the insurer, and the number of individuals who are employed by the insurer or its affiliates in this state;*

b. *The lines of insurance and types of products offered by the insurer;*

c. *A statement from the applicable regulatory body of the insurer's domicile certifying that the insurer is licensed or registered for those lines of insurance and types of products in that domicile; and*

d. *A copy of the filings required by the applicable regulatory body of the insurer's country of domicile in that country's official language or in English, if available;*

4. *All certificates, policies, or contracts issued in this state showing coverage under the insurer's policy include the following statement in a contrasting color and at least 10-point type: "The policy providing your coverage and the insurer providing this policy have not been approved by the Florida Office of Insurance Regulation"; and*

5. *In the event the insurer ceases to do business from this state, the insurer will provide written notification to the office within 30 days after cessation.*

(b) *For purposes of this subsection, "nonresident" means a person who resides in and maintains a physical place of domicile in a country other than the United States, which he or she recognizes as and intends to maintain as his or her permanent home. A nonresident does not include an unauthorized immigrant present in the United States. Notwithstanding any other provision of law, it is conclusively presumed, for*

purposes of this subsection, that a person is a resident of the United States if such person has:

1. Had his or her principal place of domicile in the United States for 180 days or more in the 365 days prior to issuance or renewal of the policy;
2. Registered to vote in any state;
3. Made a statement of domicile in any state; or
4. Filed for homestead tax exemption on property in any state.

(c) Subject to the limitations provided in this subsection, services, including those listed in s. 624.10, may be provided by the insurer or an affiliated person as defined in s. 624.04 under common ownership or control with the insurer.

(d) An alien insurer transacting insurance in this state without complying with this subsection shall be in violation of this chapter and subject to the penalties provided in s. 624.15. (a) Life insurance policies or annuity contracts issued by an insurer domiciled outside the United States covering only persons who, at the time of issuance, are not residents of the United States and are not nonresidents illegally residing in the United States, provided:

1. The insurer must currently be an authorized insurer in its country of domicile as to the kind or kinds of insurance proposed to be offered and must have been such an insurer for not fewer than the immediately preceding 3 years, or must be the wholly owned subsidiary of such authorized insurer or must be the wholly owned subsidiary of an already eligible authorized insurer as to the kind or kinds of insurance proposed for a period of not fewer than the immediately preceding 3 years. However, the office may waive the 3 year requirement if the insurer has operated successfully for a period of at least the immediately preceding year and has capital and surplus of not less than \$25 million.

2. Before the office may grant eligibility, the requesting insurer shall furnish the office with a duly authenticated copy of its current annual financial statement, in English, and with all monetary values therein expressed in United States dollars, at an exchange rate then current and shown in the statement, in the case of statements originally made in the currencies of other countries, and with such additional information relative to the insurer as the office may request.

3. The insurer must have and maintain surplus as to policyholders of not less than \$15 million. Any such surplus as to policyholders shall be represented by investments consisting of eligible investments for like funds of like domestic insurers under part II of chapter 625; however, any such surplus as to policyholders may be represented by investments permitted by the domestic regulator of such alien insurance company if such investments are substantially similar in terms of quality, liquidity, and security to eligible investments for like funds of like domestic insurers under part II of chapter 625.

4. The insurer must be of good reputation as to the providing of service to its policyholders and the payment of losses and claims.

5. To maintain eligibility, the insurer shall furnish the office within the time period specified in s. 624.424(1)(a) a duly authenticated copy of its current annual and quarterly financial statements, in English, and with all monetary values therein expressed in United States dollars, at an exchange rate then current and shown in the statement, in the case of statements originally made in the currencies of other countries, and with such additional information relative to the insurer as the office may request.

6. An insurer receiving eligibility under this subsection shall agree to make its books and records pertaining to its operations in this state available for inspection during normal business hours upon request of the office.

7. The insurer shall provide to the applicant for the policy or contract a copy of the most recent quarterly financial statements of the insurer providing, in clear and conspicuous language:

a. The date of organization of the insurer.

b. The identity of and rating assigned by each recognized insurance company rating organization that has rated the insurer or, if applicable, that the insurer is unrated.

e. That the insurer does not hold a certificate of authority issued in this state and that the office does not exercise regulatory oversight over the insurer.

d. The identity and address of the regulatory authority exercising oversight of the insurer.

This paragraph does not impose upon the office any duty or responsibility to determine the actual financial condition or claims practices of any unauthorized insurer, and the status of eligibility, if granted by the office, indicates only that the insurer appears to be financially sound and to have satisfactory claims practices and that the office has no credible evidence to the contrary.

(b) If at any time the office has reason to believe that an insurer issuing policies or contracts pursuant to this subsection is insolvent or is in unsound financial condition, does not make reasonable prompt payment of benefits, or is no longer eligible under the conditions specified in this subsection, the office may conduct an examination or investigation in accordance with s. 624.316, s. 624.3161, or s. 624.320 and, if the findings of such examination or investigation warrant, may withdraw the eligibility of the insurer to issue policies or contracts pursuant to this subsection without having a certificate of authority issued by the office.

(c) This subsection does not provide an exception to the agent licensure requirements of chapter 626. Any insurer issuing policies or contracts pursuant to this subsection shall appoint the agents that the insurer uses to sell such policies or contracts as provided in chapter 626.

(d) An insurer issuing policies or contracts pursuant to this subsection is subject to part IX of chapter 626, Unfair Insurance Trade Practices, and the office may take such actions against the insurer for a violation as are provided in that part.

(e) Policies and contracts issued pursuant to this subsection are not subject to the premium tax specified in s. 624.509.

(f) Applications for life insurance coverage offered under this subsection must contain, in contrasting color and not less than 12 point type, the following statement on the same page as the applicant's signature:

This policy is primarily governed by the laws of a foreign country. As a result, all of the rating and underwriting laws applicable to policies filed in this state do not apply to this coverage, which may result in your premiums being higher than would be permissible under a Florida approved policy. Any purchase of individual life insurance should be considered carefully, as future medical conditions may make it impossible to qualify for another individual life policy. If the insurer issuing your policy becomes insolvent, this policy is not covered by the Florida Life and Health Insurance Guaranty Association. For information concerning individual life coverage under a Florida approved policy, consult your agent or the Florida Department of Financial Services.

(g) All life insurance policies and annuity contracts issued pursuant to this subsection must contain on the first page of the policy or contract, in contrasting color and not less than 10 point type, the following statement:

The benefits of the policy providing your coverage are governed primarily by the law of a country other than the United States.

(h) All single premium life insurance policies and single premium annuity contracts issued to persons who are not residents of the United States and are not nonresidents illegally residing in the United States pursuant to this subsection shall be subject to the provisions of chapter 896.

Section 5. Paragraph (d) of subsection (8) of section 624.424, Florida Statutes, is amended to read:

624.424 Annual statement and other information.—

(8)

(d) An insurer may not use the same accountant or partner of an accounting firm responsible for preparing the report required by this subsection for more than 5 7 consecutive years. Following this period, the insurer may not use such accountant or partner for a period of 5 2 years, but may use another accountant or partner of the same firm. An insurer may request the office to waive this prohibition based upon an unusual hardship to the insurer and a determination that the accountant is exercising independent judgment that is not unduly influenced by the insurer considering such factors as the number of partners, expertise of the partners or the number of insurance clients of the accounting firm; the premium volume of the insurer; and the number of jurisdictions in which the insurer transacts business.

Section 6. Effective upon this act becoming a law, section 626.207, Florida Statutes, is amended to read:

~~626.207 Disqualification of applicants and licensees; penalties against licensees; rulemaking authority Department rulemaking authority; waiting periods for applicants; penalties against licensees.—~~

~~(1) For purposes of this section, the term “financial services business” means any financial activity regulated by the Department of Financial Services, the Office of Insurance Regulation, or the Office of Financial Regulation. The department shall adopt rules establishing specific waiting periods for applicants to become eligible for licensure following denial, suspension, or revocation pursuant to s. 626.611, s. 626.621, s. 626.8437, s. 626.844, s. 626.935, s. 634.181, s. 634.191, s. 634.320, s. 634.321, s. 634.422, s. 634.423, s. 642.041, or s. 642.043. The purpose of the waiting periods is to provide sufficient time to demonstrate reformation of character and rehabilitation. The waiting periods shall vary based on the type of conduct and the length of time since the conduct occurred and shall also be based on the probability that the propensity to commit illegal conduct has been overcome. The waiting periods may be adjusted based on aggravating and mitigating factors established by rule and consistent with this purpose.~~

~~(2) For purposes of this section, the terms “felony of the first degree” and “capital felony” include all felonies designated as such by the Florida Statutes, as well as any felony so designated in the jurisdiction in which the plea is entered or judgment is rendered.~~

~~(3) An applicant who commits a felony of the first degree, a capital felony, a felony involving money laundering, fraud, or embezzlement, or a felony directly related to the financial services business is permanently barred from applying for a license under this part. This bar applies to convictions, guilty pleas, or nolo contendere pleas, regardless of adjudication, by any applicant, officer, director, majority owner, partner, manager, or other person who manages or controls any applicant.~~

~~(4) For all other crimes not included in subsection (3), the department shall adopt rules establishing the process and application of disqualifying periods that include:~~

~~(a) A 15-year disqualifying period for all felonies involving moral turpitude that are not specifically included in the permanent bar contained in subsection (3).~~

~~(b) A 7-year disqualifying period for all felonies to which neither the permanent bar in subsection (3) nor the 15-year disqualifying period in paragraph (a) applies.~~

~~(c) A 7-year disqualifying period for all misdemeanors directly related to the financial services business.~~

~~(5) The department shall adopt rules providing for additional disqualifying periods due to the commitment of multiple crimes and other factors reasonably related to the applicant’s criminal history. The rules shall provide for mitigating and aggravating factors. However, mitigation may not result in a period of disqualification of less than 7 years and may not mitigate the disqualifying periods in paragraphs (4)(b) and (c).~~

~~(6) For purposes of this section, the disqualifying periods begin upon the applicant’s final release from supervision or upon completion of the applicant’s criminal sentence, including payment of fines, restitution, and court costs for the crime for which the disqualifying period applies.~~

~~(7) After the disqualifying period has been met, the burden is on the applicant to demonstrate that the applicant has been rehabilitated, does not pose a risk to the insurance-buying public, is fit and trustworthy to~~

~~engage in the business of insurance pursuant to s. 626.611(7), and is otherwise qualified for licensure.~~

~~(8)(2) The department shall adopt rules establishing specific penalties against licensees in accordance with ss. 626.641 and 626.651 for violations of s. 626.611, s. 626.621, s. 626.8437, s. 626.844, s. 626.935, s. 634.181, s. 634.191, s. 634.320, s. 634.321, s. 634.422, s. 634.423, s. 642.041, or s. 642.043. The purpose of the revocation or suspension is to provide a sufficient penalty to deter future violations of the Florida Insurance Code. The imposition of a revocation or the length of suspension shall be based on the type of conduct and the probability that the propensity to commit further illegal conduct has been overcome at the time of eligibility for relicensure. The revocation or the length of suspension may be adjusted based on aggravating or mitigating factors, established by rule and consistent with this purpose.~~

~~(9) Section 112.011 does not apply to any applicants for licensure under the Florida Insurance Code, including, but not limited to, agents, agencies, adjusters, adjusting firms, customer representatives, or managing general agents.~~

Section 7. Subsection (3) of section 626.7451, Florida Statutes, is amended to read:

626.7451 Managing general agents; required contract provisions.— No person acting in the capacity of a managing general agent shall place business with an insurer unless there is in force a written contract between the parties which sets forth the responsibility for a particular function, specifies the division of responsibilities, and contains the following minimum provisions:

(3) All funds collected for the account of the insurer shall be held by the managing general agent in a fiduciary capacity in a bank which is insured by the Federal Deposit Insurance Corporation ~~a member of the Federal Reserve System~~. The This account shall be used for all payment as directed by the insurer. The managing general agent may retain up to ~~no more than~~ 60 days of estimated claims payments and allocated loss adjustment expenses.

For the purposes of this section and ss. 626.7453 and 626.7454, the term “controlling person” or “controlling” has the meaning set forth in s. 625.012(5)(b)1., and the term “controlled person” or “controlled” has the meaning set forth in s. 625.012(5)(b)2.

Section 8. Subsection (4) of section 626.8651, Florida Statutes, is amended to read:

626.8651 Public adjuster apprentice license; qualifications.—

(4) An applicant must have received designation as an Accredited Claims Adjuster (ACA), as a Certified Adjuster (CA), or as a Certified Claims Adjuster (CCA) after completion of training that qualifies the applicant to engage in the business of a public adjuster apprentice fairly and without injury to the public. Such training and instruction must address adjusting damages and losses under insurance contracts, the terms and effects of insurance contracts, and knowledge of the laws of this state relating to insurance contracts.

Section 9. Paragraphs (a) and (b) of subsection (1), paragraphs (a) and (b) of subsection (2), and subsection (4) of section 627.4133, Florida Statutes, are amended to read:

627.4133 Notice of cancellation, nonrenewal, or renewal premium.—

(1) Except as provided in subsection (2):

(a) An insurer issuing a policy providing coverage for workers’ compensation and employer’s liability insurance, property, casualty, except mortgage guaranty, surety, or marine insurance, other than motor vehicle insurance subject to s. 627.728, shall give the ~~first-named named~~ insured at least 45 days’ advance written notice of nonrenewal or of the renewal premium. If the policy is not to be renewed, the written notice shall state the reason or reasons as to why the policy is not to be renewed. This requirement applies only if the insured has furnished all of the necessary information so as to enable the insurer to develop the renewal premium prior to the expiration date of the policy to be renewed.

(b) An insurer issuing a policy providing coverage for property, casualty, except mortgage guaranty, surety, or marine insurance, other

than motor vehicle insurance subject to s. 627.728 or s. 627.7281, shall give the *first-named named* insured written notice of cancellation or termination other than nonrenewal at least 45 days prior to the effective date of the cancellation or termination, including in the written notice the reason or reasons for the cancellation or termination, except that:

1. When cancellation is for nonpayment of premium, at least 10 days' written notice of cancellation accompanied by the reason therefor shall be given. As used in this subparagraph *and s. 440.42(3)*, the term "nonpayment of premium" means failure of the named insured to discharge when due any of her or his obligations in connection with the payment of premiums on a policy or any installment of such premium, whether the premium is payable directly to the insurer or its agent or indirectly under any premium finance plan or extension of credit, or failure to maintain membership in an organization if such membership is a condition precedent to insurance coverage. "Nonpayment of premium" also means the failure of a financial institution to honor an insurance applicant's check after delivery to a licensed agent for payment of a premium, even if the agent has previously delivered or transferred the premium to the insurer. If a dishonored check represents the initial premium payment, the contract and all contractual obligations shall be void ab initio unless the nonpayment is cured within the earlier of 5 days after actual notice by certified mail is received by the applicant or 15 days after notice is sent to the applicant by certified mail or registered mail, and if the contract is void, any premium received by the insurer from a third party shall be refunded to that party in full; and

2. When such cancellation or termination occurs during the first 90 days during which the insurance is in force and the insurance is canceled or terminated for reasons other than nonpayment of premium, at least 20 days' written notice of cancellation or termination accompanied by the reason therefor shall be given except where there has been a material misstatement or misrepresentation or failure to comply with the underwriting requirements established by the insurer.

After the policy has been in effect for 90 days, no such policy shall be canceled by the insurer except when there has been a material misstatement, a nonpayment of premium, a failure to comply with underwriting requirements established by the insurer within 90 days of the date of effectuation of coverage, or a substantial change in the risk covered by the policy or when the cancellation is for all insureds under such policies for a given class of insureds. This subsection does not apply to individually rated risks having a policy term of less than 90 days.

(2) With respect to any personal lines or commercial residential property insurance policy, including, but not limited to, any homeowner's, mobile home owner's, farmowner's, condominium association, condominium unit owner's, apartment building, or other policy covering a residential structure or its contents:

(a) The insurer shall give the *first-named named* insured at least 45 days' advance written notice of the renewal premium.

(b) The insurer shall give the *first-named named* insured written notice of nonrenewal, cancellation, or termination at least 100 days prior to the effective date of the nonrenewal, cancellation, or termination. However, the insurer shall give at least 100 days' written notice, or written notice by June 1, whichever is earlier, for any nonrenewal, cancellation, or termination that would be effective between June 1 and November 30. The notice must include the reason or reasons for the nonrenewal, cancellation, or termination, except that:

1. The insurer shall give the *first-named named* insured written notice of nonrenewal, cancellation, or termination at least 180 days prior to the effective date of the nonrenewal, cancellation, or termination for a *first-named named* insured whose residential structure has been insured by that insurer or an affiliated insurer for at least a 5-year period immediately prior to the date of the written notice.

2. When cancellation is for nonpayment of premium, at least 10 days' written notice of cancellation accompanied by the reason therefor shall be given. As used in this subparagraph, the term "nonpayment of premium" means failure of the named insured to discharge when due any of her or his obligations in connection with the payment of premiums on a policy or any installment of such premium, whether the premium is payable directly to the insurer or its agent or indirectly under any premium finance plan or extension of credit, or failure to maintain membership in an organization if such membership is a condition precedent

to insurance coverage. "Nonpayment of premium" also means the failure of a financial institution to honor an insurance applicant's check after delivery to a licensed agent for payment of a premium, even if the agent has previously delivered or transferred the premium to the insurer. If a dishonored check represents the initial premium payment, the contract and all contractual obligations shall be void ab initio unless the nonpayment is cured within the earlier of 5 days after actual notice by certified mail is received by the applicant or 15 days after notice is sent to the applicant by certified mail or registered mail, and if the contract is void, any premium received by the insurer from a third party shall be refunded to that party in full.

3. When such cancellation or termination occurs during the first 90 days during which the insurance is in force and the insurance is canceled or terminated for reasons other than nonpayment of premium, at least 20 days' written notice of cancellation or termination accompanied by the reason therefor shall be given except where there has been a material misstatement or misrepresentation or failure to comply with the underwriting requirements established by the insurer.

4. The requirement for providing written notice of nonrenewal by June 1 of any nonrenewal that would be effective between June 1 and November 30 does not apply to the following situations, but the insurer remains subject to the requirement to provide such notice at least 100 days prior to the effective date of nonrenewal:

a. A policy that is nonrenewed due to a revision in the coverage for sinkhole losses and catastrophic ground cover collapse pursuant to s. 627.706, as amended by s. 30, chapter 2007-1, Laws of Florida.

b. A policy that is nonrenewed by Citizens Property Insurance Corporation, pursuant to s. 627.351(6), for a policy that has been assumed by an authorized insurer offering replacement or renewal coverage to the policyholder.

After the policy has been in effect for 90 days, the policy shall not be canceled by the insurer except when there has been a material misstatement, a nonpayment of premium, a failure to comply with underwriting requirements established by the insurer within 90 days of the date of effectuation of coverage, or a substantial change in the risk covered by the policy or when the cancellation is for all insureds under such policies for a given class of insureds. This paragraph does not apply to individually rated risks having a policy term of less than 90 days.

(4) Notwithstanding ~~the provisions of~~ s. 440.42(3), if cancellation of a policy providing coverage for workers' compensation and employer's liability insurance is requested *in writing* by the insured, such cancellation shall be effective on the date requested by the insured or, if no date is specified by the insured, cancellation shall be effective on the date of the written request. ~~The carrier is not required to send notice of cancellation to the insured if the cancellation is requested in writing by the insured the carrier sends the notice of cancellation to the insured.~~ Any retroactive assumption of coverage and liabilities under a policy providing workers' compensation and employer's liability insurance may not exceed 21 days.

Section 10. Subsection (3) is added to section 627.4137, Florida Statutes, to read:

627.4137 Disclosure of certain information required.—

(3) *Any request made to a self-insured corporation pursuant to this section shall be sent by certified mail to the registered agent of the disclosing entity.*

Section 11. Subsection (2) of section 627.7277, Florida Statutes, is amended to read:

627.7277 Notice of renewal premium.—

(2) An insurer shall mail or deliver to the *first-named insured* ~~its policyholder~~ at least 30 days' advance written notice of the renewal premium for the policy.

Section 12. Paragraph (a) of subsection (3), paragraphs (a) and (d) of subsection (4), and subsections (5) and (6) of section 627.728, Florida Statutes, are amended to read:

627.728 Cancellations; nonrenewals.—

(3)(a) No notice of cancellation of a policy to which this section applies shall be effective unless mailed or delivered by the insurer to the *first-named named* insured and to the *first-named named* insured's insurance agent at least 45 days prior to the effective date of cancellation, except that, when cancellation is for nonpayment of premium, at least 10 days' notice of cancellation accompanied by the reason therefor shall be given. No notice of cancellation of a policy to which this section applies shall be effective unless the reason or reasons for cancellation accompany the notice of cancellation.

(4)(a) No insurer shall fail to renew a policy unless it mails or delivers to the *first-named named* insured, at the address shown in the policy, and to the *first-named named* insured's insurance agent at her or his business address, at least 45 days' advance notice of its intention not to renew; and the reasons for refusal to renew must accompany such notice. This subsection does not apply:

1. If the insurer has manifested its willingness to renew; or
2. In case of nonpayment of premium.

Notwithstanding the failure of an insurer to comply with this subsection, the policy shall terminate on the effective date of any other automobile liability insurance policy procured by the insured with respect to any automobile designated in both policies. Unless a written explanation for refusal to renew accompanies the notice of intention not to renew, the policy shall remain in full force and effect.

(d) Instead of canceling or nonrenewing a policy, an insurer may, upon expiration of the policy term, transfer a policy to another insurer under the same ownership or management as the transferring insurer, by giving the *first-named named* insured at least 45 days' advance notice of its intent to transfer the policy and of the premium and the specific reasons for any increase in the premium.

(5) United States postal proof of mailing or certified or registered mailing of notice of cancellation, of intention not to renew, or of reasons for cancellation, or of the intention of the insurer to issue a policy by an insurer under the same ownership or management, to the *first-named named* insured at the address shown in the policy shall be sufficient proof of notice.

(6) When a policy is canceled, other than for nonpayment of premium, or in the event of failure to renew a policy to which subsection (4) applies, the insurer shall notify the *first-named named* insured of her or his possible eligibility for insurance through the Automobile Joint Underwriting Association. Such notice shall accompany or be included in the notice of cancellation or the notice of intent not to renew and shall state that such notice of availability of the Automobile Joint Underwriting Association is given pursuant to this section.

Section 13. Section 627.7281, Florida Statutes, is amended to read:

627.7281 Cancellation notice.—An insurer issuing a policy of motor vehicle insurance not covered under the cancellation provisions of s. 627.728 shall give the *first-named named* insured notice of cancellation at least 45 days prior to the effective date of cancellation, except that, when cancellation is for nonpayment of premium, at least 10 days' notice of cancellation accompanied by the reason therefor shall be given. As used in this section, "policy" does not include a binder as defined in s. 627.420 unless the duration of the binder period exceeds 60 days.

Section 14. Section 634.403, Florida Statutes, is amended to read:

634.403 License required; exemptions.—

(1) No person in this state shall provide or offer to provide service warranties to residents of this state unless authorized therefor under a subsisting license issued by the office. The service warranty association shall pay to the office a license fee of \$200 for such license for each license year, or part thereof, the license is in force.

(2) An insurer, while authorized to transact property or casualty insurance in this state, may also transact a service warranty business without additional qualifications or authority, but shall be otherwise subject to the applicable provisions of this part.

(3) The office may, pursuant to s. 120.569, in its discretion and without advance notice and hearing, issue an immediate final order to

cease and desist to any person or entity which violates this section. The Legislature finds that a violation of this section constitutes an imminent and immediate threat to the public health, safety, and welfare of the residents of this state.

(4) Any person that is an affiliate of a domestic insurer as defined in chapter 624 is exempt from application of this part if the person does not issue, or market or cause to be marketed, service warranties to residents of this state and does not administer service warranties that were originally issued to residents of this state. The domestic insurer or its wholly owned Florida licensed insurer must be the direct obligor of all service warranties issued by such affiliate or must issue a contractual liability insurance policy to such affiliate that meets the conditions described in s. 634.406(3). If the Office of Insurance Regulation determines, after notice and opportunity for a hearing, that a person's intentional business practices do not comply with any of the exemption requirements of this subsection, the person shall be subject to this part.

(5) A person is exempt from the license requirement in this section if the person complies with the following:

(a) The service warranties are only sold to nonresidents of this state and the person does not issue, market, or cause to be marketed service warranties to residents of this state.

(b) The person submits a letter of notification that provides the following information to the office upon the start of business from this state and annually thereafter by March 1:

1. The type of products offered and a statement certifying that the products are not regulated in the state in which the person is transacting business or that the person is licensed in the state in which the person is transacting business.

2. The name of the person, the state of domicile, the home address and address in this state of the person, the names of the owners and their percentage of ownership, the names of the officers and directors, the name, e-mail, and telephone number of a contact person, the states in which the person is transacting business, and how many individuals are employed in this state.

(c) If the person ceases to do business from this state, the person shall provide written notification to the office within 30 days after cessation of business.

(6)(5) Any person who provides, offers to provide, or holds oneself out as providing or offering to provide a service warranty to residents of ~~in~~ this state ~~or from this state~~ without holding a subsisting license commits, in addition to any other violation, a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 15. Section 627.442, Florida Statutes, is amended to read:

627.442 Insurance contracts.—

(1) A person who requires a workers' compensation insurance policy pursuant to a construction contract may not reject a workers' compensation insurance policy issued by a self-insurance fund that is subject to part V of chapter 631 based upon the self-insurance fund not being rated by a nationally recognized insurance rating service.

(2) Notwithstanding s. 440.381(3), premium audits are not required for workers' compensation coverage, other than an audit required by the insurance policy or an order of the office, or at least once each policy period, if requested by the insured.

Section 16. Subsections (4) and (7) of section 627.7295, Florida Statutes, are amended to read:

627.7295 Motor vehicle insurance contracts.—

(4) If subsection (7) does not apply, the insurer may cancel the policy in accordance with this code except that, notwithstanding s. 627.728, an insurer may not cancel a new policy or binder during the first 60 days immediately following the effective date of the policy or binder ~~except for nonpayment of premium unless the reason for the cancellation is the issuance of a check for the premium that is dishonored for any reason.~~

(7) A policy of private passenger motor vehicle insurance or a binder for such a policy may be initially issued in this state only if, *before the effective date of such binder or policy*, the insurer or agent has collected from the insured an amount equal to 2 months' premium. An insurer, agent, or premium finance company may not, directly or indirectly, take any action resulting in the insured having paid from the insured's own funds an amount less than the 2 months' premium required by this subsection. This subsection applies without regard to whether the premium is financed by a premium finance company or is paid pursuant to a periodic payment plan of an insurer or an insurance agent. This subsection does not apply if an insured or member of the insured's family is renewing or replacing a policy or a binder for such policy written by the same insurer or a member of the same insurer group. This subsection does not apply to an insurer that issues private passenger motor vehicle coverage primarily to active duty or former military personnel or their dependents. This subsection does not apply if all policy payments are paid pursuant to a payroll deduction plan or an automatic electronic funds transfer payment plan from the policyholder, ~~provided that the first policy payment is made by cash, cashier's check, check, or a money order.~~ This subsection and subsection (4) do not apply if all policy payments to an insurer are paid pursuant to an automatic electronic funds transfer payment plan from an agent, a managing general agent, or a premium finance company and if the policy includes, at a minimum, personal injury protection pursuant to ss. 627.730-627.7405; motor vehicle property damage liability pursuant to s. 627.7275; and bodily injury liability in at least the amount of \$10,000 because of bodily injury to, or death of, one person in any one accident and in the amount of \$20,000 because of bodily injury to, or death of, two or more persons in any one accident. This subsection and subsection (4) do not apply if an insured has had a policy in effect for at least 6 months, the insured's agent is terminated by the insurer that issued the policy, and the insured obtains coverage on the policy's renewal date with a new company through the terminated agent.

Section 17. Subsection (3) of section 626.916, Florida Statutes, is amended to read:

626.916 Eligibility for export.—

(3)(a) Subsection (1) does not apply to wet marine and transportation or aviation risks which are subject to s. 626.917.

(b) Paragraphs (1)(a)–(d) do not apply to classes of insurance which are subject to s. 627.062(3)(d)1. These classes may be exportable under the following conditions:

1. The insurance must be placed only by or through a surplus lines agent licensed in this state;
2. The insurer must be made eligible under s. 626.918; and
3. The insured must sign a disclosure that substantially provides the following: "You are agreeing to place coverage in the surplus lines market. Superior coverage may be available in the admitted market and at a lesser cost. Persons insured by surplus lines carriers are not protected under the Florida Insurance Guaranty Act with respect to any right of recovery for the obligation of an insolvent unlicensed insurer." If the notice is signed by the insured, the insured is presumed to have been informed and to know that other coverage may be available, and, with respect to the diligent-effort requirement under subsection (1), there is no liability on the part of, and no cause of action arises against, the retail agent presenting the form.

Section 18. The amendments to s. 626.207, Florida Statutes, made by this act do not apply retroactively and apply only to applicants whose applications are pending or submitted on or after the date that the amendments to s. 626.207, Florida Statutes, made by this act become law. This section shall take effect upon this act becoming a law.

Section 19. Paragraph (c) of subsection (7) of section 817.234, Florida Statutes, is amended, present subsection (12) of that section is renumbered as subsection (13), and a new subsection (12) is added to that section, to read:

817.234 False and fraudulent insurance claims.—

(7)

(c) An insurer, or any person acting at the direction of or on behalf of an insurer, may not change an opinion in a mental or physical report prepared under s. 627.736(8)(7) or direct the physician preparing the report to change such opinion; however, this provision does not preclude the insurer from calling to the attention of the physician errors of fact in the report based upon information in the claim file. Any person who violates this paragraph commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(12) *In addition to any criminal liability, a person convicted of violating any provision of this section for the purpose of receiving insurance proceeds from a motor vehicle insurance contract is subject to a civil penalty.*

(a) *Except for a violation of subsection (9), the civil penalty shall be:*

1. *A fine up to \$5,000 for a first offense.*
2. *A fine greater than \$5,000, but not to exceed \$10,000, for a second offense.*
3. *A fine greater than \$10,000, but not to exceed \$15,000, for a third or subsequent offense.*

(b) *The civil penalty for a violation of subsection (9) must be at least \$15,000 but may not exceed \$50,000.*

(c) *The civil penalty shall be paid to the Insurance Regulatory Trust Fund within the Department of Financial Services and used by the department for the investigation and prosecution of insurance fraud.*

(d) *This subsection does not prohibit a state attorney from entering into a written agreement in which the person charged with the violation does not admit to or deny the charges but consents to payment of the civil penalty.*

Section 20. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2011.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to insurance; amending s. 440.12, F.S.; authorizing payment of workers' compensation benefits on a prepaid card under certain circumstances; requiring the keeping and furnishing, upon request, of certain records; providing for the adoption of rules; amending s. 440.20, F.S.; specifying when an insurer's obligation to pay workers' compensation benefits is satisfied if payment is made on a prepaid card; amending s. 440.49, F.S.; revising the dates applicable to calculations of annual assessments upon certain workers' compensation insurers relating to the special disability trust fund; providing application to specified years and rate filings; amending s. 624.402, F.S.; providing an exemption from having to obtain a certificate of authority to insurers that cover only nonresidents of the United States under certain conditions; requiring such insurers to provide certain documentation to the Office of Insurance Regulation; requiring certificates, policies, or contracts issued by such insurers to include a disclaimer relating to the coverage provided; defining a "nonresident" for purposes of applying the exemption provided to such insurers from having to obtain a certificate of authority; providing penalties applicable to alien insurers who transact insurance without complying with certain provisions; deleting procedures and requirements relating to an exemption from obtaining a certificate of authority provided to alien insurers who issue life insurance policies and annuity contracts to certain nonresidents; amending s. 624.424, F.S.; revising the timeframes that limit how frequently an insurer may use the same accountant or partner to prepare an annual audited financial report; amending s. 626.207, F.S.; defining the term "financial services business"; precluding licensure under the Florida Insurance Code of specified persons who commit specified offenses; providing application to convictions and certain pleas, regardless of adjudication; establishing waiting periods relating to other specified offenses during which time an applicant is disqualified for licensure; granting rulemaking authority to the Department of Financial Services relating to specific penalties against licensees; clarifying rulemaking authority relating to penalties against licensees; providing that specified statutory provisions prohibiting prior crimes from being a bar to employment are not applicable to applicants for licensure under the Florida

Insurance Code; amending s. 626.7451, F.S.; requiring funds collected for an insurer to be held in a bank insured by the Federal Deposit Insurance Corporation; amending s. 626.8651, F.S.; revising requirements for a public adjuster apprentice license to include additional qualifying designations; amending s. 627.4133, F.S.; changing the designated person or persons who must be notified by an insurer from the “insured” to the “first-named insured” in situations involving the nonrenewal, renewal premium, cancellation, or termination of workers’ compensation, employer liability, or certain property and casualty insurance coverage; specifying that the date of cancellation of a workers’ compensation or employer’s liability policy is the date of the insured’s written request to cancel; amending s. 627.4137, F.S.; requiring a claimant’s request concerning insurance coverage to be served upon the disclosing entity in a specified manner; amending s. 627.7277, F.S.; making a conforming change that specifies the “first-named insured” as the person who is to receive notification of a renewal premium; amending s. 627.728, F.S.; changing the designated person or persons who must be notified by an insurer from the “insured” to the “first-named insured” in certain situations involving the cancellation or nonrenewal of motor vehicle insurance coverage; making a conforming change that specifies the “first-named insured’s insurance agent” as a person who is to receive certain notifications relating to motor vehicle insurance coverage; amending s. 627.7281, F.S.; making a conforming change that specifies the “first-named insured” as the person who is to receive notification of cancellation of motor vehicle insurance coverage; amending s. 634.403, F.S.; exempting certain persons providing service warranties relating to consumer products from licensing requirements under certain circumstances; amending s. 627.442, F.S.; limiting the requirement for premium audits of workers’ compensation coverage to specified instances; amending s. 627.7295, F.S.; providing application; requiring a certain amount of motor vehicle insurance premium to be paid before the effective date of a policy binder or policy in order to issue the binder or policy; authorizing an insurer to cancel certain motor vehicle insurance policies or binders for nonpayment of premium; removing a restriction requiring payment of the first policy payment of a motor vehicle insurance policy before issuance of a binder or policy when payments are being made in a specified manner; amending s. 626.916, F.S.; revising provisions relating to insurance coverage eligibility for export under the Surplus Lines Law; providing applicability; amending s. 817.234, F.S.; revising a cross-reference; providing civil penalties consisting of monetary fines relating to making false and fraudulent insurance claims for the purpose of receiving motor vehicle insurance proceeds; providing escalating monetary fines for repeat offenses; providing a mandatory minimum civil fine relating to certain international motor vehicle accident schemes; allocating fine revenues to a specified trust fund for specified purposes; authorizing certain agreements between a defendant and a state attorney relating to the payment of civil fines for making false and fraudulent insurance claims for the purpose of receiving motor vehicle insurance proceeds; providing effective dates.

MOTION

On motion by Senator Richter, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Richter moved the following amendment to **Amendment 1**:

Amendment 1A (570070) (with title amendment)—Between lines 861 and 862 insert:

Section 19. Subsection (17) is added to section 627.736, Florida Statutes, to read:

627.736 Required personal injury protection benefits; exclusions; priority; claims.—

(17) *ATTORNEY’S FEES.*—Notwithstanding s. 627.428, the attorney’s fees recoverable under ss. 627.730-627.7407 shall be calculated without regard to any contingency risk multiplier.

And the title is amended as follows:

Delete line 1009 and insert: providing applicability; amending s. 627.736, F.S.; providing for certain awards of attorney’s fees to be calculated without regard to any contingency risk multiplier; amending s. 817.234, F.S.;

On motion by Senator Smith, further consideration of **CS for CS for SB 1252** with pending **Amendment 1 (694784)** and **Amendment 1A (570070)** was deferred.

LOCAL BILL CALENDAR

The Senate resumed consideration of—

SB 1980—A bill to be entitled An act relating to the Lealman Special Fire Control District, Pinellas County; amending chapter 2000-426, Laws of Florida, as amended; reducing the maximum ad valorem millage rate that may be levied by the district; providing requirements for the annexation of the unincorporated territory of the district by a municipality; requiring the approval of an annexation by a referendum of the electors within the district; providing for future expiration of the requirements for annexation; providing an effective date.

—which was previously considered this day.

On motion by Senator Latvala, **SB 1980** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

HB 229—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending chapter 23559, Laws of Florida, 1945, as amended; revising the General Employees’ Pension Plan for the City of Tampa; revising the definitions of the terms “Salaries or Wages,” “Employee,” and “Military Service Time”; revising application of the term “Actuarial Equivalent”; defining the term “Limitation Year”; providing that all employee contributions to the pension fund after a certain date are mandatory and that the city shall pay such contributions to the fund on behalf of the employee; providing certain beneficiaries an option to roll over certain death benefits; providing for a refund of employee contributions; revising the provision that addresses the reemployment of retired employees; revising construction of the act; allowing DROP members the opportunity to elect an investment option, as determined by the board of trustees, to be applied to the participant’s account for the plan year entering the DROP program and for each subsequent plan year; revising benefit limitations; revising requirements for distribution of benefits; providing a default distribution when a member fails to elect a distribution option; revising direct rollover options; revising the definitions of the terms “eligible rollover distribution,” “eligible rollover plan,” and “distributee”; providing an effective date.

—which was previously considered this day.

On motion by Senator Joyner, **HB 229** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bogdanoff	Dockery
Alexander	Braynon	Evers
Altman	Dean	Fasano
Benacquisto	Detert	Flores
Bennett	Diaz de la Portilla	Gaetz

Garcia	Margolis	Sachs
Gardiner	Montford	Simmons
Hays	Negron	Siplin
Hill	Norman	Smith
Jones	Oelrich	Sobel
Joyner	Rich	Storms
Latvala	Richter	Thrasher
Lynn	Ring	Wise

Nays—None

The Senate resumed consideration of—

CS for HB 231—A bill to be entitled An act relating to the City Pension Fund for Firefighters and Police Officers in the City of Tampa, Hillsborough County; authorizing the City of Tampa to enter into a supplemental contract with certain firefighters and police officers to comply with chapter 2009-97, Laws of Florida; revising the manner in which elective trustees are elected; increasing the maximum length of time prior to term commencement in which to conduct trustee elections; allowing the board to retain the services of more than one nationally recognized professional investment counselor; increasing the investment cap on foreign securities; providing that the investment cap on foreign securities is measured on a market value basis and may not be revised, amended, increased, or repealed except as provided by general law; allowing retired members to elect to receive a reduced retirement benefit in order to provide a surviving spouse benefit under certain circumstances; allowing members to purchase up to an additional 5 years of credited service based upon prior service as a full-time certified firefighter or certified police officer or for military service in the Armed Forces of the United States subject to certain conditions; allowing DROP participants upon entering DROP and annually thereafter to elect an option for accruing annual interest at a low-risk variable rate selected annually by the board of trustees, in its sole discretion, in lieu of a rate reflecting the fund's net investment performance, as determined by the board of trustees; prohibiting members from selecting certain pension contract changes and rejecting others; confirming in part the City of Tampa Firefighters and Police Officers Pension Contract; providing for severability; providing an effective date.

—which was previously considered this day.

On motion by Senator Joyner, **CS for HB 231** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

HB 233—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue an alcoholic beverage license to the City of Tampa for use within the buildings and adjoining grounds of Curtis Hixon Waterfront Park and Kiley Garden Park; providing for payment of the license fee; authorizing sale of alcoholic beverages for consumption within the buildings and their adjoining grounds; prohibiting sales for consumption off

premises; providing for construction of this act; authorizing transfer and providing for subsequent reversion of the license under certain circumstances; providing an effective date.

—which was previously considered this day.

On motion by Senator Joyner, **HB 233** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

HB 529—A bill to be entitled An act relating to the Lee County Sheriff's Office; amending chapter 74-522, Laws of Florida, as amended; providing that certain retirement health insurance benefits shall not be available to specified employees; providing an effective date.

—which was previously considered this day.

On motion by Senator Benacquisto, **HB 529** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

CS for HB 555—A bill to be entitled An act relating to Indian River Mosquito Control District, Indian River County; amending chapter 2006-344, Laws of Florida; revising the powers of the board of commissioners relating to the employment of certain persons; specifying the provisions of law governing the election of commissioners and removing obsolete provisions for the staggering of initial terms; requiring the district to pay for the surety bonds required of commissioners before they assume office; requiring commissioners to elect a secretary/treasurer for the board; revising per diem and travel expense provisions for commissioners and employees; revising powers of the board relating to the control of mosquitoes and sandflies and deleting the power of the board to eliminate all species of mosquitoes and sandflies in the district; revising provisions relating to the board's purchasing, borrowing, and insurance requirements; providing an effective date.

—which was previously considered this day.

On motion by Senator Negrón, **CS for HB 555** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negrón	Wise

Nays—None

The Senate resumed consideration of—

HB 657—A bill to be entitled

An act relating to Martin County; amending chapter 63-1619, Laws of Florida, as amended; limiting the issuance of special alcoholic beverage licenses to restaurants that serve a certain number of patrons, occupy a certain amount of floor space, and are located within the legal boundaries of the community redevelopment areas of the county; providing an effective date.

—which was previously considered this day.

On motion by Senator Negrón, **HB 657** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negrón	Wise

Nays—None

The Senate resumed consideration of—

HB 659—A bill to be entitled An act relating to Martin County; amending chapter 65-1906, as amended; revising the membership of the County Health Care Review Board; providing an effective date.

—which was previously considered this day.

On motion by Senator Negrón, **HB 659** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Benacquisto	Braynon
Alexander	Bennett	Dean
Altman	Bogdanoff	Detert

Diaz de la Portilla	Jones	Richter
Dockery	Joyner	Ring
Evers	Latvala	Sachs
Fasano	Lynn	Simmons
Flores	Margolis	Siplin
Gaetz	Montford	Smith
Garcia	Negrón	Sobel
Gardiner	Norman	Storms
Hays	Oelrich	Thrasher
Hill	Rich	Wise

Nays—None

The Senate resumed consideration of—

HB 699—A bill to be entitled An act relating to the Southeast Volusia Hospital District, Volusia County; amending chapter 2003-310, Laws of Florida; expanding the representation of the Southeast Volusia Hospital District governing body; providing an effective date.

—which was previously considered this day.

On motion by Senator Lynn, **HB 699** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negrón	Wise

Nays—None

The Senate resumed consideration of—

HB 741—A bill to be entitled An act relating to the Lake Worth Drainage District, Palm Beach County; amending chapter 2009-258, Laws of Florida; authorizing the district to develop and operate water supply sources and facilities and to enter into interlocal agreements with local governments and public and private utilities for such purpose; providing for issuance of notes and bonds; prohibiting the district from engaging in retail water sales; providing an effective date.

—which was previously considered this day.

On motion by Senator Benacquisto, **HB 741** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Montford
Alexander	Flores	Negrón
Altman	Gaetz	Norman
Benacquisto	Garcia	Oelrich
Bennett	Gardiner	Rich
Bogdanoff	Hays	Richter
Braynon	Hill	Ring
Dean	Jones	Sachs
Detert	Joyner	Simmons
Diaz de la Portilla	Latvala	Siplin
Dockery	Lynn	Smith
Evers	Margolis	Sobel

Storms Thrasher Wise

Nays—None

The Senate resumed consideration of—

CS for HB 745—A bill to be entitled An act relating to the Polk County Historical Commission, Polk County; amending chapter 96-462, Laws of Florida; revising the number of commission members; providing for membership eligibility, terms of membership, meetings, attendance at meetings, and rules of procedure; providing for staff; providing powers and duties; providing for funding and the creation of dedicated accounts for the Polk County Historical Museum and the Genealogical Library; deleting provisions relating to the Polk County Historical Association; requiring the board of county commissioners to provide a repository for certain materials; providing an effective date.

—which was previously considered this day.

On motion by Senator Alexander, **CS for HB 745** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

HB 861—A bill to be entitled An act relating to the North Springs Improvement District, Broward County; amending chapter 2005-341, Laws of Florida, as amended; extending and enlarging the boundaries of the district; providing an effective date.

—which was previously considered this day.

On motion by Senator Smith, **HB 861** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

HB 865—A bill to be entitled An act relating to the Town of Southwest Ranches, Broward County; amending chapter 2000-475, Laws of Florida; amending the town's charter to remove inapplicable provisions and to make ministerial changes; providing further description of the town's rural residential character; eliminating previously repealed language; providing additional language relating to filling council vacancies; clarifying that only the town council is required to vote by roll call; clarifying that a roll call vote is required by the town council on all land use and quasi-judicial items; providing an effective date.

—which was previously considered this day.

On motion by Senator Smith, **HB 865** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

CS for HB 869—A bill to be entitled An act relating to the Manatee County Port Authority; amending chapter 2003-351, Laws of Florida; providing for the conveyance of title to submerged lands adjacent to the port authority's boundaries from the Board of Trustees of the Internal Improvement Trust Fund; defining the territorial boundaries of the submerged lands; providing an effective date.

—which was previously considered this day.

On motion by Senator Bennett, **CS for HB 869** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

HB 985—A bill to be entitled An act relating to Hillsborough County; amending chapter 2004-414, Laws of Florida, as amended, which relates to projects for which payment and performance bonds may be waived for the construction of a public building, for the prosecution and completion of a public work, or for repairs on a public building or public work when the cost of the project is at or below a certain threshold and the contract

for the construction, completion, or repair is awarded pursuant to an economic development program established to encourage local small businesses to participate in county procurement programs; deferring the future repeal of the law; providing an effective date.

—which was previously considered this day.

On motion by Senator Joyner, **HB 985** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

HB 1009—A bill to be entitled An act relating to the City of Jacksonville, Duval County; amending chapter 87-471, Laws of Florida; adding a special zone in downtown Jacksonville; providing exception for space and seating requirements for liquor licenses for restaurants in the zone; providing an effective date.

—which was previously considered this day.

On motion by Senator Wise, **HB 1009** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

HB 1045—A bill to be entitled An act relating to the Loxahatchee Groves Water Control District, Palm Beach County; amending chapter 99-425, Laws of Florida, as amended; providing for the dedication of the width of roads to the public; providing requirements for such dedication; providing for prima facie evidence of public road easements; exempting certain property of an electric utility; assigning traffic control jurisdiction on all public roads within the district to the Town of Loxahatchee Groves; providing an effective date.

—which was previously considered this day.

On motion by Senator Smith, **HB 1045** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

CS for HB 1063—A bill to be entitled An act relating to the Canaveral Port District, Brevard County; amending chapter 2003-335, Laws of Florida, as amended; increasing the amount for which the Canaveral Port Authority may encumber personal properties and facilities of the authority; increasing the amount for which contracts for construction, improvement, repair, or building may be entered into or goods, supplies, or materials may be purchased by the district or authority; providing an effective date.

—which was previously considered this day.

On motion by Senator Altman, **CS for HB 1063** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

CS for HB 1293—A bill to be entitled An act relating to Brevard County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue an alcoholic beverage license to the Brevard Art Museum, Inc., for use within the museum's buildings; requiring payment of a license fee; providing for the sale of beverages for consumption at the museum; providing for transfer of the license; providing an effective date.

—which was previously considered this day.

On motion by Senator Altman, **CS for HB 1293** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Alexander	Altman
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Benacquisto	Garcia	Oelrich
Bennett	Gardiner	Rich
Bogdanoff	Hays	Richter
Braynon	Hill	Ring
Dean	Jones	Sachs
Detert	Joyner	Simmons
Diaz de la Portilla	Latvala	Siplin
Dockery	Lynn	Smith
Evers	Margolis	Sobel
Fasano	Montford	Storms
Flores	Negron	Thrasher
Gaetz	Norman	Wise

Nays—None

The Senate resumed consideration of—

HB 1307—A bill to be entitled An act relating to the City of Mount Dora, Lake County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue up to a specified number of temporary permits to a nonprofit civic organization to sell alcoholic beverages for consumption on the premises at outdoor events on public right-of-way in the downtown area of Mount Dora; providing that such events require a street-closure permit from the City of Mount Dora; providing that the permits authorized by the act are in addition to certain other authorized temporary permits; requiring the nonprofit civic organization to comply with certain statutory requirements in obtaining the permits authorized by the act; requiring the division to adopt rules; providing an effective date.

—which was previously considered this day.

On motion by Senator Dockery, **HB 1307** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

HB 1311—A bill to be entitled An act relating to Walton County; providing that certain rigid coastal armoring structures constructed during a specified time may remain without the need to obtain a Department of Environmental Protection permit; providing conditions applicable to such structures; providing definitions; providing an effective date.

—which was previously considered this day.

On motion by Senator Gaetz, **HB 1311** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bennett	Detert
Alexander	Bogdanoff	Diaz de la Portilla
Altman	Braynon	Dockery
Benacquisto	Dean	Evers

Fasano	Latvala	Ring
Flores	Lynn	Sachs
Gaetz	Margolis	Simmons
Garcia	Montford	Siplin
Gardiner	Negron	Smith
Hays	Norman	Sobel
Hill	Oelrich	Storms
Jones	Rich	Thrasher
Joyner	Richter	Wise

Nays—None

The Senate resumed consideration of—

CS for HB 1317—A bill to be entitled An act relating to Nassau County; creating the Nassau County targeted job creation zone pilot project; authorizing Nassau County to designate specified areas as targeted job creation zones and to implement specified exceptions, strategies, and incentives; providing for an alternative process for adoption and review of specified local government comprehensive plan amendments; providing for repeal of the pilot project; providing an effective date.

—which was previously considered this day.

On motion by Senator Wise, **CS for HB 1317** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

CS for HB 1345—A bill to be entitled An act relating to the Charlotte County Airport Authority, Charlotte County; amending chapter 98-508, Laws of Florida, as amended; revising various provisions of the Charlotte County Airport Authority Act; revising definitions; expanding the purpose of the authority; revising provisions relating to members, officers, compensation, and meetings; revising powers of the authority; revising requirements for the expenditure of funds; providing an effective date.

—which was previously considered this day.

On motion by Senator Detert, **CS for HB 1345** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Hill
Alexander	Dockery	Jones
Altman	Evers	Joyner
Benacquisto	Fasano	Latvala
Bennett	Flores	Lynn
Bogdanoff	Gaetz	Margolis
Braynon	Garcia	Montford
Dean	Gardiner	Negron
Detert	Hays	Norman

Oelrich	Sachs	Sobel
Rich	Simmons	Storms
Richter	Siplin	Thrasher
Ring	Smith	Wise

Nays—None

The Senate resumed consideration of—

HB 1351—A bill to be entitled An act relating to the South Broward Drainage District, Broward County; amending chapter 98-524, Laws of Florida, as amended; revising and providing definitions; conforming terminology; deleting and updating obsolete provisions; revising inconsistent provisions; revising the method of deciding elections of commissioners in the event of a tie vote; clarifying language relating to the imposition of district assessments and taxes; clarifying the type of property subject to district rules, criteria, and regulations; authorizing the board to take appropriate action as may be required of the district by another governmental agency; requiring the district to take designated water control elevations into consideration for all projects within the district; authorizing the treasurer, rather than the secretary, of the board to be involved in the preparation of the district’s budget; clarifying procedures relating to special assessments; authorizing the treasurer to prepare the district tax record; requiring the district to prepare plans, specifications, and estimates for improvements; authorizing the district director to implement certain activities and receive documents relating to special assessments; conforming cross-references; prohibiting obstruction, damage, or destruction of district facilities and noncompliance with the district’s 5-year recertification program rules, criteria, or regulations; clarifying applicability; providing severability; providing an effective date.

—which was previously considered this day.

On motion by Senator Smith, **HB 1351** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

CS for HB 1489—A bill to be entitled An act relating to Sebring Airport Authority, Highlands County; amending chapter 2005-300, Laws of Florida; revising powers of the authority; providing that the authority may acquire, lease as lessee or lessor, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain, and operate commercial and industrial facilities; providing that the authority may establish, operate, and maintain foreign-trade zone status under the alternative site framework in DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee Counties and the Cities of Belle Glade, Pahokee, and South Bay; expanding the power of the authority to purchase commodities or contractual services; providing an effective date.

—which was previously considered this day.

On motion by Senator Alexander, **CS for HB 1489** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

HB 4191—A bill to be entitled An act relating to Palm Beach County; amending chapter 96-466, Laws of Florida; deleting obsolete provisions relating to the establishment of an advisory committee to advise the Palm Beach County Board of County Commissioners on improvements, operations, maintenance, and enhancement of the South Lake Worth Inlet and adjacent property and to assist in the development, coordination, and public review of the Inlet Management Plan; providing an effective date.

—which was previously considered this day.

On motion by Senator Bogdanoff, **HB 4191** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

HB 4197—A bill to be entitled An act relating to Okaloosa County; repealing chapter 81-442, Laws of Florida, relating to the establishment and duties of the Personnel Standards and Review Board for the Okaloosa County Sheriff’s Department; repealing chapters 85-472 and 90-492, Laws of Florida, to conform; providing an effective date.

—which was previously considered this day.

On motion by Senator Gaetz, **HB 4197** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Braynon	Fasano
Alexander	Dean	Flores
Altman	Detert	Gaetz
Benacquisto	Diaz de la Portilla	Garcia
Bennett	Dockery	Gardiner
Bogdanoff	Evers	Hays

Hill	Negron	Simmons
Jones	Norman	Siplin
Joyner	Oelrich	Smith
Latvala	Rich	Sobel
Lynn	Richter	Storms
Margolis	Ring	Thrasher
Montford	Sachs	Wise

Nays—None

Nays—None

The Senate resumed consideration of—

HB 4203—A bill to be entitled An act relating to Okaloosa County; repealing chapter 69-798, Laws of Florida, relating to an exception for certain restaurants in the county to the limitation under general law on the number of alcoholic beverage licenses allowed to be issued in the county, to provide for the issuance of such licenses to restaurants in the county in excess of such limitation in accordance with the criteria and conditions specified in general law; providing an effective date.

—which was previously considered this day.

On motion by Senator Gaetz, **HB 4203** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Senate resumed consideration of—

HB 4205—A bill to be entitled An act relating to the Pinecraft Lighting District, Sarasota County; abolishing the district; repealing chapters 67-2050, 69-1588, 70-931, 71-911, 72-689, and 76-486, Laws of Florida; transferring all assets and liabilities of the district to Sarasota County; providing an effective date.

—which was previously considered this day.

On motion by Senator Detert, **HB 4205** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

SPECIAL ORDER CALENDAR

The Senate resumed consideration of—

CS for CS for SB 1252—A bill to be entitled An act relating to insurance; amending s. 120.80, F.S.; allowing the Division of Administrative Hearings to have final order authority with respect to certain license applicants; amending s. 316.066, F.S.; revising the type of information that must be included in crash reports; authorizing the investigating officer to testify at trial or provide an affidavit concerning the content of the reports; amending ss. 440.12 and 440.20, F.S.; authorizing the payment of workers' compensation benefits through the use of a prepaid card; providing requirements; amending s. 440.49, F.S.; specifying that the assessment for the Special Disability Trust Fund be applied on a calendar year basis; amending s. 624.402, F.S.; revising provisions relating to certain insurers covering nonresidents domiciled outside the United States who are exempt from requirements to obtain a certificate of authority; amending s. 626.207, F.S., relating to penalties; providing definitions; barring persons convicted of certain crimes from licensure as an insurance agent; revising provisions relating to disqualifying periods for persons convicted of other crimes; providing an exemption from the limitation against state employment for persons convicted of certain crimes; amending s. 627.4133, F.S.; changing the designated person or persons who must be notified by an insurer from the "insured" to the "first-named insured" in situations involving the nonrenewal, renewal premium, cancellation, or termination of workers' compensation, employer liability, or certain property and casualty insurance coverage; specifying the effective date for the cancellation of a policy requested in writing by the insured; amending s. 627.4137, F.S.; requiring a claimant's request about insurance coverage to be appropriately served upon the disclosing entity; amending s. 627.442, F.S.; providing that premium audits for workers' compensation coverage is not required; providing exceptions; amending s. 627.7277, F.S.; making a conforming change that specifies the "first-named insured" as the person who is to receive notification of a renewal premium; amending s. 627.728, F.S.; changing the designated person or persons who must be notified by an insurer from the "insured" to the "first-named insured" in certain situations involving the cancellation or nonrenewal of motor vehicle insurance coverage; making a conforming change that specifies the "first-named insured's insurance agent" as a person who is to receive certain notifications relating to motor vehicle insurance coverage; amending s. 627.7281, F.S.; making a conforming change that specifies the "first-named insured" as the person who is to receive notification of cancellation of motor vehicle insurance coverage; amending s. 627.7295, F.S.; providing that a binder or policy for motor vehicle insurance is not effective until a certain amount of the premium is paid; amending s. 628.901, F.S.; providing definitions; repealing s. 628.903, F.S., relating to the definition of the term "industrial insured captive insurer"; amending s. 628.905, F.S.; requiring a captive insurer to obtain a license and to file evidence that a person or firm with whom it intends to conduct business is reputable; providing that a certificate of insurance for an association captive insurer does not exceed the total funds of the association members; creating s. 628.908, F.S.; requiring a licensed captive insurer to maintain its principal place of business in this state and hold an annual meeting in this state; amending s. 628.909, F.S.; applying additional provisions of the insurance code to captive insurers; amending s. 634.403, F.S.; exempting certain persons from service warranty licensure requirements under certain circumstances; amending s. 817.234, F.S.; providing civil penalties for fraudulent insurance claims; providing effective dates.

—which was previously considered this day with pending **Amendment 1 (694784)** by Senator Smith and **Amendment 1A (570070)** by Senator Richter.

POINT OF ORDER

Senator Jones raised a point of order that Senator Richter's amendment is the substance of a bill now residing in a Senate Committee and pursuant to Rule 7.1 **Amendment 1A (570070)** contains language of a bill not reported favorably by a Senate committee and is therefore out of order.

The President referred the point of order and the amendment to Senator Thrasher, Chair of the Committee on Rules.

On motion by Senator Smith, further consideration of **CS for CS for SB 1252** with pending **Amendment 1 (694784)** and **Amendment 1A (570070)** with pending point of order was deferred.

On motion by Senator Hays—

CS for SB 1590—A bill to be entitled An act relating to medical malpractice; creating ss. 458.3175, 459.0066, and 466.005, F.S.; requiring the Department of Health to issue expert witness certificates to certain physicians and dentists licensed outside the state; providing application and certification requirements; establishing application fees; providing for the validity and use of certifications; exempting physicians and dentists issued certifications from certain licensure and fee requirements; amending ss. 458.331, 459.015, and 466.028, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; providing construction with respect to the doctrine of incorporation by reference; amending ss. 458.351 and 459.026, F.S.; requiring the Board of Medicine and the Board of Osteopathic Medicine to adopt within a specified period certain patient forms specifying cataract surgery risks; specifying that an incident resulting from risks disclosed in the patient form is not an adverse incident; providing for the execution and admissibility of the patient forms in civil and administrative proceedings; creating a rebuttable presumption that a physician disclosed cataract surgery risks if the patient form is executed; amending s. 627.4147, F.S.; deleting a requirement that medical malpractice insurance contracts contain a clause authorizing the insurer to make and conclude certain offers within policy limits over the insured’s veto; amending s. 766.102, F.S.; defining terms; providing that certain insurance information is not admissible as evidence in medical negligence actions; establishing the burden of proof that a claimant must meet in certain damage claims against health care providers based on death or personal injury; requiring that certain expert witnesses who provide certain expert testimony meet certain licensure or certification requirements; excluding a health care provider’s failure to comply with or breach of federal requirements from evidence in medical negligence cases in the state; amending s. 766.106, F.S.; requiring claimants for medical malpractice to execute an authorization form; allowing prospective medical malpractice defendants to interview a claimant’s treating health care provider without notice to or the presence of the claimant or the claimant’s legal representative; authorizing prospective defendants to take unsworn statements of a claimant’s health care provider; creating s. 766.1065, F.S.; requiring that presuit notice for medical negligence claims be accompanied by an authorization for release of protected health information; providing requirements for the form of such authorization; amending s. 766.206, F.S.; requiring dismissal of a medical malpractice claim if such authorization is not completed in good faith; amending s. 768.0981, F.S.; limiting the liability of hospitals related to certain medical negligence claims; providing an effective date.

—was read the second time by title.

Senator Hays moved the following amendment:

Amendment 1 (947994) (with title amendment)—Delete lines 557 and 558 and insert: *the presence of the claimant or the claimant’s legal representative.*

And the title is amended as follows:

Delete line 46 and insert: *treating health care provider without the*

MOTION

On motion by Senator Flores, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Flores moved the following substitute amendment which was adopted:

Amendment 2 (831356) (with title amendment)—Delete lines 554-559 and insert: 5. *Unsworn statements of treating health care providers*

And the title is amended as follows:

Delete lines 44-48 and insert: *authorization form; authorizing prospective defendants to*

The vote was:

Yeas—26

Altman	Flores	Rich
Bennett	Garcia	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Detert	Joyner	Siplin
Diaz de la Portilla	Margolis	Smith
Dockery	Montford	Storms
Evers	Negron	Wise
Fasano	Norman	

Nays—13

Mr. President	Gardiner	Richter
Alexander	Hays	Sobel
Benacquisto	Latvala	Thrasher
Dean	Lynn	
Gaetz	Oelrich	

Senator Hays moved the following amendment which was adopted:

Amendment 3 (391804) (with title amendment)—Between lines 727 and 728 insert:

Section 15. Section 768.135, Florida Statutes, is amended to read:

768.135 Volunteer team physicians; immunity.—

(1) *As used in this section, the term “volunteer team physician” means any person licensed to practice medicine pursuant to chapter 458, chapter 459, chapter 460, chapter 461, or chapter 466:*

(a)(1) *Who is acting in the capacity of a volunteer team physician in attendance at an athletic event sponsored by a public or private elementary or secondary school; and*

(b)(2) *Who gratuitously and in good faith prior to the athletic event agrees to render emergency care or treatment to any participant in such event in connection with an emergency arising during or as the result of such event, without objection of such participant.;*

(2) *A volunteer team physician is shall not be held liable for any civil damages as a result of such care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment unless the when such care or treatment was rendered in a wrongful manner as a reasonably prudent person similarly licensed to practice medicine would have acted under the same or similar circumstances.*

(3) *A practitioner licensed under chapter 458, chapter 459, chapter 460, or s. 464.012 who gratuitously and in good faith conducts an evaluation pursuant to s. 1006.20(2)(c) is not liable for any civil damages arising from that evaluation unless the evaluation was conducted in a wrongful manner.*

(4) *As used in this section, the term “wrongful manner” means in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property, and shall be construed in conformity with the standard set forth in s. 768.28(9)(a).*

And the title is amended as follows:

Delete line 59 and insert: *medical negligence claims; amending s. 768.135, F.S.; defining the term “volunteer team physician”; providing that a volunteer team physician is not liable for civil damages unless treatment was rendered in a wrongful manner; providing that certain practitioners who conduct certain evaluations are not liable for civil damages unless the evaluation was conducted in a wrongful manner; defining the term “wrongful manner”; providing an effective*

MOTION

On motion by Senator Hays, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Hays moved the following amendments which were adopted:

Amendment 4 (653180)—Delete line 171 and insert: *expert witness certificate within 10 business days after receipt*

Amendment 5 (729322)—Delete line 81 and insert: *expert witness certificate within 10 business days after receipt*

Amendment 6 (661722)—Delete line 233 and insert: *expert witness certificate within 10 business days after receipt*

Amendment 7 (525928)—Delete line 119 and insert:

(oo) *Providing deceptive or fraudulent expert*

Amendment 8 (101794)—Delete line 209 and insert:

(qq) *Providing deceptive or fraudulent expert*

Amendment 9 (372048)—Delete line 269 and insert:

(11) *Providing deceptive or fraudulent expert*

MOTION

On motion by Senator Diaz de la Portilla, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Diaz de la Portilla moved the following amendment which was adopted:

Amendment 10 (939424) (with title amendment)—Delete lines 716-727.

And the title is amended as follows:

Delete lines 57-59 and insert: *completed in good faith; providing an effective*

SENATOR FASANO PRESIDING**THE PRESIDENT PRESIDING****MOTION**

On motion by Senator Storms, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Storms moved the following amendments which failed:

Amendment 11 (902516) (with title amendment)—Delete lines 462-468 and insert:

(12) *In any action for medical negligence brought pursuant to this chapter, if the court finds by clear and convincing evidence that a health care provider as defined in s. 766.101(1)(b) has knowingly provided misleading, deceptive, or fraudulent expert witness testimony in the proceeding, the court shall certify its findings to the applicable agency by which the health care provider is licensed for disciplinary action and to the appropriate state attorney for prosecution pursuant to chapter 837.*

And the title is amended as follows:

Delete lines 36-39 and insert: *providers based on death or personal injury; requiring the court in certain proceedings to certify its findings to certain agencies for disciplinary action or prosecution if the health care provider knowingly provided misleading, deceptive, or fraudulent expert witness testimony; excluding a health care*

Amendment 12 (178504) (with title amendment)—Delete lines 217-260.

And the title is amended as follows:

Delete lines 2-11 and insert: *An act relating to medical malpractice; amending ss. 458.331, 459.015, and*

Amendment 13 (359742)—Delete lines 154-199.

Amendment 14 (183118)—Delete lines 64-109.

MOTION

On motion by Senator Garcia, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Garcia moved the following amendment which was adopted:

Amendment 15 (730546) (with title amendment)—Delete lines 395-401.

And the title is amended as follows:

Delete lines 34-36 and insert: *requiring*

The vote was:

Yeas—22

Altman	Garcia	Ring
Bennett	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Margolis	Smith
Dockery	Montford	Storms
Evers	Negron	
Flores	Rich	

Nays—17

Mr. President	Gaetz	Oelrich
Alexander	Gardiner	Richter
Benacquisto	Hays	Sobel
Bogdanoff	Latvala	Thrasher
Diaz de la Portilla	Lynn	Wise
Fasano	Norman	

Pursuant to Rule 4.19, **CS for SB 1590** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for CS for SB 488, CS for SB 584, CS for CS for SJR 658, CS for CS for SB 728, SB 912, CS for SB 1388, CS for CS for SB 1588, CS for SB 1622, CS for CS for CS for SB 1698, CS for SB 1722, CS for SB 1744, SB 1770, and CS for CS for SB 1916** were withdrawn from the Committee on Budget; and **CS for SB 584, CS for CS for SJR 658, CS for SB 1388, CS for SB 1722, and CS for SB 1744** were withdrawn from the Committee on Rules.

SPECIAL ORDER CALENDAR

The Senate resumed consideration of—

CS for CS for SB 1252—A bill to be entitled An act relating to insurance; amending s. 120.80, F.S.; allowing the Division of Administrative Hearings to have final order authority with respect to certain license applicants; amending s. 316.066, F.S.; revising the type of information that must be included in crash reports; authorizing the investigating officer to testify at trial or provide an affidavit concerning the content of the reports; amending ss. 440.12 and 440.20, F.S.; authorizing the payment of workers' compensation benefits through the use of a prepaid card; providing requirements; amending s. 440.49, F.S.; specifying that the assessment for the Special Disability Trust Fund be applied on a calendar year basis; amending s. 624.402, F.S.; revising provisions relating to certain insurers covering nonresidents domiciled outside the United States who are exempt from requirements to obtain a

certificate of authority; amending s. 626.207, F.S., relating to penalties; providing definitions; barring persons convicted of certain crimes from licensing as an insurance agent; revising provisions relating to disqualifying periods for persons convicted of other crimes; providing an exemption from the limitation against state employment for persons convicted of certain crimes; amending s. 627.4133, F.S.; changing the designated person or persons who must be notified by an insurer from the “insured” to the “first-named insured” in situations involving the nonrenewal, renewal premium, cancellation, or termination of workers’ compensation, employer liability, or certain property and casualty insurance coverage; specifying the effective date for the cancellation of a policy requested in writing by the insured; amending s. 627.4137, F.S.; requiring a claimant’s request about insurance coverage to be appropriately served upon the disclosing entity; amending s. 627.442, F.S.; providing that premium audits for workers’ compensation coverage is not required; providing exceptions; amending s. 627.7277, F.S.; making a conforming change that specifies the “first-named insured” as the person who is to receive notification of a renewal premium; amending s. 627.728, F.S.; changing the designated person or persons who must be notified by an insurer from the “insured” to the “first-named insured” in certain situations involving the cancellation or nonrenewal of motor vehicle insurance coverage; making a conforming change that specifies the “first-named insured’s insurance agent” as a person who is to receive certain notifications relating to motor vehicle insurance coverage; amending s. 627.7281, F.S.; making a conforming change that specifies the “first-named insured” as the person who is to receive notification of cancellation of motor vehicle insurance coverage; amending s. 627.7295, F.S.; providing that a binder or policy for motor vehicle insurance is not effective until a certain amount of the premium is paid; amending s. 628.901, F.S.; providing definitions; repealing s. 628.903, F.S., relating to the definition of the term “industrial insured captive insurer”; amending s. 628.905, F.S.; requiring a captive insurer to obtain a license and to file evidence that a person or firm with whom it intends to conduct business is reputable; providing that a certificate of insurance for an association captive insurer does not exceed the total funds of the association members; creating s. 628.908, F.S.; requiring a licensed captive insurer to maintain its principal place of business in this state and hold an annual meeting in this state; amending s. 628.909, F.S.; applying additional provisions of the insurance code to captive insurers; amending s. 634.403, F.S.; exempting certain persons from service warranty licensure requirements under certain circumstances; amending s. 817.234, F.S.; providing civil penalties for fraudulent insurance claims; providing effective dates.

—which was previously considered this day with pending **Amendment 1 (694784)** by Senator Smith and pending **Amendment 1A (570070)** by Senator Richter with pending point of order.

RULING ON POINT OF ORDER

On recommendation by Senator Thrasher, Chair of the Committee on Rules, Senator Richter’s amendment was determined to be substantially the same as **SB 1694**, now in the Committee on Judiciary. The President ruled that Senator Jones’ point was well taken and the amendment to the amendment was out of order.

The question recurred on **Amendment 1 (694784)** which was adopted.

Pending further consideration of **CS for CS for SB 1252** as amended, on motion by Senator Smith, by two-thirds vote **CS for HB 1087** was withdrawn from the Committees on Banking and Insurance; Budget; and Rules.

On motion by Senator Smith, by two-thirds vote—

CS for HB 1087—A bill to be entitled An act relating to insurance; amending s. 440.12, F.S.; authorizing payment of workers’ compensation benefits on a prepaid card under certain circumstances; requiring the keeping and furnishing, upon request, of certain records; providing for the adoption of rules; amending s. 440.20, F.S.; specifying when an insurer’s obligation to pay workers’ compensation benefits is satisfied if payment is made on a prepaid card; amending s. 440.49, F.S.; revising the dates applicable to calculations of annual assessments upon certain workers’ compensation insurers relating to the special disability trust fund; providing application to specified years and rate filings; amending s. 624.402, F.S.; providing an exemption from having to obtain a certi-

ificate of authority to insurers that cover only nonresidents of the United States under certain conditions; requiring such insurers to provide certain documentation to the Office of Insurance Regulation; requiring certificates, policies, or contracts issued by such insurers to include a disclaimer relating to the coverage provided; defining a “nonresident” for purposes of applying the exemption provided to such insurers from having to obtain a certificate of authority; providing penalties applicable to alien insurers who transact insurance without complying with certain provisions; deleting procedures and requirements relating to an exemption from obtaining a certificate of authority provided to alien insurers who issue life insurance policies and annuity contracts to certain nonresidents; amending s. 624.424, F.S.; revising the timeframes that limit how frequently an insurer may use the same accountant or partner to prepare an annual audited financial report; amending s. 626.207, F.S.; defining the term “financial services business”; precluding licensure under the Florida Insurance Code of specified persons who commit specified offenses; providing application to convictions and certain pleas, regardless of adjudication; establishing waiting periods relating to other specified offenses during which time an applicant is disqualified for licensure; granting rulemaking authority to the Department of Financial Services relating to specific penalties against licensees; clarifying rule-making authority relating to penalties against licensees; providing that specified statutory provisions prohibiting prior crimes from being a bar to employment are not applicable to applicants for licensure under the Florida Insurance Code; amending s. 626.7451, F.S.; requiring funds collected for an insurer to be held in a bank insured by the Federal Deposit Insurance Corporation; amending s. 626.8651, F.S.; revising requirements for a public adjuster apprentice license to include additional qualifying designations; amending s. 627.4133, F.S.; changing the designated person or persons who must be notified by an insurer from the “insured” to the “first-named insured” in situations involving the nonrenewal, renewal premium, cancellation, or termination of workers’ compensation, employer liability, or certain property and casualty insurance coverage; specifying that the date of cancellation of a workers’ compensation or employer’s liability policy is the date of the insured’s written request to cancel; amending s. 627.4137, F.S.; requiring a claimant’s request concerning insurance coverage to be served upon the disclosing entity in a specified manner; amending s. 627.7277, F.S.; making a conforming change that specifies the “first-named insured” as the person who is to receive notification of a renewal premium; amending s. 627.728, F.S.; changing the designated person or persons who must be notified by an insurer from the “insured” to the “first-named insured” in certain situations involving the cancellation or nonrenewal of motor vehicle insurance coverage; making a conforming change that specifies the “first-named insured’s insurance agent” as a person who is to receive certain notifications relating to motor vehicle insurance coverage; amending s. 627.7281, F.S.; making a conforming change that specifies the “first-named insured” as the person who is to receive notification of cancellation of motor vehicle insurance coverage; amending s. 634.403, F.S.; exempting certain persons providing service warranties relating to consumer products from licensing requirements under certain circumstances; amending s. 627.442, F.S.; limiting the requirement for premium audits of workers’ compensation coverage to specified instances; amending s. 627.7295, F.S.; providing application; requiring a certain amount of motor vehicle insurance premium to be paid before the effective date of a policy binder or policy in order to issue the binder or policy; authorizing an insurer to cancel certain motor vehicle insurance policies or binders for nonpayment of premium; removing a restriction requiring payment of the first policy payment of a motor vehicle insurance policy before issuance of a binder or policy when payments are being made in a specified manner; amending s. 626.916, F.S.; revising provisions relating to insurance coverage eligibility for export under the Surplus Lines Law; providing applicability; amending s. 817.234, F.S.; revising a cross-reference; providing civil penalties consisting of monetary fines relating to making false and fraudulent insurance claims for the purpose of receiving motor vehicle insurance proceeds; providing escalating monetary fines for repeat offenses; providing a mandatory minimum civil fine relating to certain international motor vehicle accident schemes; allocating fine revenues to a specified trust fund for specified purposes; authorizing certain agreements between a defendant and a state attorney relating to the payment of civil fines for making false and fraudulent insurance claims for the purpose of receiving motor vehicle insurance proceeds; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1252** and by two-thirds vote read the second time by title.

Senator Diaz de la Portilla moved the following amendment which failed:

Amendment 1 (137808) (with title amendment)—Between lines 968 and 969 insert:

Section 19. Section 628.901, Florida Statutes, is amended to read:

628.901 *Definitions “Captive insurer” defined.*—~~As used in For the purposes of this part, the term: except as provided in s. 628.903, a “captive insurer” is a domestic insurer established under part I to insure the risks of a specific corporation or group of corporations under common ownership owned by the corporation or corporations from which it accepts risk under a contract of insurance.~~

(1) “Association” means a legal association of nursing homes, hospitals, skilled nursing facilities, assisted living facilities, or continuing care retirement communities.

(2) “Association captive insurer” means a company that insures risks of the member organizations of the association and their affiliated companies.

(3) “Captive insurer” means a pure captive insurer, an industrial insured captive insurer, or an association captive insurer domiciled in this state and formed or licensed under this part.

(4) “Industrial insured” means an insured that:

(a) Has gross assets in excess of \$50 million;

(b) Procures insurance through the use of a full-time employee of the insured who acts as an insurance manager or buyer or through the services of a person licensed as a property and casualty insurance agent, broker, or consultant in such person’s state of domicile;

(c) Has at least 100 full-time employees; and

(d) Pays annual premiums of at least \$200,000 for each line of insurance purchased from the industrial insured captive insurer, or at least \$75,000 for any line of coverage in excess of at least \$25 million in the annual aggregate. The purchase of umbrella or general liability coverage in excess of \$25 million in the annual aggregate is deemed to be the purchase of a single line of insurance.

(5) “Industrial insured captive insurer” means a captive insurer that:

(a) Has as its stockholders or members only industrial insureds that the captive insurer insures, or has as its sole stockholder a corporation whose sole stockholders are industrial insureds that the captive insurer insures; and

1. Provides insurance only to the industrial insureds that are its stockholders or members, and affiliates thereof, or to the stockholders, and affiliates thereof, of its parent corporation; or

2. Provides reinsurance only on risks written by insurers of industrial insureds who are the stockholders or members, and affiliates thereof, of the captive insurer, or the stockholders, and affiliates thereof, of the parent corporation of the captive insurer;

(b) Maintains unimpaired capital and surplus of at least \$20 million; and

(c) If licensed in this state before December 31, 1999, or if any subsidiary formed by the licensed insurer on or after December 31, 1999, has:

1. Gross assets in excess of \$10 million and procures insurance through the use of a full-time employee of the insured who acts as an insurance manager or buyer or through the services of a person licensed as a property and casualty insurance agent, broker, or consultant in such person’s state of domicile;

2. At least 25 full-time employees; and

3. Annual aggregate premiums for all insurance risks which total at least \$100,000.

As used in this subsection, the term “affiliate” means a person that directly or indirectly, through one or more intermediaries, controls, is con-

trolled by, or is under common control with one or more of the stockholders or members of an industrial insured captive insurer or one or more of the stockholders of the parent corporation of an industrial insured captive insurer.

(6) “Pure captive insurer” means a company that insures the risks of its parent, affiliated companies, controlled unaffiliated businesses, or a combination thereof.

Section 20. Section 628.903, Florida Statutes, is repealed.

Section 21. Section 628.905, Florida Statutes, is amended to read:

628.905 *Licensing; authority.*—*In order to conduct insurance business in this state, a captive insurer must obtain a license from the office.*

(1) ~~A Any~~ captive insurer, ~~if when~~ permitted by its charter or articles of incorporation, may apply to the office for a license to provide commercial property, commercial casualty, and commercial marine insurance. ~~coverage other than workers’ compensation and employer’s liability insurance coverage, except that~~ An industrial insured captive insurer may also apply for a license to provide workers’ compensation and employer’s liability insurance as set forth in subsection (5) ~~(6)~~.

(2) A ~~No~~ captive insurer, other than an industrial insured captive insurer, may not ~~shall~~ insure or accept reinsurance on any risks other than those of its parent and affiliated companies.

(3) In addition to information otherwise required by this code, each applicant captive insurer shall file with the office evidence:

(a) Of the adequacy of the loss prevention program of its insureds.

(b) That it intends to employ or contract with a reputable person or firm that possesses the appropriate expertise, experience, and character to manage the association captive insurer.

(4) ~~If an association captive insurer operates with separate cells or segregated accounts, a certificate of insurance used to satisfy financial responsibility laws shall be issued in an amount not exceeding the total funds in the segregated accounts or separate cells of each member organization of the association.~~

~~(5)(4)~~ An industrial insured captive insurer:

(a) Need not be incorporated in this state if it has been validly incorporated under the laws of another jurisdiction; and

~~(b)(5) An industrial insured captive insurer~~ Is subject to all provisions of this part except as otherwise indicated; and

~~(c)(6) An industrial insured captive insurer~~ May not provide workers’ compensation and employer’s liability insurance except in excess of at least \$25 million in the annual aggregate.

Section 22. Section 628.908, Florida Statutes, is created to read:

628.908 *Principal place of business; annual meeting.*—*In order to conduct insurance business in this state, a licensed captive insurer must:*

(1) Maintain its principal place of business in this state; and

(2) Annually hold in this state at least one board of directors’ meeting; or, in the case of a reciprocal insurer, one subscriber’s advisory committee meeting; or, in the case of a limited liability company, one managing board’s meeting.

Section 23. Paragraph (a) of subsection (2) and paragraph (a) of subsection (3) of section 628.909, Florida Statutes, are amended to read:

628.909 *Applicability of other laws.*—

(2) The following provisions of the Florida Insurance Code shall apply to captive insurers who are not industrial insured captive insurers to the extent that such provisions are not inconsistent with this part:

(a) Chapter 624, except for ss. 624.407, 624.408, 624.4085, 624.40851, 624.4095, 624.425, and 624.426.

(3) The following provisions of the Florida Insurance Code shall apply to industrial insured captive insurers to the extent that such provisions are not inconsistent with this part:

(a) Chapter 624, except for ss. 624.407, 624.408, 624.4085, 624.40851, 624.4095, 624.425, 624.426, and 624.609(1).

And the title is amended as follows:

Delete line 95 and insert: Surplus Lines Law; providing applicability; amending s. 628.901, F.S.; providing definitions; repealing s. 628.903, F.S., relating to the definition of the term “industrial insured captive insurer”; amending s. 628.905, F.S.; requiring a captive insurer to obtain a license and to file evidence that a person or firm with whom it intends to conduct business is reputable; providing that a certificate of insurance for an association captive insurer does not exceed the total funds of the association members; creating s. 628.908, F.S.; requiring a licensed captive insurer to maintain its principal place of business in this state and hold an annual meeting in this state; amending s. 628.909, F.S.; applying additional provisions of the insurance code to captive insurers; amending s.

On motion by Senator Smith, by two-thirds vote **CS for HB 1087** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

CS for SB 1922—A bill to be entitled An act relating to health and human services; amending s. 408.910, F.S.; providing and revising definitions; revising eligibility requirements for participation in the Florida Health Choices Program; providing that statutory rural hospitals are eligible as employers rather than participants under the program; permitting specified eligible vendors to sell health maintenance contracts or products and services; requiring certain risk-bearing products offered by insurers to be approved by the Office of Insurance Regulation; providing requirements for product certification; providing duties of the Florida Health Choices, Inc., including maintenance of a toll-free telephone hotline to respond to requests for assistance; providing for enrollment periods; providing for certain risk pooling data used by the corporation to be reported annually; amending s. 409.821, F.S.; authorizing personal identifying information of a Florida Kidcare program applicant to be disclosed to the Florida Health Choices, Inc., to administer the program; amending s. 409.912, F.S.; requiring the Agency for Health Care Administration to establish a demonstration project in Miami-Dade County of a long-term-care facility and a psychiatric facility to improve access to health care by medically underserved persons; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for SB 1922** to **CS for HB 1125**.

Pending further consideration of **CS for SB 1922** as amended, on motion by Senator Garcia, by two-thirds vote **CS for HB 1125** was withdrawn from the Committees on Banking and Insurance; Health Regulation; and Budget.

On motion by Senator Garcia, by two-thirds vote—

CS for HB 1125—A bill to be entitled An act relating to health and human services; amending s. 408.910, F.S.; providing and revising definitions; revising eligibility requirements for participation in the Florida Health Choices Program; providing that statutory rural hospitals are eligible as employers rather than participants under the program; permitting specified eligible vendors to sell health maintenance contracts or products and services; requiring certain risk-bearing products offered by insurers to be approved by the Office of Insurance Regulation; providing requirements for product certification; providing duties of the Florida Health Choices, Inc., including maintenance of a toll-free telephone hotline to respond to requests for assistance; providing for enrollment periods; providing for certain risk pooling data used by the corporation to be reported annually; amending s. 409.821, F.S.; authorizing personal identifying information of a Florida Kidcare program applicant to be disclosed to the Florida Health Choices, Inc., to administer the program; amending s. 409.912, F.S.; requiring the Agency for Health Care Administration to establish a demonstration project in Miami-Dade County of a long-term-care facility and a psychiatric facility to improve access to health care by medically underserved persons; providing an effective date.

—a companion measure, was substituted for **CS for SB 1922** as amended and by two-thirds vote read the second time by title.

MOTION

On motion by Senator Garcia, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Garcia moved the following amendments which were adopted:

Amendment 1 (170500)—Delete lines 189-284 and insert: A vendor described in subparagraphs 4.-7. ~~3.-6.~~ may not sell products that provide risk-bearing coverage unless that vendor is authorized under a certificate of authority issued by the Office of Insurance Regulation *and is authorized to provide coverage in the relevant geographic area under the provisions of the Florida Insurance Code.* Otherwise eligible vendors may be excluded from participating in the program for deceptive or predatory practices, financial insolvency, or failure to comply with the terms of the participation agreement or other standards set by the corporation.

(e) *Any risk-bearing product available under subparagraphs (d)1.-4. must be approved by the Office of Insurance Regulation. Any non-risk-bearing product must be approved by the corporation.*

(f)(e) Eligible individuals may voluntarily continue participation in the program regardless of subsequent changes in job status or Medicaid eligibility. Individuals who join the program may participate by complying with the procedures established by the corporation. These procedures must include, but are not limited to:

1. Submission of required information.
2. Authorization for payroll deduction.
3. Compliance with federal tax requirements.
4. Arrangements for payment in the event of job changes.
5. Selection of products and services.

(g)(f) Vendors who choose to participate in the program may enroll by complying with the procedures established by the corporation. These procedures *may must* include, but are not limited to:

1. Submission of required information, including a complete description of the coverage, services, provider network, payment restrictions, and other requirements of each product offered through the program.
2. Execution of an agreement *that to make* all risk-bearing products offered through the program *are in compliance with the insurance code and are guaranteed issue policies;* subject to preexisting condition exclusions established by the corporation.
3. Execution of an agreement that prohibits refusal to sell any offered non-risk-bearing product to a participant who elects to buy it.

4. Establishment of product prices based on age, gender, *family composition*, and location of the individual participant, *which may include medical underwriting*.

5. Arrangements for receiving payment for enrolled participants.

6. Participation in ongoing reporting processes established by the corporation.

7. Compliance with grievance procedures established by the corporation.

(h)(g) Health insurance agents licensed under part IV of chapter 626 are eligible to voluntarily participate as buyers' representatives. A buyer's representative acts on behalf of an individual purchasing health insurance and health services through the program by providing information about products and services available through the program and assisting the individual with both the decision and the procedure of selecting specific products. Serving as a buyer's representative does not constitute a conflict of interest with continuing responsibilities as a health insurance agent if the relationship between each agent and any participating vendor is disclosed before advising an individual participant about the products and services available through the program. In order to participate, a health insurance agent shall comply with the procedures established by the corporation, including:

1. Completion of training requirements.
2. Execution of a participation agreement specifying the terms and conditions of participation.
3. Disclosure of any appointments to solicit insurance or procure applications for vendors participating in the program.
4. Arrangements to receive payment from the corporation for services as a buyer's representative.

(5) PRODUCTS.—

(a) The products that may be made available for purchase through the program include, but are not limited to:

1. Health insurance policies.
2. *Health maintenance contracts.*
- 3.2. Limited benefit plans.
- 4.3. Prepaid clinic services.
- 5.4. Service contracts.
- 6.5. Arrangements for purchase of specific amounts and types of health services and treatments.
- 7.6. Flexible spending accounts.

(b) Health insurance policies, *health maintenance contracts*, limited benefit plans, prepaid service contracts, and other contracts for services must ensure the availability of covered services ~~and benefits to participating individuals for at least 1 full enrollment year.~~

(c) Products may be offered for multiyear periods provided the price of the product is specified for the entire period or for each separately priced segment of the policy or contract.

(d) The corporation shall provide a disclosure form for consumers to acknowledge their understanding of the nature of, and any limitations to, the benefits provided by the products and services being purchased by the consumer.

(e) *The corporation must determine that making the plan available through the program is in the interest of eligible individuals and eligible employers in the state.*

(6) PRICING.—Prices for the products *and services* sold through the program must be transparent to participants and established by the vendors. *Risk-bearing product approved by the Office of Insurance Regulation must be priced pursuant to state law governing the rates of any insurance product. based on age, gender, and location*

Amendment 2 (213174) (with title amendment)—Before line 29 insert:

Section 1. Paragraph (1) of subsection (3) of section 408.036, Florida Statutes, is amended to read:

408.036 Projects subject to review; exemptions.—

(3) EXEMPTIONS.—Upon request, the following projects are subject to exemption from the provisions of subsection (1):

(1) For the establishment of:

1. A Level II neonatal intensive care unit with at least 10 beds, upon documentation to the agency that the applicant hospital had a minimum of 1,500 births during the previous 12 months; ~~or~~

2. A Level III neonatal intensive care unit with at least 15 beds, upon documentation to the agency that the applicant hospital has a Level II neonatal intensive care unit of at least 10 beds and had a minimum of 3,500 births during the previous 12 months; ~~or~~

3. *A Level III neonatal intensive care unit with at least 5 beds, upon documentation to the agency that the applicant hospital is a verified trauma center pursuant to s. 395.4001(14), and has a Level II neonatal intensive care unit, if the applicant demonstrates that it meets the requirements for quality of care, nurse staffing, physician staffing, physical plant, equipment, emergency transportation, and data reporting found in agency certificate-of-need rules for Level II and Level III neonatal intensive care units and if the applicant commits to the provision of services to Medicaid and charity patients at a level equal to or greater than the district average. Such a commitment is subject to s. 408.040.*

And the title is amended as follows:

Delete line 2 and insert: An act relating to health and human services; amending s. 408.036, F.S.; providing an exemption from review by the agency and the requirement to file an application for a certificate of need with the agency for certain Level III neonatal intensive care units under certain circumstances; amending s.

On motion by Senator Garcia, by two-thirds vote **CS for HB 1125** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for CS for CS for SB 768—A bill to be entitled An act relating to seaports; amending s. 373.406, F.S.; exempting overwater piers, docks, and structures located in deepwater ports from stormwater management system requirements under specified conditions; amending s. 373.4133, F.S.; providing exceptions to time limitations for the Department of Environmental Protection to issue a notice of intent to issue a port conceptual permit; providing that a third party who challenges the issuance of a port conceptual permit has the ultimate burden of proof and the burden of going forward with the evidence in the first instance; deleting the requirement to publish notice of the department's intent to issue or deny a port conceptual permit; amending s. 403.813, F.S.; exempting specified seaports and inland navigation districts from requirements to conduct maintenance dredging under certain circum-

stances; providing that ditches, pipes, and similar linear conveyances are not receiving waters; authorizing public ports and inland navigation districts to use sovereignty submerged lands in connection with maintenance dredging; providing an additional exemption from permitting requirements to allow the disposal of spoil material on a self-contained, upland spoil site if certain conditions are met; requiring notice to the department of intent to use the exemption; providing conditions; amending s. 310.002, F.S.; redefining the term “port” to include Port Citrus; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; amending s. 374.976, F.S.; conforming provisions to include Port Citrus in provisions relating to the authority of inland navigation districts; amending s. 403.021, F.S.; conforming provisions to include Port Citrus in legislative declarations relating to environmental control; amending s. 403.061, F.S.; conforming provisions to include Port Citrus in provisions relating to powers of the Department of Environmental Protection; amending s. 403.813, F.S.; conforming provisions to include Port Citrus in provisions relating to permits issued at Department of Environmental Protection district centers; amending s. 403.816, F.S.; conforming provisions to include Port Citrus in provisions relating to certain maintenance projects at deepwater ports and beach restoration projects; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for CS for SB 768** to **CS for CS for CS for HB 399**.

Pending further consideration of **CS for CS for CS for SB 768** as amended, on motion by Senator Ring, by two-thirds vote **CS for CS for CS for HB 399** was withdrawn from the Committees on Commerce and Tourism; Transportation; and Budget.

On motion by Senator Ring, by two-thirds vote—

CS for CS for CS for HB 399—A bill to be entitled An act relating to infrastructure investment; amending s. 20.23, F.S.; requiring the Secretary of Transportation to designate duties relating to certain investment opportunities and transportation projects to an assistant secretary; amending s. 311.09, F.S.; revising requirements for the inclusion of certain goals and objectives in the Florida Seaport Mission Plan; requiring the Florida Seaport Transportation and Economic Development Council to develop a priority list of projects and submit the list to the Department of Transportation; amending s. 311.14, F.S.; requiring certain ports to develop strategic plans; providing criteria for such plans; requiring such plans to be consistent with local government comprehensive plans; requiring such plans to be submitted to the Florida Seaport Transportation and Economic Development Council; requiring the Florida Seaport Transportation and Economic Development Council to review such plans and include related information in the Florida Seaport Mission Plan; amending s. 339.155, F.S.; clarifying and revising the principles on which the Florida Transportation Plan is based; amending s. 339.63, F.S.; adding certain existing and planned facilities to the list of facilities included in the Strategic Intermodal System and the Emerging Strategic Intermodal System; amending s. 373.406, F.S.; exempting overwater piers, docks, and structures located in deepwater ports from stormwater management system requirements under specified conditions; amending s. 373.4133, F.S.; requiring the Department of Environmental Protection to approve or deny an application for a port conceptual permit within a specified time; providing a limitation for the request of additional information from an applicant by the department; providing that failure of an applicant to respond to such a request within a specified time constitutes withdrawal of the application; providing that a third party who challenge the issuance of a port conceptual permit has the burden of ultimate persuasion and the burden of going forward with evidence; amending s. 403.813, F.S.; exempting specified seaports and inland navigation districts from requirements to conduct maintenance dredging under certain conditions; excluding ditches, pipes, and similar linear conveyances from consideration as receiving waters for the disposal of dredged materials; authorizing public ports and inland navigation districts to use sovereignty submerged lands in connection with maintenance dredging; authorizing the disposal of spoil material on specified sites; providing an exemption from permitting requirements for sites that meet specified criteria; requiring notice to the Department of Environmental Protection of intent to use the exemption; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 768** as amended and by two-thirds vote read the second time by title.

MOTION

On motion by Senator Fasano, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Fasano moved the following amendment:

Amendment 1 (554636) (with title amendment)—Between lines 346 and 347 insert:

Section 9. *The Department of Environmental Protection may not issue any permit for a Class I landfill that will be located within 5 miles of the Withlacoochee River and that will be located in the Northern Tampa Bay Water Use Caution Area designated by rule by the Southwest Florida Water Management District. This section applies to all applications for any Class I landfill permit submitted on or after January 1, 2006, for which the department has not issued a final permit.*

And the title is amended as follows:

Delete line 51 and insert: the exemption; prohibiting the Department of Environmental Protection from issuing a permit for a Class I landfill that will be located in a certain specified area; providing for application; providing an effective date.

POINT OF ORDER

Senator Ring raised a point of order that pursuant to Rule 7.1 **Amendment 1** was not germane to the bill.

The President referred the point of order and the amendment to Senator Thrasher, Chair of the Committee on Rules.

Further consideration of **CS for CS for CS for HB 399** with pending **Amendment 1 (554636)** and pending point of order was deferred.

CS for CS for SB 1696—A bill to be entitled An act relating to education accountability; amending s. 1001.20, F.S.; deleting a provision that requires the Florida Virtual School to be administratively housed within the Office of Technology and Information Services within the Office of the Commissioner of Education; amending s. 1001.42, F.S.; revising the powers and duties of district school boards relating to student access to Florida Virtual School courses; creating s. 1001.421, F.S.; prohibiting district school board members and their relatives from soliciting or accepting certain gifts; amending s. 1002.37, F.S.; conforming provisions to changes made by the act; amending s. 1002.38, F.S.; requiring that a school's grade be based on statewide assessments for purposes of the Opportunity Scholarship Program; amending s. 1002.39, F.S.; providing requirements for determining the end of the term of a John M. McKay Scholarship; amending s. 1002.45, F.S.; revising provisions relating to virtual instruction program provider qualifications; amending s. 1002.66, F.S.; providing an additional instructional service for children with disabilities in the Voluntary Prekindergarten Education Program; amending s. 1002.67, F.S.; requiring that the State Board of Education periodically review and revise the performance standards for the statewide kindergarten screening; amending s. 1002.69, F.S.; authorizing nonpublic schools to administer the statewide kindergarten screening to kindergarten students who were enrolled in the Voluntary Prekindergarten Education Program; revising provisions relating to the minimum kindergarten readiness rate and criteria for good cause exemptions from meeting the requirement; requiring prekindergarten enrollment screening and post-assessment under certain circumstances; amending s. 1002.71, F.S.; providing that a child may reenroll more than once in a prekindergarten program if granted a good cause exemption; amending s. 1002.73, F.S.; requiring the Department of Education to adopt procedures relating to prekindergarten enrollment screening, the standardized post-assessment, and reporting of the results of readiness measures; amending s. 1003.01, F.S.; providing an additional special education service; amending s. 1003.4156, F.S.; revising the general requirements for middle grades promotion; providing that a student with a disability may have end-of-course assessment results waived under certain circumstances; providing that a middle grades student may be exempt from reading remediation requirements under certain

circumstances; creating s. 1003.4203, F.S.; authorizing each district school board to develop and implement a digital curriculum for students in grades 6 through 12; requiring the Department of Education to develop a model digital curriculum; authorizing partnerships with private businesses and consultants; amending s. 1003.428, F.S.; revising provisions relating to the general requirements for high school graduation; providing that a high school student may be exempt from reading remediation requirements under certain circumstances; amending s. 1003.491, F.S.; revising provisions relating to the development, contents, and approval of the strategic plan to address workforce needs; amending s. 1003.493, F.S.; revising requirements for career and professional academies and enrollment of students; creating s. 1003.4935, F.S.; requiring each district school board to develop a plan to implement a career and professional academy in at least one middle school; providing requirements for middle school career and professional academies and academy courses; amending s. 1003.573, F.S.; revising provisions relating to the use of restraint and seclusion on students with disabilities; requiring that certain information be included in incident reports; removing an obsolete date; requiring that the Department of Education maintain certain data of incidents of manual or physical restraint and seclusion and establish standards for documenting, reporting, and monitoring the use of restraint and seclusion; requiring that the department provide these standards to school districts by a specified date; revising provisions relating to school district policies and procedures to include monitoring, training, selecting personnel to be trained, and planning for reducing the use of restraint and seclusion; extending the date that such policies and procedures must be revised and filed with the bureau chief of the Bureau of Exceptional Education and Student Services within the Department of Education; amending s. 1003.575, F.S.; providing requirements for completion of an assistive technology assessment; amending s. 1008.22, F.S.; revising provisions relating to the student assessment program for public schools; requiring that the Commissioner of Education direct school districts to participate in certain international assessment programs; authorizing a school principal to exempt certain students from the end-of-course assessment in civics education; revising provisions relating to administration and reporting of results of assessments; amending s. 1008.30, F.S.; revising provisions relating to evaluation of college readiness and providing for post-secondary preparatory instruction; requiring the State Board of Education to adopt certain rules; amending s. 1008.33, F.S.; revising provisions relating to public school improvement; requiring the Department of Education to categorize public schools based on a school's grade that relies on statewide assessments; amending s. 1008.331, F.S., relating to supplemental educational services in Title I schools; providing that a school board may include in its district contract with a provider a requirement to use a uniform standardized assessment if the Department of Education is notified of such intent before services are provided to the student; amending s. 1008.34, F.S.; revising the basis for the designation of school grades; including achievement scores and learning gains for students who are hospital or homebound; amending s. 1011.01, F.S.; revising provisions relating to the annual operating budgets of district school boards and Florida College System institution boards of trustees; amending s. 1011.03, F.S.; revising provisions relating to adopted district school board budgets; creating s. 1011.035, F.S.; requiring each school district to post budgetary information on its website; amending s. 1011.62, F.S.; revising provisions relating to the funding model for exceptional student education programs; requiring the Department of Education to revise the descriptions of services and to implement the revisions; amending s. 1012.39, F.S.; revising provisions relating to the qualifications for nondegreed teachers of career education; providing effective dates.

—was read the second time by title.

Amendments were considered and failed and amendments were considered and adopted to conform **CS for CS for SB 1696** to **CS for CS for HB 1255**.

Pending further consideration of **CS for CS for SB 1696** as amended, on motion by Senator Wise, by two-thirds vote **CS for CS for HB 1255** was withdrawn from the Committees on Education Pre-K - 12; Budget Subcommittee on Education Pre-K - 12 Appropriations; Budget; and Rules.

On motion by Senator Wise, by two-thirds vote—

CS for CS for HB 1255—A bill to be entitled An act relating to education accountability; amending s. 1001.20, F.S.; deleting a provision

that requires the Florida Virtual School to be administratively housed within the Office of Technology and Information Services within the Office of the Commissioner of Education; amending s. 1001.42, F.S.; revising the powers and duties of district school boards relating to student access to Florida Virtual School courses; creating s. 1001.421, F.S.; prohibiting district school board members and their relatives from soliciting or accepting certain gifts; amending s. 1002.37, F.S.; conforming provisions to changes made by the act; amending s. 1002.38, F.S.; providing that school grades shall be based on statewide assessments for purposes of the Opportunity Scholarship Program; amending s. 1002.39, F.S.; providing requirements for determining the end of the term of a John M. McKay Scholarship; amending s. 1002.45, F.S.; revising provisions relating to virtual instruction program provider qualifications; amending s. 1002.66, F.S.; providing an additional instructional service for children with disabilities in the Voluntary Prekindergarten Education Program; amending s. 1002.67, F.S.; requiring that the State Board of Education periodically review and revise the performance standards for the statewide kindergarten screening; amending s. 1002.69, F.S.; authorizing nonpublic schools to administer the statewide kindergarten screening to kindergarten students who were enrolled in the Voluntary Prekindergarten Education Program; revising provisions relating to the minimum kindergarten readiness rate and criteria for good cause exemptions from meeting the requirement; requiring prekindergarten enrollment screening and post-assessment under certain circumstances; amending s. 1002.71, F.S.; providing that a child may reenroll more than once in a prekindergarten program if granted a good cause exemption; amending s. 1002.73, F.S.; requiring the Department of Education to adopt procedures relating to prekindergarten enrollment screening, the standardized post-assessment, and reporting of the results of readiness measures; amending s. 1003.01, F.S.; providing an additional special education service; amending s. 1003.4156, F.S.; revising the general requirements for middle grades promotion; providing that a student with a disability may have end-of-course assessment results waived under certain circumstances; providing that a middle grades student may be exempt from reading remediation requirements under certain circumstances; creating s. 1003.4203, F.S.; authorizing each district school board to develop and implement a digital curriculum for students in grades 6 through 12; requiring the Department of Education to develop a model digital curriculum; authorizing partnerships with private businesses and consultants; amending s. 1003.428, F.S.; revising provisions relating to the general requirements for high school graduation; providing that a high school student may be exempt from reading remediation requirements under certain circumstances; amending s. 1003.429, F.S.; revising provisions relating to the selection of accelerated high school graduation options; amending s. 1003.491, F.S.; revising provisions relating to the development, contents, and approval of the strategic plan to address workforce needs; amending s. 1003.493, F.S.; revising requirements for career and professional academies and enrollment of students; creating s. 1003.4935, F.S.; requiring each district school board to develop a plan to implement a career and professional academy in at least one middle school; providing requirements for middle school career and professional academies and academy courses; amending s. 1003.573, F.S.; revising provisions relating to the use of restraint and seclusion on students with disabilities; requiring that certain information be included in incident reports; revising provisions relating to school district policies and procedures to include setting goals for the reduction of restraint and seclusion; requiring the State Board of Education to adopt rules defining terms and identifying additional variables to be documented in incident reports and standards for documentation and reporting; providing for application of specified provisions of the act; amending s. 1012.582, F.S.; conforming provisions to changes made by the act; amending s. 1003.575, F.S.; providing requirements for completion of an assistive technology assessment; amending s. 1008.22, F.S.; revising provisions relating to the student assessment program for public schools; requiring that the Commissioner of Education direct school districts to participate in certain international assessment programs; authorizing a school principal to exempt certain students from the end-of-course assessment in civics education; revising provisions relating to administration and reporting of results of assessments; amending s. 1008.30, F.S.; revising provisions relating to evaluation of college readiness and providing for postsecondary preparatory instruction; requiring the State Board of Education to adopt certain rules; amending s. 1008.33, F.S.; revising provisions relating to public school improvement; requiring the Department of Education to categorize public schools based on a school's grade that relies on statewide assessments; amending s. 1008.34, F.S.; revising the basis for the designation of school grades; including achievement scores and learning

gains for students who are hospital or homebound; amending s. 1011.01, F.S.; revising provisions relating to the annual operating budgets of district school boards and Florida College System institution boards of trustees; amending s. 1011.03, F.S.; revising provisions relating to adopted district school board budgets; creating s. 1011.035, F.S.; requiring each school district to post budgetary information on its website; amending s. 1011.62, F.S.; revising provisions relating to the funding model for exceptional student education programs; requiring the Department of Education to revise the descriptions of services and to implement the revisions; amending s. 1012.39, F.S.; revising provisions relating to the qualifications for nondegree teachers of career education; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1696** as amended and by two-thirds vote read the second time by title.

MOTION

On motion by Senator Wise, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Wise moved the following amendment:

Amendment 1 (287776) (with title amendment)—Delete lines 120-1924 and insert:

Section 1. Paragraph (a) of subsection (4) of section 1001.20, Florida Statutes, is amended to read:

1001.20 Department under direction of state board.—

(4) The Department of Education shall establish the following offices within the Office of the Commissioner of Education which shall coordinate their activities with all other divisions and offices:

(a) *Office of Technology and Information Services.*—Responsible for developing a systemwide technology plan, making budget recommendations to the commissioner, providing data collection and management for the system, assisting school districts in securing Internet access and telecommunications services, including those eligible for funding under the Schools and Libraries Program of the federal Universal Service Fund, and coordinating services with other state, local, and private agencies. The office shall develop a method to address the need for a statewide approach to planning and operations of library and information services to achieve a single K-20 education system library information portal and a unified higher education library management system. ~~The Florida Virtual School shall be administratively housed within the office.~~

Section 2. Subsection (23) of section 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(23) **FLORIDA VIRTUAL SCHOOL.**—Provide students with access to ~~enroll in~~ courses available through the Florida Virtual School and award credit for successful completion of such courses. Access shall be available to students during ~~and or~~ after the normal school day and through summer school enrollment.

Section 3. Section 1001.421, Florida Statutes, is created to read:

1001.421 Gifts.—*Notwithstanding any other provision of law to the contrary, district school board members and their relatives, as defined in s. 112.312(21), may not directly or indirectly solicit any gift, or directly or indirectly accept any gift in excess of \$50, from any person, vendor, potential vendor, or other entity doing business with the school district. The term “gift” has the same meaning as in s. 112.312(12).*

Section 4. Paragraph (a) of subsection (6) of section 1002.20, Florida Statutes, is amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child’s academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are

afforded numerous statutory rights including, but not limited to, the following:

(6) EDUCATIONAL CHOICE.—

(a) *Public school choices.*—Parents of public school students may seek whatever public school choice options that are applicable to ~~their students and are~~ available to students in their school districts. These options may include controlled open enrollment, single-gender programs, lab schools, school district virtual instruction programs, charter schools, charter technical career centers, magnet schools, alternative schools, special programs, *auditory-oral education programs*, advanced placement, dual enrollment, International Baccalaureate, International General Certificate of Secondary Education (pre-AICE), Advanced International Certificate of Education, early admissions, credit by examination or demonstration of competency, the New World School of the Arts, the Florida School for the Deaf and the Blind, and the Florida Virtual School. These options may also include the public school choice options of the Opportunity Scholarship Program and the McKay Scholarships for Students with Disabilities Program.

Section 5. Paragraph (a) of subsection (1) of section 1002.37, Florida Statutes, is amended to read:

1002.37 The Florida Virtual School.—

(1)(a) The Florida Virtual School is established for the development and delivery of online and distance learning education ~~and shall be administratively housed within the Commissioner of Education’s Office of Technology and Information Services.~~ The Commissioner of Education shall monitor the school’s performance and report its performance to the State Board of Education and the Legislature.

The board of trustees of the Florida Virtual School shall identify appropriate performance measures and standards based on student achievement that reflect the school’s statutory mission and priorities, and shall implement an accountability system for the school that includes assessment of its effectiveness and efficiency in providing quality services that encourage high student achievement, seamless articulation, and maximum access.

Section 6. Subsection (2) and paragraph (a) of subsection (3) of section 1002.38, Florida Statutes, are amended to read:

1002.38 Opportunity Scholarship Program.—

(2) **OPPORTUNITY SCHOLARSHIP ELIGIBILITY.**—*For purposes of this section, a school’s grade shall be based upon statewide assessments administered pursuant to s. 1008.22.* A public school student’s parent may request and receive from the state an opportunity scholarship for the student to enroll in and attend a private school in accordance with the provisions of this section if:

(a)1. By assigned school attendance area or by special assignment, the student has spent the prior school year in attendance at a public school that has been designated ~~pursuant to s. 1008.34~~ as performance grade category “F,” failing to make adequate progress, and that has had 2 school years in a 4-year period of such low performance, and the student’s attendance occurred during a school year in which such designation was in effect;

2. The student has been in attendance elsewhere in the public school system and has been assigned to such school for the next school year; or

3. The student is entering kindergarten or first grade and has been notified that the student has been assigned to such school for the next school year.

(b) The parent has obtained acceptance for admission of the student to a private school eligible for the program pursuant to subsection (4), and has notified the Department of Education and the school district of the request for an opportunity scholarship no later than July 1 of the first year in which the student intends to use the scholarship.

The provisions of this section ~~do shall~~ not apply to a student who is enrolled in a school operating for the purpose of providing educational services to youth in Department of Juvenile Justice commitment programs. For purposes of continuity of educational choice, the opportunity scholarship shall remain in force until the student returns to a public

school or, if the student chooses to attend a private school the highest grade of which is grade 8, until the student matriculates to high school and the public high school to which the student is assigned is an accredited school with a performance grade category designation of "C" or better. However, at any time upon reasonable notice to the Department of Education and the school district, the student's parent may remove the student from the private school and place the student in a public school, as provided in subparagraph (3)(a)2.

(3) SCHOOL DISTRICT OBLIGATIONS.—

(a) A school district shall, for each student enrolled in or assigned to a school that has been designated as performance grade category "F" for 2 school years in a 4-year period:

1. Timely notify the parent of the student as soon as such designation is made of all options available pursuant to this section.

2. Offer that student's parent an opportunity to enroll the student in the public school within the district that has been designated by the state pursuant to s. 1008.34 as a school performing higher than that in which the student is currently enrolled or to which the student has been assigned, but not less than performance grade category "C." The parent is not required to accept this offer in lieu of requesting a state opportunity scholarship to a private school. The opportunity to continue attending the higher performing public school shall remain in force until the student graduates from high school.

Section 7. Paragraph (a) of subsection (4) of section 1002.39, Florida Statutes, is amended to read:

1002.39 The John M. McKay Scholarships for Students with Disabilities Program.—There is established a program that is separate and distinct from the Opportunity Scholarship Program and is named the John M. McKay Scholarships for Students with Disabilities Program.

(4) TERM OF JOHN M. MCKAY SCHOLARSHIP.—

(a) For purposes of continuity of educational choice, a John M. McKay Scholarship shall remain in force until the student returns to a public school, graduates from high school, or reaches the age of 22, whichever occurs first. A scholarship student who enrolls in a public school or public school program is considered to have returned to a public school for the purpose of determining the end of the scholarship's term. However, if a student enters a Department of Juvenile Justice detention center for a period of no more than 21 days, the student is not considered to have returned to a public school for that purpose.

Section 8. Section 1002.391, Florida Statutes, is created to read:

1002.391 Auditory-oral education programs.—

(1) As used in this section, the term:

(a) "Auditory-oral education program" means a program that develops and relies solely on listening skills and uses an implant or assistive hearing device for the purpose of relying on speech and spoken language skills as the method of communication.

(b) "Deaf or hard of hearing" means aided or unaided hearing loss that affects the processing of linguistic information and adversely affects performance in the educational environment. The degree of loss may range from mild to profound in accordance with criteria established by rule of the State Board of Education.

(c) "School" means a public or private school located in this state which meets the following requirements:

1. Is accredited by OPTION Schools, Inc., to teach children who have obtained an implant or assistive hearing device; or

2. Has a supervisor and a majority of the faculty provide direct services to children and are certified by the AG Bell Academy for Listening and Spoken Language as listening and spoken language specialists.

(2) The parent of a child who is deaf or hard of hearing and who meets the following requirements may enroll the child in an auditory-oral education program as a school of choice pursuant to s. 1002.20. Such child may continue attending the school and complete the development of

listening and spoken language skills at the school. In order to enroll and attend, the child must:

(a) Have received an implant or assistive hearing device;

(b) Be between the ages of 3 and 7 years, or between the ages of 2 and 7 years when the school district elects to serve children with disabilities who are under the age of 3 years; and

(c) Be a resident of the state.

(3) The level of services shall be determined by the individual educational plan team or individualized family support plan team, which includes the child's parent in accordance with the rules of the State Board of Education. A child is eligible for services under this section until the end of the school year in which he or she reaches the age of 7 years or after grade 2, whichever comes first.

Section 9. Paragraph (b) of subsection (2) of section 1002.45, Florida Statutes, is amended to read:

1002.45 School district virtual instruction programs.—

(2) PROVIDER QUALIFICATIONS.—

(b) An approved provider shall retain its approved status during the 3 school years for a period of 3 years after the date of the department's approval under paragraph (a) as long as the provider continues to comply with all requirements of this section.

Section 10. Paragraph (e) is added to subsection (2) of section 1002.66, Florida Statutes, to read:

1002.66 Specialized instructional services for children with disabilities.—

(2) The parent of a child who is eligible for the prekindergarten program for children with disabilities may select one or more specialized instructional services that are consistent with the child's individual educational plan. These specialized instructional services may include, but are not limited to:

(e) Listening and spoken language specialists and an appropriate acoustical environment for a child who is deaf or hard of hearing who has received an implant or assistive hearing device.

Section 11. Subsection (1) and paragraph (c) of subsection (3) of section 1002.67, Florida Statutes, are amended to read:

1002.67 Performance standards; curricula and accountability.—

(1)(a) By April 1, 2005, the department shall develop and adopt performance standards for students in the Voluntary Prekindergarten Education Program. The performance standards must address the age-appropriate progress of students in the development of:

1.(a) The capabilities, capacities, and skills required under s. 1(b), Art. IX of the State Constitution; and

2.(b) Emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.

(b) The State Board of Education shall periodically review and revise the performance standards for the statewide kindergarten screening administered under s. 1002.69 and align the standards to the standards established by the state board for student performance on the statewide assessments administered pursuant to s. 1008.22.

(3)

(c)1. If the kindergarten readiness rate of a private prekindergarten provider or public school falls below the minimum rate adopted by the State Board of Education as satisfactory under s. 1002.69(6), the early learning coalition or school district, as applicable, shall require the provider or school to submit an improvement plan for approval by the coalition or school district, as applicable, and to implement the plan.

2. If a private prekindergarten provider or public school fails to meet the minimum rate adopted by the State Board of Education as sa-

tisfactory under s. 1002.69(6) ~~for 2 consecutive years~~, the early learning coalition or school district, as applicable, shall place the provider or school on probation and must require the provider or school to take certain corrective actions, including the use of a curriculum approved by the department under paragraph (2)(c).

3. A private prekindergarten provider or public school that is placed on probation must continue the corrective actions required under subparagraph 2., including the use of a curriculum approved by the department, until the provider or school meets the minimum rate adopted by the State Board of Education as satisfactory under s. 1002.69(6).

4. If a private prekindergarten provider or public school remains on probation for 2 consecutive years and fails to meet the minimum rate adopted by the State Board of Education as satisfactory under s. 1002.69(6) and is not granted a good cause exemption by the department pursuant to s. 1002.69(7), the Agency for Workforce Innovation shall require the early learning coalition or the Department of Education shall require the school district to remove, as applicable, the provider or school from eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program.

Section 12. Subsections (1), (5), and (6) and paragraphs (b) and (c) of subsection (7) of section 1002.69, Florida Statutes, are amended to read:

1002.69 Statewide kindergarten screening; kindergarten readiness rates; state-approved prekindergarten enrollment screening; good cause exemption.—

(1) The department shall adopt a statewide kindergarten screening that assesses the readiness of each student for kindergarten based upon the performance standards adopted by the department under s. 1002.67(1) for the Voluntary Prekindergarten Education Program. The department shall require that each school district administer the statewide kindergarten screening to each kindergarten student in the school district within the first 30 school days of each school year. *Nonpublic schools may administer the statewide kindergarten screening to each kindergarten student in a nonpublic school who was enrolled in the Voluntary Prekindergarten Education Program.*

(5) The State Board of Education shall adopt procedures for the department to annually calculate each private prekindergarten provider's and public school's kindergarten readiness rate, which must be expressed as the percentage of the provider's or school's students who are assessed as ready for kindergarten. The kindergarten readiness rates must be based exclusively upon the results of the statewide kindergarten screening for students completing the Voluntary Prekindergarten Education Program, beginning with students completing the program during the 2005-2006 school year who are administered the statewide kindergarten screening during the 2006-2007 school year. *The methodology for calculating each provider's kindergarten readiness rate must include the percentage of students who meet all state readiness measures.* The rates must not include students who are not administered the statewide kindergarten screening.

(6)(a) The State Board of Education shall periodically adopt a minimum kindergarten readiness rate that, if achieved by a private prekindergarten provider or public school, would demonstrate the provider's or school's satisfactory delivery of the Voluntary Prekindergarten Education Program.

~~(b) The minimum rate must not exceed the rate at which more than 15 percent of the kindergarten readiness rates of all private prekindergarten providers and public schools delivering the Voluntary Prekindergarten Education Program in the state would fall below the minimum rate.~~

(7)

(b) A private prekindergarten provider's or public school's request for a good cause exemption, or renewal of such an exemption, must be submitted to the state board in the manner and within the timeframes prescribed by the state board and must include the following:

1. Submission of data by the private prekindergarten provider or public school which documents ~~on a standardized assessment~~ the achievement and progress of the children served *as measured by the state-approved prekindergarten enrollment screening and the standar-*

dized post-assessment approved by the department pursuant to subparagraph (c)1.

2. Submission and review of data available from the respective early learning coalition or district school board, the Department of Children and Family Services, local licensing authority, or an accrediting association, as applicable, relating to the private prekindergarten provider's or public school's compliance with state and local health and safety standards.

3. Submission and review of data available to the department on the performance of the children served and the calculation of the private prekindergarten provider's or public school's kindergarten readiness rate.

(c) The State Board of Education shall adopt criteria for granting good cause exemptions. Such criteria shall include, but are not limited to:

1. Learning gains of children served in the Voluntary Prekindergarten Education Program by the private prekindergarten provider or public school. *A provider seeking a good cause exemption shall have the early learning coalition or a department-approved second party administer the state-approved prekindergarten enrollment screening to each child in the prekindergarten provider's program within the first 30 days of each school year for which a good cause exemption is sought, and the provider shall administer the standardized post-assessment approved by the department to measure the student's learning gains for the year or summer, as appropriate. All data must be submitted to the department within 30 days after the administration of each assessment. Each parent who enrolls his or her child in a Voluntary Prekindergarten Education Program offered by a provider seeking a good cause exemption must submit the child for the state-approved prekindergarten enrollment screening.*

~~2. Verification that the private prekindergarten provider or public school serves at least twice the statewide percentage of children with disabilities as defined in s. 1003.01(3)(a) or children identified as limited English proficient as defined in s. 1003.56.~~

~~2.3. Verification that local and state health and safety requirements are met.~~

Section 13. Subsection (4) of section 1002.71, Florida Statutes, is amended to read:

1002.71 Funding; financial and attendance reporting.—

(4) Notwithstanding s. 1002.53(3) and subsection (2):

(a) A child who, for any of the prekindergarten programs listed in s. 1002.53(3), has not completed more than 70 percent of the hours authorized to be reported for funding under subsection (2), or has not expended more than 70 percent of the funds authorized for the child under s. 1002.66, may withdraw from the program for good cause and reenroll in one of the programs. The total funding for a child who reenrolls in one of the programs for good cause may not exceed one full-time equivalent student. Funding for a child who withdraws and reenrolls in one of the programs for good cause shall be issued in accordance with the agency's uniform attendance policy adopted pursuant to paragraph (6)(d).

(b) A child who has not substantially completed any of the prekindergarten programs listed in s. 1002.53(3) may withdraw from the program due to an extreme hardship that is beyond the child's or parent's control, reenroll in one of the summer programs, and be reported for funding purposes as a full-time equivalent student in the summer program for which the child is reenrolled.

A child may reenroll only once in a prekindergarten program under this section. A child who reenrolls in a prekindergarten program under this subsection may not subsequently withdraw from the program and reenroll, *unless the child is granted a good cause exemption under this subsection.* The Agency for Workforce Innovation shall establish criteria specifying whether a good cause exists for a child to withdraw from a program under paragraph (a), whether a child has substantially completed a program under paragraph (b), and whether an extreme hardship exists which is beyond the child's or parent's control under paragraph (b).

Section 14. Subsection (2) of section 1002.73, Florida Statutes, is amended to read:

1002.73 Department of Education; powers and duties; accountability requirements.—

(2) The department shall adopt procedures for its:

(a) Approval of prekindergarten director credentials under ss. 1002.55 and 1002.57.

(b) Approval of emergent literacy training courses under ss. 1002.55 and 1002.59.

(c) Administration of the statewide kindergarten screening and calculation of kindergarten readiness rates under s. 1002.69.

(d) *Implementation of, and determination of costs associated with, the state-approved prekindergarten enrollment screening and the standardized post-assessment approved by the department, and determination of the learning gains of students who complete the state-approved prekindergarten enrollment screening and the standardized post-assessment approved by the department.*

(e)(~~d~~) Approval of specialized instructional services providers under s. 1002.66.

(f) *Annual reporting of the percentage of kindergarten students who meet all state readiness measures.*

(g)(~~e~~) Granting of a private prekindergarten provider's or public school's request for a good cause exemption under s. 1002.69(7).

Section 15. Paragraph (b) of subsection (3) of section 1003.01, Florida Statutes, is amended to read:

1003.01 Definitions.—As used in this chapter, the term:

(3)

(b) "Special education services" means specially designed instruction and such related services as are necessary for an exceptional student to benefit from education. Such services may include: transportation; diagnostic and evaluation services; social services; physical and occupational therapy; speech and language pathology services; job placement; orientation and mobility training; braillists, typists, and readers for the blind; interpreters and auditory amplification; *services provided by a certified listening and spoken language specialist*; rehabilitation counseling; transition services; mental health services; guidance and career counseling; specified materials, assistive technology devices, and other specialized equipment; and other such services as approved by rules of the state board.

Section 16. Subsection (1) of section 1003.4156, Florida Statutes, is amended to read:

1003.4156 General requirements for middle grades promotion.—

(1) ~~Beginning with students entering grade 6 in the 2006-2007 school year,~~ Promotion from a school composed of middle grades 6, 7, and 8 requires that:

(a) The student must successfully complete academic courses as follows:

1. Three middle school or higher courses in English. These courses shall emphasize literature, composition, and technical text.

2. Three middle school or higher courses in mathematics. Each middle school must offer at least one high school level mathematics course for which students may earn high school credit. Successful completion of a high school level Algebra I or geometry course is not contingent upon the student's performance on the end-of-course assessment required under s. 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012 school year, to earn high school credit for an Algebra I course, a middle school student must pass the Algebra I end-of-course assessment, and beginning with the 2012-2013 school year, to earn high school credit for a geometry course, a middle school student must pass the geometry end-of-course assessment.

3. Three middle school or higher courses in social studies, one semester of which must include the study of state and federal government and civics education. Beginning with students entering grade 6 in the 2012-2013 school year, one of these courses must be at least a one-semester civics education course that a student successfully completes in accordance with s. 1008.22(3)(c) and that includes the roles and responsibilities of federal, state, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States.

4. Three middle school or higher courses in science. Successful completion of a high school level Biology I course is not contingent upon the student's performance on the end-of-course assessment required under s. 1008.22(3)(c)2.a.(II). However, beginning with the 2012-2013 school year, to earn high school credit for a Biology I course, a middle school student must pass the Biology I end-of-course assessment.

5. One course in career and education planning to be completed in 7th or 8th grade. The course may be taught by any member of the instructional staff; must include career exploration using Florida CHOICES or a comparable cost-effective program; must include educational planning using the online student advising system known as Florida Academic Counseling and Tracking for Students at the Internet website FACTS.org; and shall result in the completion of a personalized academic and career plan. The required personalized academic and career plan must inform students of high school graduation requirements, high school assessment and college entrance test requirements, Florida Bright Futures Scholarship Program requirements, state university and Florida college admission requirements, and programs through which a high school student can earn college credit, including Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment, career academy opportunities, and courses that lead to national industry certification.

A student with a disability, as defined in s. 1007.02(2), for whom the individual education plan team determines that an end-of-course assessment cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have the end-of-course assessment results waived for purposes of determining the student's course grade and completing the requirements for middle grades promotion. Each school must hold a parent meeting either in the evening or on a weekend to inform parents about the course curriculum and activities. Each student shall complete an electronic personal education plan that must be signed by the student; the student's instructor, guidance counselor, or academic advisor; and the student's parent. The Department of Education shall develop course frameworks and professional development materials for the career exploration and education planning course. The course may be implemented as a stand-alone course or integrated into another course or courses. The Commissioner of Education shall collect longitudinal high school course enrollment data by student ethnicity in order to analyze course-taking patterns.

(b) For each year in which a student scores at Level 1 on FCAT Reading, the student must be enrolled in and complete an intensive reading course the following year. Placement of Level 2 readers in either an intensive reading course or a content area course in which reading strategies are delivered shall be determined by diagnosis of reading needs. The department shall provide guidance on appropriate strategies for diagnosing and meeting the varying instructional needs of students reading below grade level. Reading courses shall be designed and offered pursuant to the comprehensive reading plan required by s. 1011.62(9). *A middle grades student who scores at Level 1 or Level 2 on FCAT Reading but who did not score below Level 3 in the previous 3 years may be granted a 1-year exemption from the reading remediation requirement; however, the student must have an approved academic improvement plan already in place, signed by the appropriate school staff and the student's parent, for the year for which the exemption is granted.*

(c) For each year in which a student scores at Level 1 or Level 2 on FCAT Mathematics, the student must receive remediation the following year, which may be integrated into the student's required mathematics course.

Section 17. Section 1003.4203, Florida Statutes, is created to read:

1003.4203 *Digital curriculum.—*

(1) Each district school board, in consultation with the district school superintendent, may develop and implement a digital curriculum for students in grades 6 through 12 in order to enable students to attain competencies in web communications and web design. A digital curriculum may include web-based skills, web-based core technologies, web design, use of digital technologies and markup language to show competency in computer skills, and use of web-based core technologies to design creative, informational, and content standards for web-based digital products that demonstrate proficiency in creating, publishing, testing, monitoring, and maintaining a website.

(2) The digital curriculum instruction may be integrated into middle school and high school subject area curricula or offered as a separate course, subject to available funding.

(3) The Department of Education shall develop a model digital curriculum to serve as a guide for district school boards in the development of a digital curriculum.

(4) A district school board may seek partnerships with private businesses and consultants to offer classes and instruction to teachers and students to assist the school district in providing digital curriculum instruction.

Section 18. Paragraph (b) of subsection (2) of section 1003.428, Florida Statutes, is amended to read:

1003.428 General requirements for high school graduation; revised.—

(2) The 24 credits may be earned through applied, integrated, and combined courses approved by the Department of Education. The 24 credits shall be distributed as follows:

(b) Eight credits in electives.

1. For each year in which a student scores at Level 1 on FCAT Reading, the student must be enrolled in and complete an intensive reading course the following year. Placement of Level 2 readers in either an intensive reading course or a content area course in which reading strategies are delivered shall be determined by diagnosis of reading needs. The department shall provide guidance on appropriate strategies for diagnosing and meeting the varying instructional needs of students reading below grade level. Reading courses shall be designed and offered pursuant to the comprehensive reading plan required by s. 1011.62(9). A high school student who scores at Level 1 or Level 2 on FCAT Reading but who did not score below Level 3 in the previous 3 years may be granted a 1-year exemption from the reading remediation requirement; however, the student must have an approved academic improvement plan already in place, signed by the appropriate school staff and the student's parent, for the year for which the exemption is granted.

2. For each year in which a student scores at Level 1 or Level 2 on FCAT Mathematics, the student must receive remediation the following year. These courses may be taught through applied, integrated, or combined courses and are subject to approval by the department for inclusion in the Course Code Directory.

Section 19. Subsections (2), (3), (4), and (7) of section 1003.429, Florida Statutes, are amended to read:

1003.429 Accelerated high school graduation options.—

(2) Prior to selecting a program described in paragraph (1)(b) or paragraph (1)(c), a student and the student's parent ~~should~~ ~~must~~ meet with designated school personnel to receive an explanation of the relative requirements, advantages, and disadvantages of each program option, and the student must also receive the written consent of the student's parent. ~~If an effort to meet with the student's parent fails and that effort has been documented by designated school personnel, the student may select a program described in paragraph (1)(b) or paragraph (1)(c) with the written consent of the student's parent. A student may select a program described in paragraph (1)(b) or paragraph (1)(c) without the written consent of the student's parent if the student is 18 years of age or older.~~

(3) Beginning with the 2011-2012 ~~2006-2007~~ school year, each district school board shall provide each student in grades 6 through 12 ~~9~~ and their parents with information concerning the 3-year and 4-year

high school graduation options listed in subsection (1), including the respective curriculum requirements for those options, so that the students and their parents may select the program that best fits their needs. The information must include a timeframe for achieving each graduation option.

(4) Selection of one of the graduation options listed in subsection (1) ~~may~~ ~~must~~ be completed by the student at any time during grades 9 through 12 ~~prior to the end of grade 9 and is exclusively up to the student and parent~~, subject to the requirements in subsection (2). ~~Each district school board shall establish policies for extending this deadline to the end of a student's first semester of grade 10 for a student who entered a Florida public school after grade 9 upon transfer from a private school or another state or who was prevented from choosing a graduation option due to illness during grade 9.~~ If the student and parent fail to select one of the accelerated high school graduation options ~~a graduation option~~, the student shall be considered to have selected the general requirements for high school graduation pursuant to paragraph (1)(a).

(7) If, at the end of each grade ~~10~~, a student is not on track to meet the credit, assessment, or grade-point-average requirements of the accelerated graduation option selected, the school shall notify the student and parent of the following:

(a) The requirements that the student is not currently meeting.

(b) The specific performance necessary in grade 11 for the student to meet the accelerated graduation requirements.

(c) The right of the student to change to the 4-year program set forth in s. 1003.428 or s. 1003.43, as applicable.

Section 20. Subsections (2), (3), and (5) of section 1003.491, Florida Statutes, are amended to read:

1003.491 Florida Career and Professional Education Act.—The Florida Career and Professional Education Act is created to provide a statewide planning partnership between the business and education communities in order to attract, expand, and retain targeted, high-value industry and to sustain a strong, knowledge-based economy.

(2) ~~Beginning with the 2007-2008 school year~~, Each district school board shall develop, in collaboration with ~~regional local~~ workforce boards, ~~economic development agencies~~, and postsecondary institutions approved to operate in the state, a strategic 5-year plan to address and meet local and regional workforce demands. If involvement of a ~~regional the local~~ workforce board or an ~~economic development agency~~ in the strategic plan development is not feasible, the local school board, with the approval of the Agency for Workforce Innovation, shall collaborate with the most appropriate ~~regional local~~ business leadership board. Two or more school districts may collaborate in the development of the strategic plan and offer a career and professional academy as a joint venture. ~~The strategic plan~~ ~~Such plans~~ must describe in detail provisions for the efficient transportation of students, the maximum use of shared resources, ~~and~~ access to courses aligned to state curriculum standards through virtual education providers legislatively authorized to provide part-time instruction to middle school students, and an objective review of career and professional academy courses to determine if the courses will lead to the attainment of industry certifications included on the Industry Certified Funding List pursuant to rules adopted by the State Board of Education the Florida Virtual School when appropriate. Each strategic plan shall be reviewed, updated, and jointly approved every 5 years by the local school district, regional workforce boards, economic development agencies, and state-approved postsecondary institutions ~~completed no later than June 30, 2008, and shall include provisions to have in place at least one operational career and professional academy, pursuant to s. 1003.492, no later than the beginning of the 2008-2009 school year.~~

(3) The strategic 5-year plan developed jointly by ~~between~~ the local school district, regional ~~local~~ workforce boards, economic development agencies, and state-approved postsecondary institutions shall be constructed and based on:

(a) Research conducted to objectively determine local and regional workforce needs for the ensuing 5 years, using labor projections of the United States Department of Labor and the Agency for Workforce Innovation;

(b) Strategies to develop and implement career academies based on those careers determined to be in high demand;

(c) Maximum use of private sector facilities and personnel;

(d) Strategies that ensure instruction by industry-certified faculty and standards and strategies to maintain current industry credentials and for recruiting and retaining faculty to meet those standards;

(e) Alignment of ~~to~~ requirements for middle school career exploration, *middle and high school career and professional academies leading to industry certification*, and high school graduation requirements ~~re-design~~;

(f) Provisions to ensure that courses offered through career and professional academies are academically rigorous, meet or exceed appropriate state-adopted subject area standards, result in attainment of industry certification, and, when appropriate, result in postsecondary credit;

(g) *Strategies to improve the passage rate for industry certification examinations if the rate falls below 50 percent;*

(h)(~~g~~) Establishment of student eligibility criteria in career and professional academies which include opportunities for students who have been unsuccessful in traditional classrooms but who show aptitude to participate in academies. School boards shall address the analysis of eighth grade student achievement data to provide opportunities for students who may be deemed as potential dropouts to participate in career and professional academies;

(i)(~~h~~) Strategies to provide sufficient space within academies to meet workforce needs and to provide access to all interested and qualified students;

(j)(~~i~~) Strategies to *implement engage Department of Juvenile Justice students in* career and professional academy training that leads to industry certification *at Department of Juvenile Justice facilities;*

(k)(~~j~~) Opportunities for high school students to earn weighted or dual enrollment credit for higher-level career and technical courses;

(l)(~~k~~) Promotion of the benefits of the Gold Seal Bright Futures Scholarship;

(m)(~~l~~) Strategies to ensure the review of district pupil-progression plans and to amend such plans to include career and professional courses and to include courses that may qualify as substitute courses for core graduation requirements and those that may be counted as elective courses; and

(n)(~~m~~) Strategies to provide professional development for secondary guidance counselors on the benefits of career and professional academies.

(5) The submission and review of newly proposed core courses shall be conducted electronically, and each proposed core course shall be approved or denied within 60 days. All courses approved as core courses for *purposes of middle school promotion and high school graduation purposes* shall be immediately added to the Course Code Directory. Approved core courses shall also be reviewed and considered for approval for dual enrollment credit. The Board of Governors and the Commissioner of Education shall jointly recommend an annual deadline for approval of new core courses to be included for purposes of postsecondary admissions and dual enrollment credit the following academic year. The State Board of Education shall establish an appeals process in the event that a proposed course is denied which shall require a consensus ruling by the Agency for Workforce Innovation and the Commissioner of Education within 15 days. The curriculum review committee must be established and operational no later than September 1, 2007.

Section 21. Subsections (2), (4), (5), and (6) of section 1003.493, Florida Statutes, are amended to read:

1003.493 Career and professional academies.—

(2) The goals of a career and professional academy are to:

(a) Increase student academic achievement and graduation rates through integrated academic and career curricula.

(b) Prepare graduating high school students to make appropriate choices relative to employment and future educational experiences.

(c) Focus on career preparation through rigorous academics and industry certification.

(d) Raise student aspiration and commitment to academic achievement and work ethics through relevant coursework.

~~(e) Support graduation requirements pursuant to s. 1003.428 by providing creative, applied major areas of interest.~~

~~(e)(~~f~~)~~ Promote acceleration mechanisms, such as dual enrollment, articulated credit, or occupational completion points, so that students may earn postsecondary credit while in high school.

~~(f)(~~g~~)~~ Support the state's economy by meeting industry needs for skilled employees in high-demand occupations.

(4) Each career and professional academy must:

(a) Provide a rigorous standards-based academic curriculum integrated with a career curriculum. The curriculum must take into consideration multiple styles of student learning; promote learning by doing through application and adaptation; maximize relevance of the subject matter; enhance each student's capacity to excel; and include an emphasis on work habits and work ethics.

(b) Include one or more partnerships with postsecondary institutions, businesses, industry, employers, economic development organizations, or other appropriate partners from the local community. Such partnerships shall be delineated in articulation agreements to provide for career-based courses that earn postsecondary credit. Such agreements may include articulation between the academy and public or private 2-year and 4-year postsecondary institutions and technical centers. The Department of Education, in consultation with the Board of Governors, shall establish a mechanism to ensure articulation and transfer of credits to postsecondary institutions in this state. Such partnerships must provide opportunities for:

1. Instruction from highly skilled professionals who possess industry-certification credentials for courses they are teaching.
2. Internships, externships, and on-the-job training.
3. A postsecondary degree, diploma, or certificate.
4. The highest available level of industry certification.
5. Maximum articulation of credits pursuant to s. 1007.23 upon program completion.

(c) Provide shared, maximum use of private sector facilities and personnel.

(d) Provide personalized student advisement, including a parent-participation component, and coordination with middle schools to promote and support career exploration and education planning as required under s. 1003.4156. Coordination with middle schools must provide information to middle school students about secondary and postsecondary career education programs and academies.

(e) Promote and provide opportunities for career and professional academy students to attain, at minimum, the Florida Gold Seal Vocational Scholars award pursuant to s. 1009.536.

(f) Provide instruction in careers designated as high growth, high demand, and high pay by the *regional local* workforce development board, the chamber of commerce, *economic development agencies*, or the Agency for Workforce Innovation.

(g) Deliver academic content through instruction relevant to the career, including intensive reading and mathematics intervention required by s. 1003.428, with an emphasis on strengthening reading for information skills.

(h) Offer applied courses that combine academic content with technical skills.

(i) Provide instruction resulting in competency, certification, or credentials in workplace skills, including, but not limited to, communication skills, interpersonal skills, decisionmaking skills, the importance of attendance and timeliness in the work environment, and work ethics.

~~(j) Include a plan to sustain career and professional academies. Provide opportunities for students to obtain the Florida Ready to Work Certification pursuant to s. 1004.99.~~

~~(k) Include an evaluation plan developed jointly with the Department of Education and the local workforce board. The evaluation plan must include an assessment tool based on national industry standards, such as the Career Academy National Standards of Practice, and outcome measures, including, but not limited to, achievement of national industry certifications identified in the Industry Certification Funding List, pursuant to rules adopted by the State Board of Education, graduation rates, enrollment in postsecondary education, business and industry satisfaction, employment and earnings, awards of postsecondary credit and scholarships, and student achievement levels and learning gains on statewide assessments administered under s. 1008.22(3)(c). The Department of Education shall use Workforce Florida, Inc., and Enterprise Florida, Inc., in identifying industry experts to participate in developing and implementing such assessments.~~

~~(k)(m) Redirect appropriated career funding to career and professional academies.~~

(5) All career courses offered in a career and professional academy must lead to industry certification or college credit linked directly to the career theme of the course. *If the passage rate on an industry certification examination that is associated with the career and professional academy falls below 50 percent, the academy must discontinue enrollment of new students the following school year and each year thereafter until such time as the passage rate is above 50 percent or the academy is discontinued. At least 50 percent of students enrolled in a career course must achieve industry certifications or college credits during the second year the course is offered in order for the course to be offered a third year. At least 66 percent of students enrolled in such a course must achieve industry certifications or college credits during the third year the course is offered in order for it to be offered a fourth year and thereafter.*

(6) *Workforce Florida, Inc., through the secondary career academies initiatives, The Okaloosa County School District CHOICE Institutes shall serve in an advisory role and shall offer technical assistance in the development and deployment of newly established career and professional academies for a 3-year period beginning July 1, 2007.*

Section 22. Section 1003.4935, Florida Statutes, is created to read:

1003.4935 *Middle school career and professional academy courses.—*

(1) *Beginning with the 2011-2012 school year, each district school board, in collaboration with regional workforce boards, economic development agencies, and state-approved postsecondary institutions, shall include plans to implement a career and professional academy in at least one middle school in the district as part of the strategic 5-year plan pursuant to s. 1003.491(2). The middle school career and professional academy component of the strategic plan must ensure the transition of middle school career and professional academy students to a high school career and professional academy currently operating within the school district. Students who complete a middle school career and professional academy must have the opportunity to earn an industry certificate and high school credit and participate in career planning, job shadowing, and business leadership development activities.*

(2) *Each middle school career and professional academy must be aligned with at least one high school career and professional academy offered in the district and maintain partnerships with local business and industry and economic development boards. Middle school career and professional academies must:*

(a) *Provide instruction in courses leading to careers in occupations designated as high growth, high demand, and high pay in the Industry*

Certification Funding List approved under rules adopted by the State Board of Education;

(b) *Offer career and professional academy courses that integrate content from core subject areas;*

(c) *Offer courses that integrate career and professional academy content with intensive reading and mathematics pursuant to s. 1003.428;*

(d) *Coordinate with high schools to maximize opportunities for middle school career and professional academy students to earn high school credit;*

(e) *Provide access to virtual instruction courses provided by virtual education providers legislatively authorized to provide part-time instruction to middle school students which are aligned to state curriculum standards for middle school career and professional academy students, with priority given to students who have required course deficits;*

(f) *Provide instruction from highly skilled professionals who hold industry certificates in the career area in which they teach;*

(g) *Offer externships; and*

(h) *Provide personalized student advisement that includes a parent-participation component.*

(3) *Beginning with the 2012-2013 school year, if a school district implements a middle school career and professional academy, the Department of Education shall collect and report student achievement data pursuant to performance factors identified under s. 1003.492(3) for academy students.*

Section 23. Section 1003.573, Florida Statutes, is amended to read:

1003.573 Use of ~~seclusion and~~ restraint and ~~seclusion~~ on students with disabilities.—

(1) DOCUMENTATION AND REPORTING.—

(a) A school shall prepare an incident report within 24 hours after a student is released from restraint or seclusion. If the student's release occurs on a day before the school closes for the weekend, a holiday, or another reason, the incident report must be completed by the end of the school day on the day the school reopens.

(b) The following must be included in the incident report:

1. The name of the student restrained or secluded.

2. *The age, grade, ethnicity, and disability of the student restrained or secluded.*

~~3.2.~~ The date and time of the event and the duration of the restraint or seclusion.

~~4.2.~~ The location at which the restraint or seclusion occurred.

~~5.4.~~ A description of the type of restraint used in terms established by the Department of Education.

~~6.5.~~ The name of the person using or assisting in the restraint or seclusion of the student.

~~7.6.~~ The name of any nonstudent who was present to witness the restraint or seclusion.

~~8.7.~~ A description of the incident, including:

a. The context in which the restraint or seclusion occurred.

b. The student's behavior leading up to and precipitating the decision to use manual or physical restraint or seclusion, including an indication as to why there was an imminent risk of serious injury or death to the student or others.

c. The specific positive behavioral strategies used to prevent and deescalate the behavior.

d. What occurred with the student immediately after the termination of the restraint or seclusion.

e. Any injuries, visible marks, or possible medical emergencies that may have occurred during the restraint or seclusion, documented according to district policies.

f. Evidence of steps taken to notify the student's parent or guardian.

(c) A school shall notify the parent or guardian of a student each time manual or physical restraint or seclusion is used. Such notification must be in writing and provided before the end of the school day on which the restraint or seclusion occurs. Reasonable efforts must also be taken to notify the parent or guardian by telephone or computer e-mail, or both, and these efforts must be documented. The school shall obtain, and keep in its records, the parent's or guardian's signed acknowledgment that he or she was notified of his or her child's restraint or seclusion.

(d) A school shall also provide the parent or guardian with the completed incident report in writing by mail within 3 school days after a student was manually or physically restrained or secluded. The school shall obtain, and keep in its records, the parent's or guardian's signed acknowledgment that he or she received a copy of the incident report.

(2) MONITORING.—

(a) Monitoring of the use of manual or physical restraint or seclusion on students shall occur at the classroom, building, district, and state levels.

(b) ~~Beginning July 1, 2010,~~ Documentation prepared as required in subsection (1) shall be provided to the school principal, the district director of Exceptional Student Education, and the bureau chief of the Bureau of Exceptional Education and Student Services electronically each month that the school is in session.

(c) The department shall maintain aggregate data of incidents of manual or physical restraint and seclusion and disaggregate the data for analysis by county, school, student exceptionality, and other variables, including the type and method of restraint or seclusion used. This information shall be updated monthly.

(d) *The department shall establish standards for documenting, reporting, and monitoring the use of manual or physical restraint or mechanical restraint, and occurrences of seclusion. These standards shall be provided to school districts by October 1, 2011.*

(3) SCHOOL DISTRICT POLICIES AND PROCEDURES.—

(a) Each school district shall develop policies and procedures that are consistent with this section and that govern the following:

1. Incident-reporting procedures.
2. *Data collection and monitoring, including when, where, and why students are restrained or secluded; the frequency of occurrences of such restraint or seclusion; and the prone or mechanical restraint that is most used.*
3. Monitoring and reporting of data collected.
4. *Training programs relating to manual or physical restraint and seclusion.*
5. *The district's plan for selecting personnel to be trained.*
6. *The district's plan for reducing the use of restraint and seclusion particularly in settings in which it occurs frequently or with students who are restrained repeatedly, and for reducing the use of prone restraint and mechanical restraint. The plan must include a goal for reducing the use of restraint and seclusion and must include activities, skills, and resources needed to achieve that goal. Activities may include, but are not limited to:*

a. Additional training in positive behavioral support and crisis management;

b. Parental involvement;

c. Data review;

d. Updates of students' functional behavioral analysis and positive behavior intervention plans;

e. Additional student evaluations;

f. Debriefing with staff;

g. Use of schoolwide positive behavior support; and

h. Changes to the school environment.

(b) Any revisions to ~~the district's such~~ policies and procedures, which must be prepared as part of ~~its the school district's~~ special policies and procedures, must be filed with the bureau chief of the Bureau of Exceptional Education and Student Services no later than January 31, 2012 ~~2011~~.

(4) PROHIBITED RESTRAINT.—School personnel may not use a mechanical restraint or a manual or physical restraint that restricts a student's breathing.

(5) SECLUSION.—School personnel may not close, lock, or physically block a student in a room that is unlit and does not meet the rules of the State Fire Marshal for seclusion time-out rooms.

Section 24. Section 1003.575, Florida Statutes, is amended to read:

1003.575 Assistive technology devices; findings; interagency agreements.—Accessibility, utilization, and coordination of appropriate assistive technology devices and services are essential as a young person with disabilities moves from early intervention to preschool, from preschool to school, from one school to another, and from school to employment or independent living. *If an individual education plan team makes a recommendation in accordance with State Board of Education rule for a student with a disability, as defined in s. 1003.01(3), to receive an assistive technology assessment, that assessment must be completed within 60 school days after the team's recommendation.* To ensure that an assistive technology device issued to a young person as part of his or her individualized family support plan, individual support plan, or an individual education plan remains with the individual through such transitions, the following agencies shall enter into interagency agreements, as appropriate, to ensure the transaction of assistive technology devices:

(1) The Florida Infants and Toddlers Early Intervention Program in the Division of Children's Medical Services of the Department of Health.

(2) The Division of Blind Services, the Bureau of Exceptional Education and Student Services, and the Division of Vocational Rehabilitation of the Department of Education.

(3) The Voluntary Prekindergarten Education Program administered by the Department of Education and the Agency for Workforce Innovation.

Interagency agreements entered into pursuant to this section shall provide a framework for ensuring that young persons with disabilities and their families, educators, and employers are informed about the utilization and coordination of assistive technology devices and services that may assist in meeting transition needs, and shall establish a mechanism by which a young person or his or her parent may request that an assistive technology device remain with the young person as he or she moves through the continuum from home to school to postschool.

Section 25. Effective upon this act becoming a law, subsection (2) and paragraph (c) of subsection (3) of section 1008.22, Florida Statutes, are amended to read:

1008.22 Student assessment program for public schools.—

(2) NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.—It is Florida's intent to participate in the measurement of national educational goals. The Commissioner of Education shall direct Florida school districts to participate in the administration of the National Assessment of Educational Progress, or a similar national or international assessment program, both for the national sample and for any state-by-state comparison programs which may be initiated. The assessments must be conducted using the data collection procedures, the student surveys, the educator surveys, and other instruments included

in the National Assessment of Educational Progress or similar *national or international assessment* program being administered in Florida. The results of these assessments shall be included in the annual report of the Commissioner of Education specified in this section, *as applicable*. The administration of the National Assessment of Educational Progress or similar *national or international assessment* program shall be in addition to and separate from the administration of the statewide assessment program.

(3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall design and implement a statewide program of educational assessment that provides information for the improvement of the operation and management of the public schools, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs. The commissioner may enter into contracts for the continued administration of the assessment, testing, and evaluation programs authorized and funded by the Legislature. Contracts may be initiated in 1 fiscal year and continue into the next and may be paid from the appropriations of either or both fiscal years. The commissioner is authorized to negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials developed pursuant to law. Pursuant to the statewide assessment program, the commissioner shall:

(c) Develop and implement a student achievement testing program as follows:

1. The Florida Comprehensive Assessment Test (FCAT) measures a student's content knowledge and skills in reading, writing, science, and mathematics. The content knowledge and skills assessed by the FCAT must be aligned to the core curricular content established in the Next Generation Sunshine State Standards. Other content areas may be included as directed by the commissioner. Comprehensive assessments of reading and mathematics shall be administered annually in grades 3 through 10 except, beginning with the 2010-2011 school year, the administration of grade 9 FCAT Mathematics shall be discontinued, and beginning with the 2011-2012 school year, the administration of grade 10 FCAT Mathematics shall be discontinued, except as required for students who have not attained minimum performance expectations for graduation as provided in paragraph (9)(c). FCAT Writing and FCAT Science shall be administered at least once at the elementary, middle, and high school levels except, beginning with the 2011-2012 school year, the administration of FCAT Science at the high school level shall be discontinued.

2.a. End-of-course assessments for a subject shall be administered in addition to the comprehensive assessments required under subparagraph 1. End-of-course assessments must be rigorous, statewide, standardized, and developed or approved by the department. The content knowledge and skills assessed by end-of-course assessments must be aligned to the core curricular content established in the Next Generation Sunshine State Standards.

(I) Statewide, standardized end-of-course assessments in mathematics shall be administered according to this sub-sub-subparagraph. Beginning with the 2010-2011 school year, all students enrolled in Algebra I or an equivalent course must take the Algebra I end-of-course assessment. ~~Students who earned high school credit in Algebra I while in grades 6 through 8 during the 2007-2008 through 2009-2010 school years and who have not taken Grade 10 FCAT Mathematics must take the Algebra I end-of-course assessment during the 2010-2011 school year.~~ For students entering grade 9 during the 2010-2011 school year and who are enrolled in Algebra I or an equivalent, each student's performance on the end-of-course assessment in Algebra I shall constitute 30 percent of the student's final course grade. Beginning with students entering grade 9 in the 2011-2012 school year, a student who is enrolled in Algebra I or an equivalent must earn a passing score on the end-of-course assessment in Algebra I or attain an equivalent score as described in subsection (11) in order to earn course credit. Beginning with the 2011-2012 school year, all students enrolled in geometry or an equivalent course must take the geometry end-of-course assessment. For students entering grade 9 during the 2011-2012 school year, each student's performance on the end-of-course assessment in geometry shall constitute 30 percent of the student's final course grade. Beginning with students entering grade 9 during the 2012-2013 school year, a student must earn a passing score on the end-of-course assessment in geometry or attain an equivalent score as described in subsection (11) in order to earn course credit.

(II) Statewide, standardized end-of-course assessments in science shall be administered according to this sub-sub-subparagraph. Beginning with the 2011-2012 school year, all students enrolled in Biology I or an equivalent course must take the Biology I end-of-course assessment. For the 2011-2012 school year, each student's performance on the end-of-course assessment in Biology I shall constitute 30 percent of the student's final course grade. Beginning with students entering grade 9 during the 2012-2013 school year, a student must earn a passing score on the end-of-course assessment in Biology I in order to earn course credit.

b. During the 2012-2013 school year, an end-of-course assessment in civics education shall be administered as a field test at the middle school level. During the 2013-2014 school year, each student's performance on the statewide, standardized end-of-course assessment in civics education shall constitute 30 percent of the student's final course grade. Beginning with the 2014-2015 school year, a student must earn a passing score on the end-of-course assessment in civics education in order to pass the course and *be promoted from the middle grades receive course credit. The school principal of a middle school shall determine, in accordance with State Board of Education rule, whether a student who transfers to the middle school and who has successfully completed a civics education course at the student's previous school must take an end-of-course assessment in civics education.*

c. The commissioner may select one or more nationally developed comprehensive examinations, which may include, but need not be limited to, examinations for a College Board Advanced Placement course, International Baccalaureate course, or Advanced International Certificate of Education course, or industry-approved examinations to earn national industry certifications identified in the Industry Certification Funding List, pursuant to rules adopted by the State Board of Education, for use as end-of-course assessments under this paragraph, if the commissioner determines that the content knowledge and skills assessed by the examinations meet or exceed the grade level expectations for the core curricular content established for the course in the Next Generation Sunshine State Standards. The commissioner may collaborate with the American Diploma Project in the adoption or development of rigorous end-of-course assessments that are aligned to the Next Generation Sunshine State Standards.

d. Contingent upon funding provided in the General Appropriations Act, including the appropriation of funds received through federal grants, the Commissioner of Education shall establish an implementation schedule for the development and administration of additional statewide, standardized end-of-course assessments in English/Language Arts II, Algebra II, chemistry, physics, earth/space science, United States history, and world history. Priority shall be given to the development of end-of-course assessments in English/Language Arts II. The Commissioner of Education shall evaluate the feasibility and effect of transitioning from the grade 9 and grade 10 FCAT Reading and high school level FCAT Writing to an end-of-course assessment in English/Language Arts II. The commissioner shall report the results of the evaluation to the President of the Senate and the Speaker of the House of Representatives no later than July 1, 2011.

3. The testing program shall measure student content knowledge and skills adopted by the State Board of Education as specified in paragraph (a) and measure and report student performance levels of all students assessed in reading, writing, mathematics, and science. The commissioner shall provide for the tests to be developed or obtained, as appropriate, through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary educational institutions, or school districts. The commissioner shall obtain input with respect to the design and implementation of the testing program from state educators, assistive technology experts, and the public.

4. The testing program shall be composed of criterion-referenced tests that shall, to the extent determined by the commissioner, include test items that require the student to produce information or perform tasks in such a way that the core content knowledge and skills he or she uses can be measured.

5. FCAT Reading, Mathematics, and Science and all statewide, standardized end-of-course assessments shall measure the content knowledge and skills a student has attained on the assessment by the use of scaled scores and achievement levels. Achievement levels shall range from 1 through 5, with level 1 being the lowest achievement level,

level 5 being the highest achievement level, and level 3 indicating satisfactory performance on an assessment. For purposes of FCAT Writing, student achievement shall be scored using a scale of 1 through 6 and the score earned shall be used in calculating school grades. A score shall be designated for each subject area tested, below which score a student's performance is deemed inadequate. The school districts shall provide appropriate remedial instruction to students who score below these levels.

6. The State Board of Education shall, by rule, designate a passing score for each part of the grade 10 assessment test and end-of-course assessments. Any rule that has the effect of raising the required passing scores may apply only to students taking the assessment for the first time after the rule is adopted by the State Board of Education. Except as otherwise provided in this subparagraph and as provided in s. 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a passing score on grade 10 FCAT Reading and grade 10 FCAT Mathematics or attain concordant scores as described in subsection (10) in order to qualify for a standard high school diploma.

7. In addition to designating a passing score under subparagraph 6., the State Board of Education shall also designate, by rule, a score for each statewide, standardized end-of-course assessment which indicates that a student is high achieving and has the potential to meet college-readiness standards by the time the student graduates from high school.

8. Participation in the testing program is mandatory for all students attending public school, including students served in Department of Juvenile Justice programs, except as otherwise prescribed by the commissioner. A student who has not earned passing scores on the grade 10 FCAT as provided in subparagraph 6. must participate in each retake of the assessment until the student earns passing scores or achieves scores on a standardized assessment which are concordant with passing scores pursuant to subsection (10). If a student does not participate in the statewide assessment, the district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. A parent must provide signed consent for a student to receive classroom instructional accommodations that would not be available or permitted on the statewide assessments and must acknowledge in writing that he or she understands the implications of such instructional accommodations. The State Board of Education shall adopt rules, based upon recommendations of the commissioner, for the provision of test accommodations for students in exceptional education programs and for students who have limited English proficiency. Accommodations that negate the validity of a statewide assessment are not allowable in the administration of the FCAT or an end-of-course assessment. However, instructional accommodations are allowable in the classroom if included in a student's individual education plan. Students using instructional accommodations in the classroom that are not allowable as accommodations on the FCAT or an end-of-course assessment may have the FCAT or an end-of-course assessment requirement waived pursuant to the requirements of s. 1003.428(8)(b) or s. 1003.43(11)(b).

9. A student seeking an adult high school diploma must meet the same testing requirements that a regular high school student must meet.

10. District school boards must provide instruction to prepare students in the core curricular content established in the Next Generation Sunshine State Standards adopted under s. 1003.41, including the core content knowledge and skills necessary for successful grade-to-grade progression and high school graduation. If a student is provided with instructional accommodations in the classroom that are not allowable as accommodations in the statewide assessment program, as described in the test manuals, the district must inform the parent in writing and must provide the parent with information regarding the impact on the student's ability to meet expected performance levels in reading, writing, mathematics, and science. The commissioner shall conduct studies as necessary to verify that the required core curricular content is part of the district instructional programs.

11. District school boards must provide opportunities for students to demonstrate an acceptable performance level on an alternative standardized assessment approved by the State Board of Education following enrollment in summer academies.

12. The Department of Education must develop, or select, and implement a common battery of assessment tools that will be used in all

juvenile justice programs in the state. These tools must accurately measure the core curricular content established in the Next Generation Sunshine State Standards.

13. For students seeking a special diploma pursuant to s. 1003.438, the Department of Education must develop or select and implement an alternate assessment tool that accurately measures the core curricular content established in the Next Generation Sunshine State Standards for students with disabilities under s. 1003.438.

14. The Commissioner of Education shall establish schedules for the administration of statewide assessments and the reporting of student test results. When establishing the schedules for the administration of statewide assessments, the commissioner shall consider the observance of religious and school holidays. The commissioner shall, by August 1 of each year, notify each school district in writing and publish on the department's Internet website the testing and reporting schedules for, at a minimum, the school year following the upcoming school year. The testing and reporting schedules shall require that:

a. There is the latest possible administration of statewide assessments and the earliest possible reporting to the school districts of student test results which is feasible within available technology and specific appropriations; however, test results for the FCAT must be made available no later than the week of June 8. Student results for end-of-course assessments must be provided no later than 1 week after the school district completes testing for each course. *The commissioner may extend the reporting schedule under exigent circumstances.*

b. ~~Beginning with the 2010-2011 school year,~~ FCAT Writing ~~may is~~ not be administered earlier than the week of March 1 and a comprehensive statewide assessment of any other subject ~~may is~~ not be administered earlier than the week of April 15.

c. A statewide, standardized end-of-course assessment is administered ~~during a 3-week period~~ at the end of the course. The commissioner shall select ~~an a 3-week~~ administration period for assessments that meets the intent of end-of-course assessments and provides student results prior to the end of the course. School districts shall *administer tests in accordance with the schedule determined by the commissioner* ~~select 1 testing week within the 2-week administration period for each end-of-course assessment.~~ For an end-of-course assessment administered at the end of the first semester, the commissioner shall determine the most appropriate testing dates based on a *review of each school district's academic calendar.*

The commissioner may, based on collaboration and input from school districts, design and implement student testing programs, for any grade level and subject area, necessary to effectively monitor educational achievement in the state, including the measurement of educational achievement of the Next Generation Sunshine State Standards for students with disabilities. Development and refinement of assessments shall include universal design principles and accessibility standards that will prevent any unintended obstacles for students with disabilities while ensuring the validity and reliability of the test. These principles should be applicable to all technology platforms and assistive devices available for the assessments. The field testing process and psychometric analyses for the statewide assessment program must include an appropriate percentage of students with disabilities and an evaluation or determination of the effect of test items on such students.

Section 26. Subsection (3) of section 1008.30, Florida Statutes, is amended to read:

1008.30 Common placement testing for public postsecondary education.—

(3) The State Board of Education shall adopt rules that require high schools to evaluate before the beginning of grade 12 the college readiness of each student who ~~indicates an interest in postsecondary education~~ and scores at Level 2 or Level 3 on the reading portion of the grade 10 FCAT or Level 2, Level 3, or Level 4 on the mathematics assessments under s. 1008.22(3)(c). High schools shall perform this evaluation using results from the corresponding component of the common placement test prescribed in this section, or an equivalent test identified by the State Board of Education. ~~The State Board Department~~ of Education shall ~~identify in rule purchase or develop~~ the assessments necessary to perform the evaluations required by this subsection and shall work with the

school districts to administer the assessments. The State Board of Education shall establish by rule the minimum test scores a student must achieve to demonstrate readiness. Students who demonstrate readiness by achieving the minimum test scores established by the state board and enroll in a community college within 2 years of achieving such scores shall not be required to *retest or enroll in remediation when admitted courses as a condition of acceptance* to any community college. The high school shall use the results of the test to advise the students of any identified deficiencies and to ~~the maximum extent practicable~~ provide 12th grade students, *and require them to complete, access to appropriate postsecondary preparatory remedial instruction* prior to high school graduation. ~~The curriculum remedial instruction provided under this subsection shall be identified in rule by the State Board of Education and encompass Florida's Postsecondary Readiness Competencies. Other elective courses may not be substituted for the selected postsecondary reading, mathematics, or writing preparatory course unless the elective course covers the same competencies included in the postsecondary reading, mathematics, or writing preparatory course a collaborative effort between secondary and postsecondary educational institutions. To the extent courses are available, the Florida Virtual School may be used to provide the remedial instruction required by this subsection.~~

Section 27. Paragraph (b) of subsection (3) and subsection (4) of section 1008.33, Florida Statutes, are amended to read:

1008.33 Authority to enforce public school improvement.—

(3)

(b) For the purpose of determining whether a public school requires action to achieve a sufficient level of school improvement, *beginning with the 2010-2011 school year*, the Department of Education shall annually categorize a public school in one of six categories based on the *following*:

1. A school's grade based upon statewide assessments administered pursuant to s. 1008.22; and

2. ~~school's grade, pursuant to s. 1008.34, and~~ The level and rate of change in student performance in the areas of reading and mathematics, disaggregated into student subgroups as described in the federal Elementary and Secondary Education Act, 20 U.S.C. s. 6311(b)(2)(C)(v)(II).

(4) The Department of Education shall create a matrix that reflects intervention and support strategies to address the particular needs of schools in each category.

(a) Intervention and support strategies shall be applied to schools based upon the school categorization *pursuant to paragraph (3)(b)*. The Department of Education shall apply the most intense intervention strategies to the lowest-performing schools. For all but the lowest category and "F" schools in the second lowest category, the intervention and support strategies shall be administered solely by the districts and the schools.

(b) The lowest-performing schools are schools that *are categorized pursuant to paragraph (3)(b) and have received*:

1. A grade of "F" in the most recent school year and in 4 of the last 6 years; or

2. A grade of "D" or "F" in the most recent school year and meet at least three of the following criteria:

a. The percentage of students who are not proficient in reading has increased when compared to measurements taken 5 years previously;

b. The percentage of students who are not proficient in mathematics has increased when compared to measurements taken 5 years previously;

c. At least 65 percent of the school's students are not proficient in reading; or

d. At least 65 percent of the school's students are not proficient in mathematics.

Section 28. Paragraph (f) of subsection (5) of section 1008.331, Florida Statutes, is amended to read:

1008.331 Supplemental educational services in Title I schools; school district, provider, and department responsibilities.—

(5) RESPONSIBILITIES OF THE DEPARTMENT OF EDUCATION.—

(f) ~~By September 1, 2009,~~ The department shall approve *and a district may select* acceptable premethods and postmethods for measuring student learning gains, including standardized assessments, diagnostic assessments, criterion-referenced and skills-based assessments, or other applicable methods appropriate for each grade level, for use by supplemental educational services providers and local school districts in determining student learning gains. Each method must be able to measure student progress toward mastering the benchmarks or access points set forth in the Sunshine State Standards and the student's supplemental educational services plan. The use of a diagnostic and assessment instrument, which is aligned to a provider's curriculum, is an acceptable premethod and postmethod if the provider can demonstrate that the assessment meets the requirements in this paragraph and is not deemed unreliable or invalid by the department.

1. A district may include in its district contract with a provider a requirement to use a single uniform assessment, if the department is notified of such intent before the district school start date, and the assessment is not deemed invalid or unreliable by the department as a means to measure student progress toward mastering the benchmarks or access points set forth in the state standards and the student's supplemental educational services plan, and to evaluate the effectiveness of the provider.

2. If a district requires a provider to use a third party entity to determine student academic deficiencies or learning gains; to administer, supervise, or score the uniform district assessment; or to develop student profiles, providers may not be charged more than 3 percent of the maximum per-child expenditure for supplemental educational services or \$50 per student, whichever is greater, including the actual assessment tool if administered by the third party entity.

Section 29. Paragraphs (b) and (c) of subsection (3) of section 1008.34, Florida Statutes, are amended to read:

1008.34 School grading system; school report cards; district grade.—

(3) DESIGNATION OF SCHOOL GRADES.—

(b)1. A school's grade shall be based on a combination of:

a. Student achievement scores, including achievement on all FCAT assessments administered under s. 1008.22(3)(c)1., end-of-course assessments administered under s. 1008.22(3)(c)2.a., and achievement scores for students seeking a special diploma.

b. Student learning gains in reading and mathematics as measured by FCAT and end-of-course assessments, as described in s. 1008.22(3)(c) 1. and 2.a. Learning gains for students seeking a special diploma, as measured by an alternate assessment tool, shall be included not later than the 2009-2010 school year.

c. Improvement of the lowest 25th percentile of students in the school in reading and mathematics on the FCAT or end-of-course assessments described in s. 1008.22(3)(c)2.a., unless these students are exhibiting satisfactory performance.

2. *Beginning with the 2011-2012 school year, for schools comprised of middle school grades 6 through 8 or grades 7 and 8, the school's grade shall include the performance and participation of its students enrolled in high school level courses with end-of-course assessments administered under s. 1008.22(3)(c)2.a. Performance and participation must be weighted equally. As valid data becomes available, the school grades shall include the students' attainment of national industry certification identified in the Industry Certification Funding List pursuant to rules adopted by the State Board of Education.*

3. ~~2.~~ Beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, 50 percent of the school grade shall be based on a combination of the factors listed in sub-subparagraphs 1.a.-c. and the remaining 50 percent on the following factors:

a. The high school graduation rate of the school;

b. As valid data becomes available, the performance and participation of the school's students in College Board Advanced Placement courses, International Baccalaureate courses, dual enrollment courses, and Advanced International Certificate of Education courses; and the students' achievement of national industry certification identified in the Industry Certification Funding List, pursuant to rules adopted by the State Board of Education;

c. Postsecondary readiness of the school's students as measured by the SAT, ACT, or the common placement test;

d. The high school graduation rate of at-risk students who scored at Level 2 or lower on the grade 8 FCAT Reading and Mathematics examinations;

e. As valid data becomes available, the performance of the school's students on statewide standardized end-of-course assessments administered under s. 1008.22(3)(c)2.b. and c.; and

f. The growth or decline in the components listed in sub-subparagraphs a.-e. from year to year.

(c) Student assessment data used in determining school grades shall include:

1. The aggregate scores of all eligible students enrolled in the school who have been assessed on the FCAT and statewide, standardized end-of-course assessments in courses required for high school graduation, including, beginning with the 2010-2011 school year, the end-of-course assessment in Algebra I; and beginning with the 2011-2012 school year, the end-of-course assessments in geometry and Biology; and beginning with the 2013-2014 school year, on the statewide, standardized end-of-course assessment in civics education at the middle school level.

2. The aggregate scores of all eligible students enrolled in the school who have been assessed on the FCAT and end-of-course assessments as described in s. 1008.22(3)(c)2.a., and who have scored at or in the lowest 25th percentile of students in the school in reading and mathematics, unless these students are exhibiting satisfactory performance.

3. The achievement scores and learning gains of eligible students attending alternative schools that provide dropout prevention and academic intervention services pursuant to s. 1003.53. The term "eligible students" in this subparagraph does not include students attending an alternative school who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice. The student performance data for eligible students identified in this subparagraph shall be included in the calculation of the home school's grade. As used in this *subparagraph section* and s. 1008.341, the term "home school" means the school to which the student would be assigned if the student were not assigned to an alternative school. If an alternative school chooses to be graded under this section, student performance data for eligible students identified in this subparagraph shall not be included in the home school's grade but shall be included only in the calculation of the alternative school's grade. A school district that fails to assign the FCAT and end-of-course assessment as described in s. 1008.22(3)(c)2.a. scores of each of its students to his or her home school or to the alternative school that receives a grade shall forfeit Florida School Recognition Program funds for 1 fiscal year. School districts must require collaboration between the home school and the alternative school in order to promote student success. This collaboration must include an annual discussion between the principal of the alternative school and the principal of each student's home school concerning the most appropriate school assignment of the student.

4. *The achievement scores and learning gains of students designated as hospital or homebound. Student assessment data for students designated as hospital or homebound shall be assigned to their home school for the purposes of school grades. As used in this subparagraph, the term "home school" means the school to which a student would be assigned if the student were not assigned to a hospital or homebound program.*

5.4. For schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the data listed in subparagraphs 1.-3. and the following data as the Department of Education determines such data are valid and available:

a. The high school graduation rate of the school as calculated by the Department of Education;

b. The participation rate of all eligible students enrolled in the school and enrolled in College Board Advanced Placement courses; International Baccalaureate courses; dual enrollment courses; Advanced International Certificate of Education courses; and courses or sequence of courses leading to national industry certification identified in the Industry Certification Funding List, pursuant to rules adopted by the State Board of Education;

c. The aggregate scores of all eligible students enrolled in the school in College Board Advanced Placement courses, International Baccalaureate courses, and Advanced International Certificate of Education courses;

d. Earning of college credit by all eligible students enrolled in the school in dual enrollment programs under s. 1007.271;

e. Earning of a national industry certification identified in the Industry Certification Funding List, pursuant to rules adopted by the State Board of Education;

f. The aggregate scores of all eligible students enrolled in the school in reading, mathematics, and other subjects as measured by the SAT, the ACT, and the common placement test for postsecondary readiness;

g. The high school graduation rate of all eligible at-risk students enrolled in the school who scored at Level 2 or lower on the grade 8 FCAT Reading and Mathematics examinations;

h. The performance of the school's students on statewide standardized end-of-course assessments administered under s. 1008.22(3)(c)2.b. and c.; and

i. The growth or decline in the data components listed in sub-subparagraphs a.-h. from year to year.

The State Board of Education shall adopt appropriate criteria for each school grade. The criteria must also give added weight to student achievement in reading. Schools designated with a grade of "C," making satisfactory progress, shall be required to demonstrate that adequate progress has been made by students in the school who are in the lowest 25th percentile in reading and mathematics on the FCAT and end-of-course assessments as described in s. 1008.22(3)(c)2.a., unless these students are exhibiting satisfactory performance. Beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria for school grades must also give added weight to the graduation rate of all eligible at-risk students, as defined in this paragraph. Beginning in the 2009-2010 school year, in order for a high school to be designated as having a grade of "A," making excellent progress, the school must demonstrate that at-risk students, as defined in this paragraph, in the school are making adequate progress.

Section 30. Paragraph (a) of subsection (3) of section 1011.01, Florida Statutes, is amended to read:

1011.01 Budget system established.—

(3)(a) Each district school board and each community college board of trustees shall prepare, adopt, and submit to the Commissioner of Education ~~for review~~ an annual operating budget. Operating budgets shall be prepared and submitted in accordance with the provisions of law, rules of the State Board of Education, the General Appropriations Act, and for district school boards in accordance with the provisions of ss. 200.065 and 1011.64.

Section 31. Subsection (4) of section 1011.03, Florida Statutes, is amended to read:

1011.03 Public hearings; budget to be submitted to Department of Education.—

(4) The board shall hold public hearings to adopt tentative and final budgets pursuant to s. 200.065. The hearings shall be primarily for the purpose of hearing requests and complaints from the public regarding the budgets and the proposed tax levies and for explaining the budget and proposed or adopted amendments thereto, if any. The district school

board shall then require the superintendent to transmit forthwith two copies of the adopted budget to the Department of Education ~~for approval~~ as prescribed by law and rules of the State Board of Education.

Section 32. Section 1011.035, Florida Statutes, is created to read:

1011.035 School district budget transparency.-

(1) It is important for school districts to provide budgetary transparency to enable taxpayers, parents, and education advocates to obtain school district budget and related information in a manner that is simply explained and easily understandable. Budgetary transparency leads to more responsible spending, more citizen involvement, and improved accountability. A budget that is not transparent, accessible, and accurate cannot be properly analyzed, its implementation thoroughly monitored, or its outcomes evaluated.

(2) Each district school board shall post on its website a plain language version of each proposed, tentative, and official budget which describes each budget item in terms that are easily understandable to the public. This information must be prominently posted on the school district's website in a manner that is readily accessible to the public.

(3) Each district school board is encouraged to post the following information on its website:

- (a) Timely information as to when a budget hearing will be conducted.*
- (b) Each contract between the district school board and the teachers' union.*
- (c) Each contract between the district school board and noninstructional staff.*
- (d) Each contract exceeding \$35,000 between the school board and a vendor of services, supplies, or programs or for the purchase or lease of lands, facilities, or properties.*
- (e) Each contract exceeding \$35,000 that is an emergency procurement or is with a single source as authorized under s. 287.057(3).*
- (f) Recommendations of the citizens' budget advisory committee.*
- (g) Current and archived video recordings of each district school board meeting and workshop.*

(4) The website should contain links to:

- (a) Help explain or provide background information on various budget items that are required by state or federal law.*
- (b) Allow users to navigate to related sites to view supporting details.*
- (c) Enable taxpayers, parents, and education advocates to send e-mails asking questions about the budget and enable others to view the questions and responses.*

Section 33. Paragraph (e) of subsection (1) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(e) *Funding model for exceptional student education programs.—*

1.a. The funding model uses basic, at-risk, support levels IV and V for exceptional students and career Florida Education Finance Program cost factors, and a guaranteed allocation for exceptional student education programs. Exceptional education cost factors are determined by using a matrix of services to document the services that each exceptional student will receive. The nature and intensity of the services indicated on the matrix shall be consistent with the services described in each exceptional student's individual educational plan. *The Department of*

Education shall review and revise the descriptions of the services and supports included in the matrix of services for exceptional students and shall implement those revisions before the beginning of the 2011-2012 school year.

b. In order to generate funds using one of the two weighted cost factors, a matrix of services must be completed at the time of the student's initial placement into an exceptional student education program and at least once every 3 years by personnel who have received approved training. Nothing listed in the matrix shall be construed as limiting the services a school district must provide in order to ensure that exceptional students are provided a free, appropriate public education.

c. Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in sub-subparagraph b. shall generate funds on the basis of full-time-equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in subparagraph 2.

2. For students identified as exceptional who do not have a matrix of services and students who are gifted in grades K through 8, there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. 1001.42(4)(m) and rules of the State Board of Education, which shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program, and the amount allocated for each school district shall not be recalculated during the year. These funds shall be used to provide special education and related services for exceptional students and students who are gifted in grades K through 8. Beginning with the 2007-2008 fiscal year, a district's expenditure of funds from the guaranteed allocation for students in grades 9 through 12 who are gifted may not be greater than the amount expended during the 2006-2007 fiscal year for gifted students in grades 9 through 12.

Section 34. Paragraph (c) of subsection (1) of section 1012.39, Florida Statutes, is amended to read:

1012.39 Employment of substitute teachers, teachers of adult education, nondegreed teachers of career education, and career specialists; students performing clinical field experience.—

(1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and 1012.57, or any other provision of law or rule to the contrary, each district school board shall establish the minimal qualifications for:

(c) Part-time and full-time nondegreed teachers of career programs. Qualifications shall be established for *nondegreed teachers of career and technical education courses for program clusters that are recognized in the state and are agriculture, business, health occupations, family and consumer sciences, industrial, marketing, career specialist, and public service education teachers*, based primarily on successful occupational experience rather than academic training. The qualifications for such teachers shall require:

1. The filing of a complete set of fingerprints in the same manner as required by s. 1012.32. Faculty employed solely to conduct postsecondary instruction may be exempted from this requirement.

2. Documentation of education and successful occupational experience including documentation of:

- a. A high school diploma or the equivalent.
- b. Completion of 6 years of full-time successful occupational experience or the equivalent of part-time experience in the teaching specialization area. *The district school board may establish alternative qualifications for teachers with an industry certification in the career area in which they teach. Alternate means of determining successful occupational experience may be established by the district school board.*
- c. Completion of career education training conducted through the local school district inservice master plan.
- d. For full-time teachers, completion of professional education training in teaching methods, course construction, lesson planning and

evaluation, and teaching special needs students. This training may be completed through coursework from an accredited or approved institution or an approved district teacher education program.

e. Demonstration of successful teaching performance.

f. *Documentation of industry certification when state or national industry certifications are available and applicable.*

Section 35. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2011.

And the title is amended as follows:

Delete lines 2-116 and insert: An act relating to education accountability; amending s. 1001.20, F.S.; deleting a provision that requires the Florida Virtual School to be administratively housed within the Office of Technology and Information Services within the Office of the Commissioner of Education; amending s. 1001.42, F.S.; revising the powers and duties of district school boards relating to student access to Florida Virtual School courses; creating s. 1001.421, F.S.; prohibiting district school board members and their relatives from soliciting or accepting certain gifts; amending s. 1002.20, F.S.; adding auditory-oral education programs to the list of public school choice options; amending s. 1002.37, F.S.; conforming provisions to changes made by the act; amending s. 1002.38, F.S.; requiring that a school's grade be based on statewide assessments for purposes of the Opportunity Scholarship Program; amending s. 1002.39, F.S.; providing requirements for determining the end of the term of a John M. McKay Scholarship; creating s. 1002.391, F.S.; providing for the establishment of auditory-oral education programs as a school of choice; providing definitions; providing requirements for enrollment and attendance; amending s. 1002.45, F.S.; revising provisions relating to virtual instruction program provider qualifications; amending s. 1002.66, F.S.; providing an additional instructional service for children with disabilities in the Voluntary Prekindergarten Education Program; amending s. 1002.67, F.S.; requiring that the State Board of Education periodically review and revise the performance standards for the statewide kindergarten screening; amending s. 1002.69, F.S.; authorizing nonpublic schools to administer the statewide kindergarten screening to kindergarten students who were enrolled in the Voluntary Prekindergarten Education Program; revising provisions relating to the minimum kindergarten readiness rate and criteria for good cause exemptions from meeting the requirement; requiring prekindergarten enrollment screening and post-assessment under certain circumstances; amending s. 1002.71, F.S.; providing that a child may reenroll more than once in a prekindergarten program if granted a good cause exemption; amending s. 1002.73, F.S.; requiring the Department of Education to adopt procedures relating to prekindergarten enrollment screening, the standardized post-assessment, and reporting of the results of readiness measures; amending s. 1003.01, F.S.; providing an additional special education service; amending s. 1003.4156, F.S.; revising the general requirements for middle grades promotion; providing that a student with a disability may have end-of-course assessment results waived under certain circumstances; providing that a middle grades student may be exempt from reading remediation requirements under certain circumstances; creating s. 1003.4203, F.S.; authorizing each district school board to develop and implement a digital curriculum for students in grades 6 through 12; requiring the Department of Education to develop a model digital curriculum; authorizing partnerships with private businesses and consultants; amending s. 1003.428, F.S.; revising provisions relating to the general requirements for high school graduation; providing that a high school student may be exempt from reading remediation requirements under certain circumstances; amending s. 1003.429, F.S.; revising provisions relating to the selection of accelerated high school graduation options; amending s. 1003.491, F.S.; revising provisions relating to the development, contents, and approval of the strategic plan to address workforce needs; amending s. 1003.493, F.S.; revising requirements for career and professional academies and enrollment of students; creating s. 1003.4935, F.S.; requiring each district school board to develop a plan to implement a career and professional academy in at least one middle school; providing requirements for middle school career and professional academies and academy courses; amending s. 1003.573, F.S.; revising provisions relating to the use of restraint and seclusion on students with disabilities; requiring that certain information be included in incident reports; removing an obsolete date; requiring that the Department of Education maintain certain data of incidents of manual or physical re-

straint and seclusion and establish standards for documenting, reporting, and monitoring the use of restraint and seclusion; requiring that the department provide these standards to school districts by a specified date; revising provisions relating to school district policies and procedures to include monitoring, training, selecting personnel to be trained, and planning for reducing the use of restraint and seclusion; extending the date that such policies and procedures must be revised and filed with the bureau chief of the Bureau of Exceptional Education and Student Services within the Department of Education; amending s. 1003.575, F.S.; providing requirements for completion of an assistive technology assessment; amending s. 1008.22, F.S.; revising provisions relating to the student assessment program for public schools; requiring that the Commissioner of Education direct school districts to participate in certain international assessment programs; authorizing a school principal to exempt certain students from the end-of-course assessment in civics education; revising provisions relating to administration and reporting of results of assessments; amending s. 1008.30, F.S.; revising provisions relating to evaluation of college readiness and providing for post-secondary preparatory instruction; requiring the State Board of Education to adopt certain rules; amending s. 1008.33, F.S.; revising provisions relating to public school improvement; requiring the Department of Education to categorize public schools based on a school's grade that relies on statewide assessments; amending s. 1008.331, F.S.; revising the responsibilities of the Department of Education; authorizing school districts to select acceptable premethods and postmethods for measuring student learning gains; authorizing a school district to include in its contract with a provider a requirement to use a single uniform assessment; providing that providers may not be charged more than a certain amount for the maximum per child for supplemental educational services; amending s. 1008.34, F.S.; revising the basis for the designation of school grades; including achievement scores and learning gains for students who are hospital or homebound; amending s. 1011.01, F.S.; revising provisions relating to the annual operating budgets of district school boards and Florida College System institution boards of trustees; amending s. 1011.03, F.S.; revising provisions relating to adopted district school board budgets; creating s. 1011.035, F.S.; requiring each school district to post budgetary information on its website; amending s. 1011.62, F.S.; revising provisions relating to the funding model for exceptional student education programs; requiring the Department of Education to revise the descriptions of services and to implement the revisions; amending s. 1012.39, F.S.; revising provisions relating to the qualifications for nondegreed teachers of career education; providing effective dates.

MOTION

On motion by Senator Hill, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Hill moved the following amendment to **Amendment 1** which failed:

Amendment 1A (607698) (with title amendment)—Between lines 1715 and 1716 insert:

(9) *APPLICATION.*—*Notwithstanding any other provision of law, when a school falls under s. 1008.33(4)(b), the school grade will be determined pursuant to this section.*

And the title is amended as follows:

Delete line 2027 and insert: homebound; providing that if a school grade meets certain criteria, this section applies; amending s. 1011.01, F.S.; revising

The question recurred on **Amendment 1** which was adopted.

Pursuant to Rule 4.19, **CS for CS for HB 1255** as amended was placed on the calendar of Bills on Third Reading.

The Senate resumed consideration of—

CS for CS for CS for HB 399—A bill to be entitled An act relating to infrastructure investment; amending s. 20.23, F.S.; requiring the Secretary of Transportation to designate duties relating to certain investment opportunities and transportation projects to an assistant secretary; amending s. 311.09, F.S.; revising requirements for the inclusion of

certain goals and objectives in the Florida Seaport Mission Plan; requiring the Florida Seaport Transportation and Economic Development Council to develop a priority list of projects and submit the list to the Department of Transportation; amending s. 311.14, F.S.; requiring certain ports to develop strategic plans; providing criteria for such plans; requiring such plans to be consistent with local government comprehensive plans; requiring such plans to be submitted to the Florida Seaport Transportation and Economic Development Council; requiring the Florida Seaport Transportation and Economic Development Council to review such plans and include related information in the Florida Seaport Mission Plan; amending s. 339.155, F.S.; clarifying and revising the principles on which the Florida Transportation Plan is based; amending s. 339.63, F.S.; adding certain existing and planned facilities to the list of facilities included in the Strategic Intermodal System and the Emerging Strategic Intermodal System; amending s. 373.406, F.S.; exempting overwater piers, docks, and structures located in deepwater ports from stormwater management system requirements under specified conditions; amending s. 373.4133, F.S.; requiring the Department of Environmental Protection to approve or deny an application for a port conceptual permit within a specified time; providing a limitation for the request of additional information from an applicant by the department; providing that failure of an applicant to respond to such a request within a specified time constitutes withdrawal of the application; providing that a third party who challenge the issuance of a port conceptual permit has the burden of ultimate persuasion and the burden of going forward with evidence; amending s. 403.813, F.S.; exempting specified seaports and inland navigation districts from requirements to conduct maintenance dredging under certain conditions; excluding ditches, pipes, and similar linear conveyances from consideration as receiving waters for the disposal of dredged materials; authorizing public ports and inland navigation districts to use sovereignty submerged lands in connection with maintenance dredging; authorizing the disposal of spoil material on specified sites; providing an exemption from permitting requirements for sites that meet specified criteria; requiring notice to the Department of Environmental Protection of intent to use the exemption; providing an effective date.

—which was previously considered this day with pending **Amendment 1 (554636)** by Senator Fasano and pending point of order by Senator Ring.

POINT OF ORDER DISPOSITION

On motion by Senator Fasano, pending **Amendment 1 (554636)** was withdrawn.

On motion by Senator Ring, by two-thirds vote **CS for CS for CS for HB 399** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	
Gaetz	Oelrich	

Nays—None

DISCLOSURE

I am filing this disclosure of my minority ownership in a pending license of ownership in a Class 1 landfill in Sumter County, Florida.

I bring this to your attention as this may bring about conflicts with House Bill 7129 or House Bill 399 and possibly other bills or amend-

ments being discussed and voted upon by this body in the 2011 Legislative Session.

Please contact me if I can provide you with further information.

Senator Charles S. "Charlie" Dean, Sr., 3rd District

The Senate resumed consideration of—

CS for SB 524—A bill to be entitled An act relating to seaports; amending s. 311.12, F.S.; deleting provisions relating to statewide minimum standards for seaport security; deleting provisions authorizing the Department of Law Enforcement to exempt all or part of a seaport from specified requirements in certain circumstances; revising provisions relating to seaport security plans; revising requirements for certain secure or restricted areas; removing the Department of Law Enforcement and seaport security directors as entities authorized to designate a high terrorist threat level; deleting provisions requiring that the Department of Law Enforcement administer a statewide seaport access eligibility reporting system; deleting provisions requiring that persons seeking authorization to access secure and restricted areas of a seaport execute an affidavit; prohibiting a seaport from charging any fee for administration or production of access control credentials that require or are associated with a fingerprint-based background check, in addition to the fee for the federal TWIC; providing for issuance of seaport-specific access credentials; deleting provisions requiring fingerprint-based state criminal history checks on seaport employee applicants, current employees, and other authorized persons; deleting provisions authorizing waivers from security requirements in certain circumstances; revising provisions relating to inspections; revising reporting requirements; revising the parties that determine the allocation of appropriated funds for security project needs; amending ss. 311.121, 311.123, and 311.124, F.S.; conforming provisions to changes made by the act; repealing s. 311.115, F.S., relating to the Seaport Security Standards Advisory Council; amending s. 310.002, F.S.; redefining the term "port" to include Port Citrus; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; amending s. 374.976, F.S.; conforming provisions to include Port Citrus in provisions relating to the authority of inland navigation districts; amending s. 403.021, F.S.; conforming provisions to include Port Citrus in legislative declarations relating to environmental control; amending s. 403.061, F.S.; conforming provisions to include Port Citrus in provisions relating to powers of the Department of Environmental Protection; amending s. 403.813, F.S.; conforming provisions to include Port Citrus in provisions relating to permits issued at Department of Environmental Protection district centers; amending s. 403.816, F.S.; conforming provisions to include Port Citrus in provisions relating to certain maintenance projects at deepwater ports and beach restoration projects; providing an effective date.

—which was previously considered and amended this day.

RECONSIDERATION OF AMENDMENT

On motion by Senator Latvala, the Senate reconsidered the vote by which **Amendment 1 (281852)** was adopted. **Amendment 1** was withdrawn.

MOTION

On motion by Senator Latvala, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Latvala moved the following amendment which was adopted:

Amendment 2 (810008) (with title amendment)—Delete lines 60-792 and insert:

Section 1. Subsection (13) is added to section 311.09, Florida Statutes, to read:

311.09 Florida Seaport Transportation and Economic Development Council.—

(13) *Until July 1, 2014, Citrus County may apply for a grant through the Florida Seaport Transportation and Economic Development Council*

to perform a feasibility study regarding the establishment of a port in Citrus County. The council shall evaluate such application in accordance with subsections (5)-(9) and, if approved, the Department of Transportation shall include the feasibility study in its budget request pursuant to s. subsection (10).

Section 2. Section 311.12, Florida Statutes, is amended to read:

311.12 Seaport security.—

(1) SECURITY STANDARDS.—

~~(a) The statewide minimum standards for seaport security applicable to seaports listed in s. 311.09 shall be those based on the Florida Seaport Security Assessment 2000 and set forth in the Port Security Standards Compliance Plan delivered to the Speaker of the House of Representatives and the President of the Senate on December 11, 2000. The Office of Drug Control within the Executive Office of the Governor shall maintain a sufficient number of copies of the standards at its offices for distribution to the public and provide copies to each affected seaport upon request.~~

~~(a)(b) A seaport may implement security measures that are more stringent, more extensive, or supplemental to the applicable federal security regulations, including federal facility security assessment requirements under 33 C.F.R. s. 105.305 minimum security standards established by this subsection.~~

~~(b)(c) The provisions of s. 790.251 are not superseded, preempted, or otherwise modified in any way by the provisions of this section.~~

~~(2) EXEMPTION. The Department of Law Enforcement may exempt all or part of a seaport listed in s. 311.09 from the requirements of this section if the department determines that activity associated with the use of the seaport or part of the seaport is not vulnerable to criminal activity or terrorism. The department shall periodically review such exemptions to determine if there is a change in use. Such change may warrant removal of all or part of the exemption.~~

~~(2)(b) SECURITY PLAN.—~~

~~(a) Each seaport listed in s. 311.09 shall adopt and maintain a security plan specific to that seaport which provides for a secure seaport infrastructure that promotes the safety and security of state residents and visitors and the flow of legitimate trade and travel.~~

~~(b)(a) Each seaport Every 5 years after January 1, 2007, each seaport director, with the assistance of the Regional Domestic Security Task Force and in conjunction with the United States Coast Guard, shall periodically revise the seaport's security plan based on the seaport's director's ongoing assessment of security risks, the risks of terrorist activities, and the specific and identifiable needs of the seaport for ensuring that the seaport is in substantial compliance with applicable federal security regulations, including federal facility security assessment requirements under 33 C.F.R. s. 105.305 the minimum security standards established under subsection (1).~~

~~(b) Each adopted or revised security plan must be reviewed and approved by the Office of Drug Control and the Department of Law Enforcement for compliance with federal facility security assessment requirements under 33 C.F.R. s. 105.305 and the minimum security standards established under subsection (1). Within 30 days after completion, a copy of the written review shall be delivered to the United States Coast Guard, the Regional Domestic Security Task Force, and the Domestic Security Oversight Council.~~

~~(3)(4) SECURE AND RESTRICTED AREAS.—Each seaport listed in s. 311.09 must clearly designate in seaport security plans, and clearly identify with appropriate signs and markers on the premises of a seaport, all secure and restricted areas as defined by 33 C.F.R. part 105 the United States Department of Homeland Security United States Coast Guard Navigation and Vessel Inspection Circular No. 03-07 and 49 C.F.R. part 1572. The plans must also address access eligibility requirements and corresponding security enforcement authorizations.~~

~~(a) The seaport's security plan must set forth the conditions and restrictions to be imposed on persons employed at, doing business at, or visiting the seaport who have access to secure and restricted areas which~~

~~are sufficient to provide substantial compliance with the minimum security standards established in subsection (1) and federal regulations.~~

~~1. All seaport employees and other persons working at the seaport who have regular access to secure or restricted areas must comply with federal access control regulations and state criminal history checks as prescribed in this section.~~

~~2. All persons and objects in secure and restricted areas are subject to search by a sworn state-certified law enforcement officer, a Class D seaport security officer certified under Maritime Transportation Security Act of 2002 guidelines and s. 311.121, or an employee of the seaport security force certified under the Maritime Transportation Security Act of 2002 guidelines and s. 311.121.~~

~~3. Persons found in these areas without the proper permission are subject to the trespass provisions of ss. 810.08 and 810.09.~~

~~(b) As determined by the seaport director's most current risk assessment under paragraph (3)(a), any secure or restricted area that has a potential human occupancy of 50 persons or more, any cruise terminal, or any business operation that is adjacent to a public access area must be protected from the most probable and credible terrorist threat to human life.~~

~~(b)(c) The seaport must provide clear notice of the prohibition against possession of concealed weapons and other contraband material on the premises of the seaport. Any person in a restricted area who has in his or her possession a concealed weapon, or who operates or has possession or control of a vehicle in or upon which a concealed weapon is placed or stored, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. This paragraph does not apply to active-duty certified federal or state law enforcement personnel or persons so designated by the seaport director in writing.~~

~~(c)(d) During a period of high terrorist threat level, as designated by the United States Department of Homeland Security or the Department of Law Enforcement, or during an emergency declared at a port by the seaport security director due to events applicable to that particular seaport, the management or controlling authority of the port may temporarily designate any part of the seaport property as a secure or restricted area. The duration of such designation is limited to the period in which the high terrorist threat level is in effect or a port emergency exists.~~

~~(5) ACCESS ELIGIBILITY REPORTING SYSTEM. Subject to legislative appropriations, the Department of Law Enforcement shall administer a statewide seaport access eligibility reporting system.~~

~~(a) The system must include, at a minimum, the following:~~

~~1. A centralized, secure method of collecting and maintaining fingerprints, other biometric data, or other means of confirming the identity of persons authorized to enter a secure or restricted area of a seaport.~~

~~2. A methodology for receiving from and transmitting information to each seaport regarding a person's authority to enter a secure or restricted area of the seaport.~~

~~3. A means for receiving prompt notification from a seaport when a person's authorization to enter a secure or restricted area of a seaport has been suspended or revoked.~~

~~4. A means to communicate to seaports when a person's authorization to enter a secure or restricted area of a seaport has been suspended or revoked.~~

~~(b) Each seaport listed in s. 311.09 is responsible for granting, modifying, restricting, or denying access to secure and restricted areas to seaport employees, other persons working at the seaport, visitors who have business with the seaport, or other persons regularly appearing at the seaport. Based upon the person's criminal history check, each seaport may determine the specific access eligibility to be granted to that person. Each seaport is responsible for access eligibility verification at its location.~~

~~(c) Upon determining that a person is eligible to enter a secure or restricted area of a port pursuant to subsections (6) and (7), the seaport~~

shall, within 3 business days, report the determination to the department for inclusion in the system.

(d) All information submitted to the department regarding a person's access eligibility screening may be retained by the department for subsequent use in promoting seaport security, including, but not limited to, the review of the person's criminal history status to ensure that the person has not become disqualified for such access.

(e) The following fees may not be charged by more than one seaport and shall be paid by the seaport, another employing entity, or the person being entered into the system to the department or to the seaport if the seaport is acting as an agent of the department for the purpose of collecting the fees:

1. The cost of the state criminal history check under subsection (7).
2. A \$50 fee to cover the initial cost of entering the person into the system and an additional \$50 fee every 5 years thereafter to coincide with the issuance of the federal Transportation Worker Identification Credential described in subsection (6). The fee covers all costs for entering or maintaining the person in the system including the retention and use of the person's fingerprint, other biometric data, or other identifying information.
3. The seaport entering the person into the system may charge an administrative fee to cover, but not exceed, the seaport's actual administrative costs for processing the results of the state criminal history check and entering the person into the system.
- (f) All fees identified in paragraph (e) must be paid before the person may be granted access to a secure or restricted area. Failure to comply with the criminal history check and failure to pay the fees are grounds for immediate denial of access.

(g) Persons, corporations, or other business entities that employ persons to work or do business at seaports shall notify the seaport of the termination, resignation, work-related incapacitation, or death of an employee who has access permission.

1. If the seaport determines that the person has been employed by another appropriate entity or is self employed for purposes of performing work at the seaport, the seaport may reinstate the person's access eligibility.
2. A business entity's failure to report a change in an employee's work status within 7 days after the change may result in revocation of the business entity's access to the seaport.

(h) In addition to access permissions granted or denied by seaports, access eligibility may be restricted or revoked by the department if there is a reasonable suspicion that the person is involved in terrorism or criminal violations that could affect the security of a port or otherwise render the person ineligible for seaport access.

(i) Any suspension or revocation of port access must be reported by the seaport to the department within 24 hours after such suspension or revocation.

(j) The submission of information known to be false or misleading to the department for entry into the system is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4)(6) ACCESS TO SECURE AND RESTRICTED AREAS.—

(a) Any person seeking authorization for unescorted access to secure and restricted areas of a seaport must possess, unless waived under paragraph (7)(c), a valid federal Transportation Worker Identification Credential (TWIC).

(b) A seaport may not charge a fee for the administration or production of any access control credential that requires or is associated with a fingerprint-based background check, in addition to the fee for the federal TWIC. Beginning July 1, 2013, a seaport may not charge a fee for a seaport-specific access credential issued in addition to the federal TWIC, except under the following circumstances:

1. The individual seeking to gain secured access is a new hire as defined under 33 C.F.R. s. 105; or

2. The individual has lost or misplaced his or her federal TWIC, and execute an affidavit under oath which provides TWIC identification information and indicates the following:

1. The TWIC is currently valid and in full force and effect.
2. The TWIC was not received through the waiver process for disqualifying criminal history allowed by federal law.
3. He or she has not, in any jurisdiction, civilian or military, been convicted of, entered a plea of guilty or nolo contendere to, regardless of adjudication, or been found not guilty by reason of insanity, of any disqualifying felony under subsection (7) or any crime that includes the use or possession of a firearm.

(b) Upon submission of a completed affidavit as provided in paragraph (a), the completion of the state criminal history check as provided in subsection (7), and payment of all required fees under subsection (5), a seaport may grant the person access to secure or restricted areas of the port.

(c) Any port granting a person access to secure or restricted areas shall report the grant of access to the Department of Law Enforcement for inclusion in the access eligibility reporting system under subsection (5) within 3 business days.

(d) The submission of false information on the affidavit required by this section is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Upon conviction for a violation of this provision, the person convicted forfeits all privilege of access to secure or restricted areas of a seaport and is disqualified from future approval for access to such areas.

(e) Any affidavit form created for use under this subsection must contain the following statement in conspicuous type: "SUBMISSION OF FALSE INFORMATION ON THIS AFFIDAVIT IS A FELONY UNDER FLORIDA LAW AND WILL, UPON CONVICTION, RESULT IN DISQUALIFICATION FOR ACCESS TO A SECURE OR RESTRICTED AREA OF A SEAPORT."

(f) Upon each 5 year renewal of a person's TWIC, the person must submit another affidavit as required by this subsection.

(7) CRIMINAL HISTORY SCREENING. A fingerprint based criminal history check must be performed on employee applicants, current employees, and other persons authorized to regularly enter a secure or restricted area, or the entire seaport if the seaport security plan does not designate one or more secure or restricted areas.

(a) A person is disqualified from employment or unescorted access if the person:

1. Was convicted of, or entered a plea of guilty or nolo contendere to, regardless of adjudication, any of the offenses listed in paragraph (b) in any jurisdiction, civilian or military, including courts martial conducted by the Armed Forces of the United States, during the 7 years before the date of the person's application for access; or
2. Was released from incarceration, or any supervision imposed as a result of sentencing, for committing any of the disqualifying crimes listed in paragraph (b) in any jurisdiction, civilian or military, during the 5 years before the date of the person's application for access.

(b) Disqualifying offenses include:

1. An act of terrorism as defined in s. 775.30.
2. A violation involving a weapon of mass destruction or a hoax weapon of mass destruction as provided in s. 790.166.
3. Planting of a hoax bomb as provided in s. 790.165.
4. A violation of s. 876.02 or s. 876.36.
5. A violation of s. 860.065.
6. Trafficking as provided in s. 893.135.
7. Racketeering activity as provided in s. 895.03.

- ~~8.— Dealing in stolen property as provided in s. 812.019.~~
- ~~9.— Money laundering as provided in s. 896.101.~~
- ~~10.— Criminal use of personal identification as provided in s. 817.568.~~
- ~~11.— Bribery as provided in s. 838.015.~~
- ~~12.— A violation of s. 316.302, relating to the transport of hazardous materials.~~
- ~~13.— A forcible felony as defined in s. 776.08.~~
- ~~14.— A violation of s. 790.07.~~
- ~~15.— Any crime that includes the use or possession of a firearm.~~
- ~~16.— A felony violation for theft as provided in s. 812.014.~~
- ~~17.— Robbery as provided in s. 812.13.~~
- ~~18.— Burglary as provided in s. 810.02.~~
- ~~19.— Any violation involving the sale, manufacture, delivery, or possession with intent to sell, manufacture, or deliver a controlled substance.~~
- ~~20.— Any offense under the laws of another jurisdiction that is similar to an offense listed in this paragraph.~~
- ~~21.— Conspiracy or attempt to commit any of the offenses listed in this paragraph.~~
- ~~(c) Each individual who is subject to a criminal history check shall file a complete set of fingerprints taken in a manner acceptable to the Department of Law Enforcement for state processing. The results of the criminal history check must be reported to the requesting seaport and may be shared among seaports.~~
- ~~(d) All fingerprints submitted to the Department of Law Enforcement shall be retained by the department and entered into the statewide automated fingerprint identification system established in s. 943.05(2)(b) and available for use in accordance with s. 943.05(2)(g) and (h). An arrest record that is identified with the retained fingerprints of a person subject to the screening shall be reported to the seaport where the person has been granted access to a secure or restricted area. If the fingerprints of a person who has been granted access were not retained, or are otherwise not suitable for use by the department, the person must be re-fingerprinted in a manner that allows the department to perform its functions as provided in this section.~~
- ~~(e) The Department of Law Enforcement shall establish a waiver process for a person who does not have a TWIC, obtained a TWIC through a federal waiver process, or is found to be unqualified under paragraph (a) and denied employment by a seaport or unescorted access to secure or restricted areas. If the person does not have a TWIC and a federal criminal history record check is required, the Department of Law Enforcement may forward the person's fingerprints to the Federal Bureau of Investigation for a national criminal history record check. The cost of the national check must be paid by the seaport, which may collect it as reimbursement from the person.~~
- ~~1.— Consideration for a waiver shall be based on the circumstances of any disqualifying act or offense, restitution made by the individual, and other factors from which it may be determined that the individual does not pose a risk of engaging in any act within the public seaports regulated under this chapter that would pose a risk to or threaten the security of the seaport and the public's health, safety, or welfare.~~
- ~~2.— The waiver process begins when an individual who has been denied initial employment within or denied unescorted access to secure or restricted areas of a public seaport submits an application for a waiver and a notarized letter or affidavit from the individual's employer or union representative which states the mitigating reasons for initiating the waiver process.~~
- ~~3.— Within 90 days after receipt of the application, the administrative staff of the Parole Commission shall conduct a factual review of the waiver application. Findings of fact shall be transmitted to the depart-~~

~~ment for review. The department shall make a copy of those findings available to the applicant before final disposition of the waiver request.~~

~~4.— The department shall make a final disposition of the waiver request based on the factual findings of the investigation by the Parole Commission. The department shall notify the waiver applicant of the final disposition of the waiver.~~

~~5.— The review process under this paragraph is exempt from chapter 120.~~

~~6.— By October 1 of each year, each seaport shall report to the department each instance of denial of employment within, or access to, secure or restricted areas, and each instance waiving a denial occurring during the last 12 months. The report must include the identity of the individual affected, the factors supporting the denial or waiver, and any other material factors used to make the determination.~~

~~(f) In addition to the waiver procedure established by the Department of Law Enforcement under paragraph (c), each seaport security plan may establish a procedure to appeal a denial of employment or access based upon procedural inaccuracies or discrepancies regarding criminal history factors established pursuant to this subsection.~~

~~(g) Each seaport may allow immediate waivers on a temporary basis to meet special or emergency needs of the seaport or its users. Policies, procedures, and criteria for implementation of this paragraph must be included in the seaport security plan. All waivers granted by the seaports pursuant to this paragraph must be reported to the department within 30 days after issuance.~~

~~(8) WAIVER FROM SECURITY REQUIREMENTS.— The Office of Drug Control and the Department of Law Enforcement may modify or waive any physical facility requirement or other requirement contained in the minimum security standards upon a determination that the purposes of the standards have been reasonably met or exceeded by the seaport requesting the modification or waiver. An alternate means of compliance must not diminish the safety or security of the seaport and must be verified through an extensive risk analysis conducted by the seaport director.~~

~~(a) Waiver requests shall be submitted in writing, along with supporting documentation, to the Office of Drug Control and the Department of Law Enforcement. The office and the department have 90 days to jointly grant or reject the waiver, in whole or in part.~~

~~(b) The seaport may submit any waivers that are not granted or are jointly rejected to the Domestic Security Oversight Council for review within 90 days. The council shall recommend that the Office of Drug Control and the Department of Law Enforcement grant the waiver or reject the waiver, in whole or in part. The office and the department shall give great weight to the council's recommendations.~~

~~(c) A request seeking a waiver from the seaport law enforcement personnel standards established under s. 311.122(3) may not be granted for percentages below 10 percent.~~

~~(d) Any modifications or waivers granted under this subsection shall be noted in the annual report submitted by the Department of Law Enforcement pursuant to subsection (10).~~

~~(9) INSPECTIONS.— It is the intent of the Legislature that the state's seaports adhere to security practices that are consistent with the risks assigned to each seaport through the ongoing risk assessment process established in paragraph (3)(a).~~

~~(a) The Department of Law Enforcement, or any entity designated by the department, shall conduct at least one annual unannounced inspection of each seaport to determine whether the seaport is meeting the minimum security standards established pursuant to subsection (1) and to identify seaport security changes or improvements needed or otherwise recommended.~~

~~(b) The Department of Law Enforcement, or any entity designated by the department, may conduct additional announced or unannounced inspections or operations within or affecting any seaport to test compliance with, or the effectiveness of, security plans and operations at each seaport, to determine compliance with physical facility requirements and standards, or to assist the department in identifying changes~~

or improvements needed to bring a seaport into compliance with minimum security standards.

(c) ~~Within 30 days after completing the inspection report, the department shall submit a copy of the report to the Domestic Security Oversight Council.~~

(d) ~~A seaport may request that the Domestic Security Oversight Council review the findings in the department's report as they relate to the requirements of this section. The council may review only those findings that are in dispute by the seaport. In reviewing the disputed findings, the council may concur in the findings of the department or the seaport or may recommend corrective action to the seaport. The department and the seaport shall give great weight to the council's findings and recommendations.~~

(e) ~~All seaports shall allow the Department of Law Enforcement, or an entity designated by the department, unimpeded access to affected areas and facilities for the purpose of plan or compliance inspections or other operations authorized by this section.~~

(10) ~~REPORTS.~~ The Department of Law Enforcement, in consultation with the Office of Drug Control, shall annually complete a report indicating the observations and findings of all reviews, inspections, or other operations relating to the seaports conducted during the year and any recommendations resulting from such reviews, inspections, and operations. A copy of the report shall be provided to the Governor, the President of the Senate, the Speaker of the House of Representatives, the governing body of each seaport or seaport authority, and each seaport director. The report must include each director's response indicating what actions, if any, have been taken or are planned to be taken pursuant to the observations, findings, and recommendations reported by the department.

(11) ~~FUNDING.~~

(a) ~~In making decisions regarding security projects or other funding applicable to each seaport listed in s. 311.09, the Legislature may consider the Department of Law Enforcement's annual report under subsection (10) as authoritative, especially regarding each seaport's degree of substantial compliance with the minimum security standards established in subsection (1).~~

(b) ~~The Legislature shall regularly review the ongoing costs of operational security on seaports, the impacts of this section on those costs, mitigating factors that may reduce costs without reducing security, and the methods by which seaports may implement operational security using a combination of sworn law enforcement officers and private security services.~~

(c) ~~Subject to the provisions of this chapter and appropriations made for seaport security, state funds may not be expended for security costs without certification of need for such expenditures by the Office of Ports Administrator within the Department of Law Enforcement.~~

(d) ~~If funds are appropriated for seaport security, the Office of Drug Control, the Department of Law Enforcement, and the Florida Seaport Transportation and Economic Development Council shall mutually determine the allocation of such funds for security project needs identified in the approved seaport security plans. Any seaport that receives state funds for security projects must enter into a joint participation agreement with the appropriate state entity and use the seaport security plan as the basis for the agreement.~~

1. ~~If funds are made available over more than 1 fiscal year, the agreement must reflect the entire scope of the project approved in the security plan and, as practicable, allow for reimbursement for authorized projects over more than 1 year.~~

2. ~~The agreement may include specific timeframes for completion of a security project and the applicable funding reimbursement dates. The agreement may also require a contractual penalty of up to \$1,000 per day to be imposed for failure to meet project completion dates if state funding is available. Any such penalty shall be deposited into the State Transportation Trust Fund and used for seaport security operations and capital improvements.~~

Section 3. Subsection (2) of section 311.121, Florida Statutes, is amended to read:

311.121 Qualifications, training, and certification of licensed security officers at Florida seaports.—

(2) The authority or governing board of each seaport identified under s. 311.09 that is subject to the statewide minimum seaport security standards ~~referenced~~ established in s. 311.12 shall require that a candidate for certification as a seaport security officer:

(a) Has received a Class D license as a security officer under chapter 493.

(b) Has successfully completed the certified training curriculum for a Class D license or has been determined by the Department of Agriculture and Consumer Services to have equivalent experience as established by rule of the department.

(c) Has completed the training or training equivalency and testing process established by this section for becoming a certified seaport security officer.

Section 4. Subsection (1) of section 311.123, Florida Statutes, is amended to read:

311.123 Maritime domain security awareness training program.—

(1) ~~The Florida Seaport Transportation and Economic Development Council, in conjunction with the Department of Law Enforcement and the Office of Drug Control within the Executive Office of the Governor, shall create a maritime domain security awareness training program to instruct all personnel employed within a seaport's boundaries about the security procedures required of them for implementation of the seaport security plan required under s. 311.12(2)(3).~~

Section 5. Subsection (1) of section 311.124, Florida Statutes, is amended to read:

311.124 Trespassing; detention by a certified seaport security officer.—

(1) Any Class D or Class G seaport security officer certified under the federal Maritime Transportation Security Act of 2002 guidelines ~~and s. 311.121~~ or any employee of the seaport security force certified under the federal Maritime Transportation Security Act of 2002 guidelines ~~and s. 311.121~~ who has probable cause to believe that a person is trespassing pursuant to s. 810.08 or s. 810.09 or this chapter in a designated secure or restricted area pursuant to s. 311.12(3)(4) is authorized to detain such person in a reasonable manner for a reasonable period of time pending the arrival of a law enforcement officer, and such action does not render the security officer criminally or civilly liable for false arrest, false imprisonment, or unlawful detention.

Section 6. *Section 311.115, Florida Statutes, is repealed.*

And the title is amended as follows:

Delete lines 37-40 and insert: include Port Citrus; amending s. 311.09, F.S.; providing that Citrus County may apply for a grant for a feasibility study through the Florida Seaport Transportation and Economic Development Council; providing for the evaluation of the application; requiring the Department of Transportation to include the study in its budget request under certain circumstances; amending s. 311.12, F.S.; deleting provisions relating to statewide minimum standards for seaport security; deleting provisions authorizing the Department of Law Enforcement to exempt all or part of a seaport from specified requirements in certain circumstances; revising provisions relating to seaport security plans; revising requirements for certain secure or restricted areas; revising provisions relating to when a part of a seaport property may temporarily be designated as a secure or restricted area; deleting provisions requiring that the Department of Law Enforcement administer a statewide seaport access eligibility reporting system; deleting provisions requiring that persons seeking authorization to access secure and restricted areas of a seaport execute an affidavit; prohibiting a seaport from charging any fee for administration or production of access control credentials that require or are associated with a fingerprint-based background check, in addition to the fee for the federal TWIC; providing exceptions; providing for issuance of seaport-specific access credentials; deleting provisions requiring fingerprint-based state criminal history checks on seaport employee applicants, current employees, and other authorized persons; deleting provisions authorizing waivers

from security requirements in certain circumstances; deleting provisions relating to inspections; deleting reporting requirements; deleting the provisions relating to the allocation of appropriated funds for security project needs; amending s. 311.121, F.S.; conforming provisions to changes made by the act; amending s. 311.123, F.S.; revising who may create a maritime domain security awareness training program; conforming provisions to changes made by the act; amending s. 311.124, F.S.; conforming provisions to changes made by the act; repealing s. 311.115, F.S., relating to the Seaport Security Standards Advisory Council; amending s. 374.976, F.S.;

Pending further consideration of **CS for SB 524** as amended, on motion by Senator Latvala, by two-thirds vote **CS for CS for CS for CS for HB 283** was withdrawn from the Committees on Military Affairs, Space, and Domestic Security; Transportation; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Latvala—

CS for CS for CS for CS for HB 283—A bill to be entitled An act relating to seaports; amending s. 311.09, F.S.; providing that Citrus County may apply for a grant for a feasibility study through the Florida Seaport Transportation and Economic Development Council; providing for the evaluation of the application; requiring the Department of Transportation to include the study in its budget request under certain circumstances; amending s. 311.12, F.S.; deleting provisions relating to statewide minimum standards for seaport security; deleting provisions authorizing the Department of Law Enforcement to exempt all or part of a seaport from specified requirements in certain circumstances; revising provisions relating to seaport security plans; revising requirements for certain secure or restricted areas; revising provisions relating to when a part of a seaport property may temporarily be designated as a secure or restricted area; deleting provisions requiring that the Department of Law Enforcement administer a statewide seaport access eligibility reporting system; deleting provisions requiring that persons seeking authorization to access secure and restricted areas of a seaport execute an affidavit; prohibiting a seaport from charging any fee for administration or production of access control credentials that require or are associated with a fingerprint-based background check, in addition to the fee for the federal TWIC; providing exceptions; providing for issuance of seaport-specific access credentials; deleting provisions requiring fingerprint-based state criminal history checks on seaport employee applicants, current employees, and other authorized persons; deleting provisions authorizing waivers from security requirements in certain circumstances; deleting provisions relating to inspections; deleting reporting requirements; deleting the provisions relating to the allocation of appropriated funds for security project needs; amending s. 311.121, F.S.; conforming provisions to changes made by the act; amending s. 311.123, F.S.; revising who may create a maritime domain security awareness training program; conforming provisions to changes made by the act; amending s. 311.124, F.S.; conforming provisions to changes made by the act; repealing s. 311.115, F.S., relating to the Seaport Security Standards Advisory Council; providing an effective date.

—a companion measure, was substituted for **CS for SB 524** as amended and read the second time by title.

MOTION

On motion by Senator Latvala, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Latvala moved the following amendment which was adopted:

Amendment 1 (578592) (with title amendment)—Delete lines 48-59 and insert:

Section 1. Subsection (1) of section 311.09, Florida Statutes, is amended, and subsection (13) is added that section, to read:

311.09 Florida Seaport Transportation and Economic Development Council.—

(1) The Florida Seaport Transportation and Economic Development Council is created within the Department of Transportation. The council consists of the following 18 47 members: the port director, or the port director's designee, of each of the ports of Jacksonville, Port Canaveral, Port Citrus, Fort Pierce, Palm Beach, Port Everglades, Miami, Port

Manatee, St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key West, and Fernandina; the secretary of the Department of Transportation or his or her designee; the director of the Office of Tourism, Trade, and Economic Development or his or her designee; and the secretary of the Department of Community Affairs or his or her designee.

(13) *Until July 1, 2014, Citrus County may apply for a grant through the Florida Seaport Transportation and Economic Development Council to perform a feasibility study regarding the establishment of a port in Citrus County. The council shall evaluate such application pursuant to subsections (5)–(9) and, if approved, the Department of Transportation shall include the feasibility study in its budget request pursuant to subsection (10). If the study determines that a port in Citrus County is not feasible, the membership of Port Citrus on the council shall terminate.*

And the title is amended as follows:

Delete lines 2-8 and insert: An act relating to seaports; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; providing that Citrus County may apply for a grant for a feasibility study through the Florida Seaport Transportation and Economic Development Council; providing for the evaluation of the application; requiring the Department of Transportation to include the study in its budget request under certain circumstances; terminating the membership of Port Citrus on the council under certain circumstances; amending s.

On motion by Senator Latvala, by two-thirds vote **CS for CS for CS for CS for HB 283** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gaetz	Norman
Altman	Garcia	Oelrich
Benacquisto	Gardiner	Rich
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Evers	Margolis	Storms
Fasano	Montford	Thrasher
Flores	Negron	Wise

Nays—1

Dockery

The Senate resumed consideration of—

CS for CS for HB 935—A bill to be entitled An act relating to health care price transparency; amending s. 381.026, F.S.; providing a definition; authorizing a primary care provider to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the provider's services by price levels and list the services in each price level; providing an exemption from license fee and continuing education requirements for a provider who publishes and maintains a schedule of charges; requiring a primary care provider's estimates of charges for medical services to be consistent with the posted schedule; requiring a provider to post the schedule of charges for a certain time period; providing for repayment of license fees and compliance with continuing education requirements previously waived if the schedule of charges was not posted for a certain time period; amending s. 395.002, F.S.; providing a definition; creating s. 395.107, F.S.; requiring urgent care centers to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the urgent care center's services by price levels and list the services in each price level; providing a fine for failure to publish and post a schedule of medical services; providing an effective date.

—which was previously considered this day.

MOTION

On motion by Senator Negron, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Negron moved the following amendment which was adopted:

Amendment 1 (322804) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (2) and paragraph (c) of subsection (4) of section 381.026, Florida Statutes, are amended to read:

381.026 Florida Patient's Bill of Rights and Responsibilities.—

(2) DEFINITIONS.—As used in this section and s. 381.0261, the term:

- (a) "Department" means the Department of Health.
- (b) "Health care facility" means a facility licensed under chapter 395.
- (c) "Health care provider" means a physician licensed under chapter 458, an osteopathic physician licensed under chapter 459, or a podiatric physician licensed under chapter 461.

(d) "Primary care provider" means a health care provider licensed under chapter 458, chapter 459, or chapter 464 who provides medical services to patients which are commonly provided without referral from another health care provider, including family and general practice, general pediatrics, and general internal medicine.

(e)(~~d~~) "Responsible provider" means a health care provider who is primarily responsible for patient care in a health care facility or provider's office.

(4) RIGHTS OF PATIENTS.—Each health care facility or provider shall observe the following standards:

(c) *Financial information and disclosure.*—

1. A patient has the right to be given, upon request, by the responsible provider, his or her designee, or a representative of the health care facility full information and necessary counseling on the availability of known financial resources for the patient's health care.

2. A health care provider or a health care facility shall, upon request, disclose to each patient who is eligible for Medicare, ~~before in advance of~~ treatment, whether the health care provider or the health care facility in which the patient is receiving medical services accepts assignment under Medicare reimbursement as payment in full for medical services and treatment rendered in the health care provider's office or health care facility.

3. *A primary care provider may publish a schedule of charges for the medical services that the provider offers to patients. The schedule must include the prices charged to an uninsured person paying for such services by cash, check, credit card, or debit card. The schedule must be posted in a conspicuous place in the reception area of the provider's office and must include, but is not limited to, the 50 services most frequently provided by the primary care provider. The schedule may group services by three price levels, listing services in each price level. The posting must be at least 15 square feet in size. A primary care provider who publishes and maintains a schedule of charges for medical services is exempt from the license fee requirements for a single period of renewal of a professional license under chapter 456 for that licensure term and is exempt from the continuing education requirements of chapter 456 and the rules implementing those requirements for a single 2-year period.*

4. *If a primary care provider publishes a schedule of charges pursuant to subparagraph 3., he or she must continually post it at all times for the duration of active licensure in this state when primary care services are provided to patients. If a primary care provider fails to post the schedule of charges in accordance with this subparagraph, the provider shall be required to pay any license fee and comply with any continuing education requirements for which an exemption was received.*

~~5.3.~~ A health care provider or a health care facility shall, upon request, furnish a person, ~~before the prior to~~ provision of medical services, a reasonable estimate of charges for such services. The health care provider or the health care facility shall provide an uninsured person, ~~before prior to~~ the provision of a planned nonemergency medical service, a reasonable estimate of charges for such service and information regarding the provider's or facility's discount or charity policies for which the uninsured person may be eligible. *Such estimates by a primary care provider must be consistent with the schedule posted under subparagraph 3. Estimates shall, to the extent possible, be written in a language comprehensible to an ordinary layperson. Such reasonable estimate does shall* not preclude the health care provider or health care facility from exceeding the estimate or making additional charges based on changes in the patient's condition or treatment needs.

6.4. Each licensed facility not operated by the state shall make available to the public on its Internet website or by other electronic means a description of and a link to the performance outcome and financial data that is published by the agency pursuant to s. 408.05(3)(k). The facility shall place a notice in the reception area that such information is available electronically and the website address. The licensed facility may indicate that the pricing information is based on a compilation of charges for the average patient and that each patient's bill may vary from the average depending upon the severity of illness and individual resources consumed. The licensed facility may also indicate that the price of service is negotiable for eligible patients based upon the patient's ability to pay.

7.5. A patient has the right to receive a copy of an itemized bill upon request. A patient has a right to be given an explanation of charges upon request.

Section 2. Subsections (30) through (32) of section 395.002, Florida Statutes, are renumbered as subsections (31) through (33), respectively, and a new subsection (30) is added to that section to read:

395.002 Definitions.—As used in this chapter:

(30) "Urgent care center" means a facility or clinic that provides immediate but not emergent ambulatory medical care to patients with or without an appointment. It does not include the emergency department of a hospital.

Section 3. Section 395.107, Florida Statutes, is created to read:

395.107 *Urgent care centers; publishing and posting schedule of charges.*—An urgent care center must publish a schedule of charges for the medical services offered to patients. The schedule must include the prices charged to an uninsured person paying for such services by cash, check, credit card, or debit card. The schedule must be posted in a conspicuous place in the reception area of the urgent care center and must include, but is not limited to, the 50 services most frequently provided by the urgent care center. The schedule may group services by three price levels, listing services in each price level. The posting must be at least 15 square feet in size. The failure of an urgent care center to publish and post a schedule of charges as required by this section shall result in a fine of not more than \$1,000, per day, until the schedule is published and posted.

Section 4. Subsections (1) and (6) of section 400.9935, Florida Statutes, are amended to read:

400.9935 Clinic responsibilities.—

(1) Each clinic shall appoint a medical director or clinic director who shall agree in writing to accept legal responsibility for the following activities on behalf of the clinic. The medical director or the clinic director shall:

(a) Have signs identifying the medical director or clinic director posted in a conspicuous location within the clinic readily visible to all patients.

(b) Ensure that all practitioners providing health care services or supplies to patients maintain a current active and unencumbered Florida license.

(c) Review any patient referral contracts or agreements executed by the clinic.

(d) Ensure that all health care practitioners at the clinic have active appropriate certification or licensure for the level of care being provided.

(e) Serve as the clinic records owner as defined in s. 456.057.

(f) Ensure compliance with the recordkeeping, office surgery, and adverse incident reporting requirements of chapter 456, the respective practice acts, and rules adopted under this part and part II of chapter 408.

(g) Conduct systematic reviews of clinic billings to ensure that the billings are not fraudulent or unlawful. Upon discovery of an unlawful charge, the medical director or clinic director shall take immediate corrective action. If the clinic performs only the technical component of magnetic resonance imaging, static radiographs, computed tomography, or positron emission tomography, and provides the professional interpretation of such services, in a fixed facility that is accredited by the Joint Commission on Accreditation of Healthcare Organizations or the Accreditation Association for Ambulatory Health Care, and the American College of Radiology; and if, in the preceding quarter, the percentage of scans performed by that clinic which was billed to all personal injury protection insurance carriers was less than 15 percent, the chief financial officer of the clinic may, in a written acknowledgment provided to the agency, assume the responsibility for the conduct of the systematic reviews of clinic billings to ensure that the billings are not fraudulent or unlawful.

(h) Not refer a patient to the clinic if the clinic performs magnetic resonance imaging, static radiographs, computed tomography, or positron emission tomography. The term "refer a patient" means the referral of one or more patients of the medical or clinical director or a member of the medical or clinical director's group practice to the clinic for magnetic resonance imaging, static radiographs, computed tomography, or positron emission tomography. A medical director who is found to violate this paragraph commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(i) Ensure that the clinic publishes a schedule of charges for the medical services offered to patients. The schedule must include the prices charged to an uninsured person paying for such services by cash, check, credit card, or debit card. The schedule must be posted in a conspicuous place in the reception area of the urgent care center and must include, but is not limited to, the 50 services most frequently provided by the clinic. The schedule may group services by three price levels, listing services in each price level. The posting must be at least 15 square feet in size. The failure of a clinic to publish and post a schedule of charges as required by this section shall result in a fine of not more than \$1,000, per day, until the schedule is published and posted.

(6) Any person or entity providing health care services which is not a clinic, as defined under s. 400.9905, may voluntarily apply for a certificate of exemption from licensure under its exempt status with the agency on a form that sets forth its name or names and addresses, a statement of the reasons why it cannot be defined as a clinic, and other information deemed necessary by the agency. An exemption is not transferable. The agency may charge an applicant for a certificate of exemption in an amount equal to \$100 or the actual cost of processing the certificate, whichever is less. An entity seeking a certificate of exemption must publish and maintain a schedule of charges for the medical services offered to patients. The schedule must include the prices charged to an uninsured person paying for such services by cash, check, credit card, or debit card. The schedule must be posted in a conspicuous place in the reception area of the entity and must include, but is not limited to, the 50 services most frequently provided by the entity. The schedule may group services by three price levels, listing services in each price level. The posting must be at least 15 square feet in size. As a condition precedent to receiving a certificate of exemption, an applicant must provide to the agency documentation of compliance with these requirements.

Section 5. This act shall take effect July 1, 2011.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to health care price transparency; amending s. 381.026, F.S.; providing a definition; authorizing a primary care provider to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a

schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the provider's services by price levels and list the services in each price level; providing an exemption from license fee and continuing education requirements for a provider who publishes and maintains a schedule of charges; requiring a primary care provider's estimates of charges for medical services to be consistent with the posted schedule; requiring a provider to post the schedule of charges for a certain time period; providing for repayment of license fees and compliance with continuing education requirements previously waived if the schedule of charges was not posted for a certain time period; amending s. 395.002, F.S.; providing a definition; creating s. 395.107, F.S.; requiring urgent care centers to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the urgent care center's services by price levels and list the services in each price level; providing a fine for failure to publish and post a schedule of medical services; amending s. 400.9935, F.S.; requiring medical directors or clinic directors of health care clinics and entities with a certificate of exemption under the Health Care Clinic Act to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the urgent care center's services by price levels and list the services in each price level; providing a fine for clinic failure to publish and post a schedule of medical services; providing an effective date.

On motion by Senator Negron, by two-thirds vote **CS for CS for HB 935** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

CS for SB 504—A bill to be entitled An act relating to child visitation; amending s. 39.0139, F.S.; revising legislative intent; requiring probable cause of sexual abuse in order to create a presumption of detriment; providing that persons meeting specified criteria may not visit or have contact with a child without a hearing and court order; revising requirements for a hearing seeking to rebut a presumption of detriment; revising provisions relating to hearings on whether to prohibit or restrict visitation or other contact with the person who is alleged to have influenced a child's testimony; providing an effective date.

—was read the second time by title. On motion by Senator Bogdanoff, by two-thirds vote **CS for SB 504** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Detert	Garcia
Altman	Diaz de la Portilla	Gardiner
Benacquisto	Dockery	Hays
Bennett	Evers	Hill
Bogdanoff	Fasano	Jones
Braynon	Flores	Joyner
Dean	Gaetz	Latvala

Lynn	Rich	Smith
Margolis	Richter	Sobel
Montford	Ring	Storms
Negron	Sachs	Thrasher
Norman	Simmons	Wise
Oelrich	Siplin	

Nays—None

CS for CS for SB 930—A bill to be entitled An act relating to the protection of volunteers; amending s. 768.1355, F.S.; clarifying that in order to fall under the protection of the Florida Volunteer Protection Act, a person performing a service for a nonprofit organization may not receive compensation from the nonprofit organization for that service, regardless of whether the person is receiving compensation from another source; providing an exception; providing for application of the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 930**, on motion by Senator Lynn, by two-thirds vote **CS for CS for HB 647** was withdrawn from the Committees on Judiciary; Children, Families, and Elder Affairs; and Governmental Oversight and Accountability.

On motion by Senator Lynn—

CS for CS for HB 647—A bill to be entitled An act relating to the protection of volunteers; amending s. 768.1355, F.S.; clarifying that in order to fall under the protection of the Florida Volunteer Protection Act, a person performing a service for a nonprofit organization may not receive compensation from the nonprofit organization for that service, regardless of whether the person is receiving compensation from another source; providing an exception; providing for application of the act; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 930** and read the second time by title.

On motion by Senator Lynn, by two-thirds vote **CS for CS for HB 647** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

Consideration of **SB 996** was deferred.

CS for SB 1300—A bill to be entitled An act relating to juvenile civil citations; amending s. 985.12, F.S.; requiring the Department of Juvenile Justice to encourage and assist in the implementation and improvement of civil citation and similar diversionary programs; requiring that a juvenile civil citation and similar diversion program be established at the local level with the concurrence of the chief judge of the circuit and other designated persons; authorizing a law enforcement agency, the Department of Juvenile Justice, a juvenile assessment center, the county or municipality, or an entity selected by the county or municipality to operate the civil citation or similar diversion program;

requiring the entity operating the program to do so in consultation with and agreement by the state attorney and the local law enforcement agencies; authorizing a law enforcement officer, upon making contact with a juvenile who admits to having committed a misdemeanor, to require participation in intervention services based upon an assessment of the needs of the juvenile; restricting eligibility of participants for the civil citation program to first-time misdemeanor offenders unless the participation is approved by the state attorney or assistant state attorney; requiring the agency operating the program to report on the outcome to the Department of Juvenile Justice at the conclusion of a youth's civil citation or similar diversion program; providing that the issuance of a civil citation is not considered a referral to the department; requiring the department to develop guidelines for the civil citation program which include intervention services that are based upon proven civil citation and similar diversionary programs within the state; deleting a provision requiring that a law enforcement officer send a copy of a civil citation to the victim of the offense; requiring a juvenile probation officer to process the original delinquent act as a referral to the department in specified circumstances and to refer certain reports to the state attorney for review; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1300**, on motion by Senator Storms, by two-thirds vote **CS for HB 997** was withdrawn from the Committees on Criminal Justice; Judiciary; and Budget.

On motion by Senator Storms—

CS for HB 997—A bill to be entitled An act relating to juvenile civil citations; amending s. 985.12, F.S.; requiring the Department of Juvenile Justice to encourage and assist in the implementation and improvement of civil citation and similar diversion programs; requiring that a juvenile civil citation or similar diversion program be established at the local level with the concurrence of the chief judge of the circuit and other designated persons; authorizing a law enforcement agency, the Department of Juvenile Justice, a juvenile assessment center, the county or municipality, or an entity selected by the county or municipality to operate the civil citation or similar diversion program; requiring the entity operating the program to be selected in consultation and agreement with the state attorney and the local law enforcement agencies; authorizing a law enforcement officer, upon making contact with a juvenile who admits to having committed a misdemeanor, to require participation in intervention services based upon an assessment of the needs of the juvenile; restricting eligibility of participants for the civil citation or similar diversion program to first-time misdemeanor offenders unless the participation is approved by the state attorney or assistant state attorney; requiring the agency operating the program to report on the outcome to the Department of Juvenile Justice at the conclusion of a youth's civil citation or similar diversion program; providing that the issuance of a civil citation is not considered a referral to the department; requiring the department to develop guidelines for the civil citation program which include intervention services that are based upon proven civil citation or similar diversion programs within the state; requiring a juvenile probation officer to process the original delinquent act as a referral to the department in specified circumstances and to refer certain reports to the state attorney for review; providing an effective date.

—a companion measure, was substituted for **CS for SB 1300** and read the second time by title.

On motion by Senator Storms, by two-thirds vote **CS for HB 997** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Jones
Altman	Evers	Joyner
Benacquisto	Fasano	Latvala
Bennett	Flores	Lynn
Bogdanoff	Gaetz	Margolis
Braynon	Garcia	Montford
Dean	Gardiner	Negron
Detert	Hays	Norman
Diaz de la Portilla	Hill	Oelrich

Rich	Simmons	Storms
Richter	Siplin	Thrasher
Ring	Smith	Wise
Sachs	Sobel	

Nays—None

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

CS for CS for SB 396—A bill to be entitled An act relating to building construction and inspection; amending s. 120.541, F.S.; providing that the issuance of a statement of estimated regulatory costs does not apply to updates of or modifications to the Florida Building Code or the Florida Fire Prevention Code; amending s. 161.053, F.S.; prohibiting the Florida Building Commission from adopting rules that limit any exceptions or exemptions provided for modifications or repairs of existing structures within the limits of an existing foundation under certain circumstances; amending s. 255.252, F.S.; conforming provisions to changes made by the act; amending s. 255.253, F.S.; defining the term “sustainable building rating or national model green building code” to include the International Green Construction Code; amending ss. 255.257 and 255.2575, F.S.; requiring that state agencies, local governments, and the court system adopt a sustainable building rating system or national model green building code for new and renovated buildings; amending s. 468.8316, F.S.; revising the continuing education requirements for licensed home inspectors; amending s. 468.8319, F.S.; deleting an exemption for certain contractors from the prohibition against performing repairs on a home that has a home inspection report; deleting an obsolete provision; amending s. 468.8323, F.S.; clarifying a provision relating to the contents of a home inspection report; amending s. 468.8324, F.S.; providing alternative criteria for obtaining a home inspector’s license; removing certain application requirements for a person who performs home inspection services and who qualifies for licensure on or before a specified date; amending s. 468.841, F.S.; adding licensed home inspectors to those who are exempt from complying with provisions related to mold assessment; amending s. 481.329, F.S.; providing that part II of ch. 481, F.S., does not preclude any person who engages in the business of landscape design from submitting such plans to governmental agencies for approval; amending s. 489.103, F.S.; clarifying an exemption from construction contracting regulation relating to Habitat for Humanity; amending s. 489.105, F.S.; adding the term “glass and glazing contractors” to the definition of the term “contractor”; amending ss. 489.107 and 489.141, F.S.; conforming cross-references; amending s. 514.028, F.S.; revising the composition of the advisory review board relating to public swimming pools and bathing facilities; amending s. 527.06, F.S.; prohibiting the Department of Agriculture and Consumer Services and other state agencies from requiring compliance with certain national standards for liquefied petroleum gas tanks unless the department or agencies require compliance with a specified edition of the national standards; providing that if the Department of Agriculture and Consumer Services and other state agencies adopt the minimum separation distances of the NFPA codes, the rules are repealed by a specified date; amending s. 527.21, F.S.; revising the term “propane” for purposes of the Florida Propane Gas Education, Safety, and Research Act, to incorporate changes to certain national standards in a reference thereto; amending s. 553.502, F.S.; revising intent with respect to the Florida Americans with Disabilities Act; amending s. 553.503, F.S.; incorporating the Americans with Disabilities Act Standards for Accessible Design into state law by reference and directing that they be adopted by rule into the Florida Accessibility Code for Building Construction; amending s. 553.504, F.S.; revising exceptions to incorporate the standards; amending s. 553.5041, F.S.; revising provisions relating to parking spaces for persons who have disabilities to incorporate the standards; amending ss. 553.505 and 553.506, F.S.; conforming provisions to changes made by the act; amending s. 553.507, F.S.; providing for the applicability of the act; amending s. 553.509, F.S.; revising provisions relating to vertical accessibility to incorporate the standards; providing that buildings and facilities in this state do not have to comply with the changes provided by this act until the Florida Accessibility Code for Building Construction is updated; amending s. 553.73, F.S.; revising requirements relating to the Florida Building Code; specifying national codes to form the foundation for state building standards and codes;

providing for the incorporation of amendments into the Florida Building Code; requiring proposed amendments to the code to demonstrate a need for the amendment; providing an additional exemption from wind-borne debris standards for certain storage sheds; amending s. 553.74, F.S.; revising requirements for selecting a member of the Florida Building Commission; amending s. 553.842, F.S.; providing for the approval of certain windstorm products; providing a cause of action against any person who advertises, sells, offers, provides, distributes, or markets certain products without approval; repealing s. 553.9061, F.S., relating to a schedule of increases in the energy performance of buildings subject to the Florida Energy Efficiency Code for Building Construction; amending s. 553.909, F.S.; revising the requirements for certain pool-related equipment; amending s. 627.711, F.S.; revising requirements relating to home inspectors conducting hurricane mitigation inspections; providing effective dates.

—as amended April 29 was read the third time by title.

Amendments were considered and adopted to conform **CS for CS for SB 396** to **CS for CS for CS for HB 849**.

Pending further consideration of **CS for CS for SB 396** as amended, on motion by Senator Bennett, by two-thirds vote **CS for CS for CS for HB 849** was withdrawn from the Committees on Community Affairs; Regulated Industries; and Budget.

On motion by Senator Bennett by two-thirds vote—

CS for CS for CS for HB 849—A bill to be entitled An act relating to building construction and inspection; amending s. 120.541, F.S.; exempting rules that adopt federal standards and certain updates of or amendments to the Florida Building Code or Florida Fire Prevention Code from a requirement that the Legislature ratify any rule that has an adverse impact or regulatory costs which exceed certain criteria; deleting an exemption for emergency rules and rules that adopt federal standards from a requirement that an agency’s statement of a rule’s estimated regulatory costs include an economic analysis of the rule’s adverse impacts and regulatory costs; amending s. 161.053, F.S.; prohibiting the Florida Building Commission from adopting rules that limit any exceptions or exemptions provided for modifications or repairs of existing structures within the limits of an existing foundation under certain circumstances; amending s. 255.252, F.S.; conforming provisions to changes made by the act; amending s. 255.253, F.S.; redefining the term “sustainable building rating” to include a national model green building code; amending ss. 255.257 and 255.2575, F.S.; requiring that state agencies, local governments, and the court system adopt a sustainable building rating system or use a national model green building code for new and renovated buildings; amending s. 468.8316, F.S.; revising the continuing education requirements for licensed home inspectors; amending s. 468.8319, F.S.; deleting an exemption for certain contractors from the prohibition against performing repairs on a home that has a home inspection report; deleting an obsolete provision; amending s. 468.8323, F.S.; clarifying a provision relating to the contents of a home inspection report; amending s. 468.8324, F.S.; providing alternative criteria for obtaining a home inspector’s license; removing certain application requirements for a person who performs home inspection services and who qualifies for licensure on or before a specified date; amending s. 468.841, F.S.; adding licensed home inspectors to those who are exempt from complying with provisions related to mold assessment; amending s. 481.329, F.S.; providing that part II of ch. 481, F.S., does not preclude any person who engages in the business of landscape design from submitting such plans to governmental agencies for approval; amending s. 489.103, F.S.; clarifying an exemption from construction contracting regulation relating to Habitat for Humanity; amending s. 489.105, F.S.; adding the term “glass and glazing contractors” to the definition of the term “contractor”; amending ss. 489.107 and 489.141, F.S.; conforming cross-references; amending s. 514.028, F.S.; revising the composition of the advisory review board relating to public swimming pools and bathing facilities; creating s. 514.0315, F.S.; requiring certain public swimming pools and spas to be equipped with certain safety features; amending s. 527.06, F.S.; prohibiting the Department of Agriculture and Consumer Services and other state agencies from requiring compliance with certain national standards for liquefied petroleum gas tanks unless the department or agencies require compliance with a specified edition of the national standards; providing for repeal under certain circumstances; amending s. 527.21, F.S.; revising the term “propane” for purposes of the Florida Propane Gas Education, Safety, and Research Act, to incorporate changes to certain national

standards in a reference thereto; amending s. 553.502, F.S.; revising intent with respect to the Florida Americans with Disabilities Act; amending s. 553.503, F.S.; incorporating the Americans with Disabilities Act Standards for Accessible Design into state law by reference and directing that they be adopted by rule into the Florida Accessibility Code for Building Construction; amending s. 553.504, F.S.; revising exceptions to incorporate the standards; amending s. 553.5041, F.S.; revising provisions relating to parking spaces for persons who have disabilities to incorporate the standards; amending ss. 553.505 and 553.506, F.S.; conforming provisions to changes made by the act; amending s. 553.507, F.S.; providing for the applicability of the act; amending s. 553.509, F.S.; revising provisions relating to vertical accessibility to incorporate the standards; providing that buildings and facilities in this state do not have to comply with the changes provided by this act until the Florida Accessibility Code for Building Construction is updated; amending s. 553.73, F.S.; revising requirements relating to the Florida Building Code; specifying national codes to form the foundation for state building standards and codes; revising provisions for the amendment or modification of the foundation code; revising the criteria for approval by the Florida Building Commission of technical amendments to the code; exempting certain storage sheds from door height and width requirements; amending s. 553.74, F.S.; revising requirements for selecting a member of the Florida Building Commission; amending s. 553.842, F.S.; providing for the approval of certain windstorm products; providing a cause of action against any person who advertises, sells, offers, provides, distributes, or markets certain products without approval; repealing s. 553.9061, F.S., relating to requirements for scheduled increases in the energy performance of buildings subject to the Florida Energy Efficiency Code for Building Construction; amending s. 553.909, F.S.; revising the requirements and effective dates for certain pool-related equipment; amending s. 627.711, F.S.; revising requirements relating to home inspectors conducting hurricane mitigation inspections; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 396** as amended and by two-thirds vote read the second time by title.

On motion by Senator Bennett, by two-thirds vote **CS for CS for CS for HB 849** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	
Gaetz	Oelrich	

Nays—1

Dockery

Vote after roll call:

Yea to Nay—Storms

MOTION

On motion by Senator Thrasher, the rules were waived and time of recess was extended until 7:00 p.m.

RECESS

On motion by Senator Thrasher, the Senate recessed at 5:13 p.m. to reconvene upon call of the President.

EVENING SESSION

The Senate was called to order by President Haridopolos at 5:50 p.m. A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

BILLS ON THIRD READING

CS for HJR 7111—A joint resolution proposing a revision of Article V of the State Constitution, relating to the judiciary, consisting of amendments to Sections 2, 3, 4, 7, 11, 12, and 14 of Article V, and the creation of Section 21 of Article V, of the State Constitution to divide the current Supreme Court into two divisions, one hearing civil cases and the other hearing criminal cases; providing for administration of the divisions; defining the jurisdiction of the divisions; providing for transition from the present Supreme Court; revising provisions relating to repeal of court rules; limiting re-adoption of a repealed court rule; providing for Senate confirmation of Supreme Court justices; expanding the jurisdiction of the Supreme Court; requiring the Judicial Qualifications Commission to make all of its files available to the Speaker of the House of Representatives; revising provisions relating to repeal of commission rules; requiring that a specified minimum percentage of general revenue funds be appropriated to the courts; making other conforming and modernizing changes to the State Constitution regarding the judicial system.

—was read the third time by title.

MOTION

On motion by Senator Bogdanoff, by the required two-thirds vote, consideration of the following amendment was allowed:

Senators Bogdanoff, Simmons, Dockery, Jones, Detert, Storms, Diaz de la Portilla, Fasano, Latvala, and Evers offered the following amendment which was moved by Senator Bogdanoff and adopted by two-thirds vote:

Amendment 1 (289464) (with title amendment)—Delete everything after the resolving clause and insert: That the following amendment to Sections 2, 4, 11, and 12, of Article V of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE V

JUDICIARY

SECTION 2. Administration; practice and procedure.—

(a) The supreme court shall adopt rules for the practice and procedure in all courts including the time for seeking appellate review, the administrative supervision of all courts, the transfer to the court having jurisdiction of any proceeding when the jurisdiction of another court has been improvidently invoked, and a requirement that no cause shall be dismissed because an improper remedy has been sought. The supreme court shall adopt rules to allow ~~it the court~~ and the district courts of appeal to submit questions relating to military law to the federal Court of Appeals for the Armed Forces for an advisory opinion. Rules of court may be repealed by general law *that expresses the policy behind the repeal enacted by two-thirds vote of the membership of each house of the legislature.* ~~The court may readopt the repealed rule only in conformity~~

with the public policy expressed by the legislature. If the legislature repeals the readopted rule, the rule may not be readopted thereafter without prior approval of the legislature.

(b) The chief justice of the supreme court of Florida shall be chosen by a majority of the members of the court; shall be the chief administrative officer of the judicial system; and shall have the power to assign justices or judges, including consenting retired justices or judges, to temporary duty in any court for which the judge is qualified and to delegate to a chief judge of a judicial circuit the power to assign judges for duty in that circuit.

(c) A chief judge for each district court of appeal shall be chosen by a majority of the judges thereof or, if there is no majority, by the chief justice. The chief judge of a district court shall be responsible for the administrative supervision of the district court.

(d) A chief judge in each circuit shall be chosen from among the circuit judges as provided by supreme court rule. The chief judge of a circuit shall be responsible for the administrative supervision of the circuit courts and county courts in the circuit.

SECTION 4. District courts of appeal.—

(a) ORGANIZATION.—There shall be a district court of appeal serving each appellate district. Each district court of appeal shall consist of at least three judges. Three judges shall consider each case and the concurrence of two shall be necessary to a decision.

(b) JURISDICTION.—

(1) District courts of appeal shall have jurisdiction to hear appeals, that may be taken as a matter of right, from final judgments or orders of trial courts, including those entered on review of administrative action, not directly appealable to the supreme court or a circuit court. They may review interlocutory orders in such cases to the extent provided by rules adopted by the supreme court.

(2) District courts of appeal shall have the power of direct review of administrative action, as prescribed by general law.

(3) A district court of appeal or any judge thereof may issue writs of habeas corpus returnable before the court or any judge thereof or before any circuit judge within the territorial jurisdiction of the court. A district court of appeal may issue writs of mandamus, certiorari, prohibition, quo warranto, and other writs necessary to the complete exercise of its jurisdiction. To the extent necessary to dispose of all issues in a cause properly before it, a district court of appeal may exercise any of the appellate jurisdiction of the circuit courts.

~~(c) CLERKS AND MARSHALS.—Each district court of appeal shall appoint a clerk and a marshal who shall hold office during the pleasure of the court and perform such duties as the court directs. Their compensation shall be fixed by general law. The marshal shall have the power to execute the process of the court throughout the territorial jurisdiction of the court, and in any county may deputize the sheriff or a deputy sheriff for such purpose.~~

SECTION 11. Vacancies.—

(a) Whenever a vacancy occurs in a judicial office to which election for retention applies, the governor shall fill the vacancy by appointing for a term ending on the first Tuesday after the first Monday in January of the year following the next general election occurring at least one year after the date of appointment, one of not fewer than three persons nor more than six persons nominated by the appropriate judicial nominating commission.

(b) The governor shall fill each vacancy on a circuit court or on a county court, wherein the judges are elected by a majority vote of the electors, by appointing for a term ending on the first Tuesday after the first Monday in January of the year following the next primary and general election occurring at least one year after the date of appointment, one of not fewer than three persons nor more than six persons nominated by the appropriate judicial nominating commission. An election shall be held to fill that judicial office for the term of the office beginning at the end of the appointed term.

(c) The nominations shall be made within thirty days from the occurrence of a vacancy unless the period is extended by the governor for a time not to exceed thirty days. The governor shall make the appointment within sixty days after the nominations have been certified to the governor.

(d) Each appointment of a justice of the supreme court is subject to confirmation by the senate. The senate may sit for the purpose of confirmation regardless of whether the house of representatives is in session or not. If the senate fails to vote on the appointment of a justice within 90 days, the justice shall be deemed confirmed. If the senate votes to not confirm the appointment, the supreme court judicial nominating commission shall reconvene as though a new vacancy had occurred but may not renominate any person whose prior appointment to fill the same vacancy was not confirmed by the senate. The appointment of a justice is effective upon confirmation by the senate.

~~(e)(d)~~ There shall be a separate judicial nominating commission as provided by general law for the supreme court, one for each district court of appeal, and one for each judicial circuit for all trial courts within the circuit. Uniform rules of procedure shall be established by the judicial nominating commissions at each level of the court system. Such rules, or any part thereof, may be repealed by general law enacted by a majority vote of the membership of each house of the legislature, or by the supreme court, five justices concurring. Except for deliberations of the judicial nominating commissions, the proceedings of the commissions and their records shall be open to the public.

SECTION 12. Discipline; removal and retirement.—

(a) JUDICIAL QUALIFICATIONS COMMISSION.—A judicial qualifications commission is created.

(1) There shall be a judicial qualifications commission vested with jurisdiction to investigate and recommend to the Supreme Court of Florida the removal from office of any justice or judge whose conduct, during term of office or otherwise, ~~occurring on or after November 1, 1966, (without regard to the effective date of this section)~~ demonstrates a present unfitness to hold office, and to investigate and recommend the discipline of a justice or judge whose conduct, during term of office or otherwise ~~occurring on or after November 1, 1966 (without regard to the effective date of this section)~~, warrants such discipline. For purposes of this section, discipline is defined as any or all of the following: reprimand, fine, suspension with or without pay, or lawyer discipline. The commission shall have jurisdiction over justices and judges regarding allegations that misconduct occurred before or during service as a justice or judge if a complaint is made no later than one year following service as a justice or judge. The commission shall have jurisdiction regarding allegations of incapacity during service as a justice or judge. The commission shall be composed of:

a. Two judges of district courts of appeal selected by the judges of those courts, two circuit judges selected by the judges of the circuit courts and two judges of county courts selected by the judges of those courts;

b. Four electors who reside in the state, who are members of the bar of Florida, and who shall be chosen by the governing body of the bar of Florida; and

c. Five electors who reside in the state, who have never held judicial office or been members of the bar of Florida, and who shall be appointed by the governor.

(2) The members of the judicial qualifications commission shall serve staggered terms, not to exceed six years, as prescribed by general law. No member of the commission except a judge shall be eligible for state judicial office while acting as a member of the commission and for a period of two years thereafter. No member of the commission shall hold office in a political party or participate in any campaign for judicial office or hold public office; provided that a judge may campaign for judicial office and hold that office. The commission shall elect one of its members as its chairperson.

(3) Members of the judicial qualifications commission not subject to impeachment shall be subject to removal from the commission pursuant to the provisions of Article IV, Section 7, Florida Constitution.

(4) The commission shall adopt rules regulating its proceedings, the filling of vacancies by the appointing authorities, the disqualification of members, the rotation of members between the panels, and the temporary replacement of disqualified or incapacitated members. The commission's rules, or any part thereof, may be repealed by general law enacted by a majority vote of the membership of each house of the legislature, or by the supreme court, five justices concurring. The commission shall have power to issue subpoenas. Until formal charges against a justice or judge are filed by the investigative panel with the clerk of the supreme court of Florida all proceedings by or before the commission shall be confidential; provided, however, upon a finding of probable cause and the filing by the investigative panel with said clerk of such formal charges against a justice or judge such charges and all further proceedings before the commission shall be public.

(5) The commission shall have access to all information from all executive, legislative and judicial agencies, including grand juries, subject to the rules of the commission. At any time, on request of the speaker of the house of representatives or the governor, the commission shall make available to the house of representatives all information in the possession of the commission, which information shall remain confidential during any investigation and until such information is used in the pursuit for use in consideration of impeachment or suspension, respectively.

(b) PANELS.—The commission shall be divided into an investigative panel and a hearing panel as established by rule of the commission. The investigative panel is vested with the jurisdiction to receive or initiate complaints, conduct investigations, dismiss complaints, and upon a vote of a simple majority of the panel submit formal charges to the hearing panel. The hearing panel is vested with the authority to receive and hear formal charges from the investigative panel and upon a two-thirds vote of the panel recommend to the supreme court the removal of a justice or judge or the involuntary retirement of a justice or judge for any permanent disability that seriously interferes with the performance of judicial duties. Upon a simple majority vote of the membership of the hearing panel, the panel may recommend to the supreme court that the justice or judge be subject to appropriate discipline.

(c) SUPREME COURT.—The supreme court shall receive recommendations from the judicial qualifications commission's hearing panel.

(1) The supreme court may accept, reject, or modify in whole or in part the findings, conclusions, and recommendations of the commission and it may order that the justice or judge be subjected to appropriate discipline, or be removed from office with termination of compensation for willful or persistent failure to perform judicial duties or for other conduct unbecoming a member of the judiciary demonstrating a present unfitness to hold office, or be involuntarily retired for any permanent disability that seriously interferes with the performance of judicial duties. Malaffides, scienter or moral turpitude on the part of a justice or judge shall not be required for removal from office of a justice or judge whose conduct demonstrates a present unfitness to hold office. After the filing of a formal proceeding and upon request of the investigative panel, the supreme court may suspend the justice or judge from office, with or without compensation, pending final determination of the inquiry.

(2) The supreme court may award costs to the prevailing party.

(d) REMOVAL POWER.—The power of removal conferred by this section shall be both alternative and cumulative to the power of impeachment.

(e) PROCEEDINGS INVOLVING SUPREME COURT JUSTICE.—Notwithstanding any of the foregoing provisions of this section, if the person who is the subject of proceedings by the judicial qualifications commission is a justice of the supreme court of Florida all justices of such court automatically shall be disqualified to sit as justices of such court with respect to all proceedings therein concerning such person and the supreme court for such purposes shall be composed of a panel consisting of the seven chief judges of the judicial circuits of the state of Florida most senior in tenure of judicial office as circuit judge. For purposes of determining seniority of such circuit judges in the event there be judges of equal tenure in judicial office as circuit judge the judge or judges from the lower numbered circuit or circuits shall be deemed senior. In the event any such chief circuit judge is under investigation by the judicial qualifications commission or is otherwise disqualified or unable to serve

on the panel, the next most senior chief circuit judge or judges shall serve in place of such disqualified or disabled chief circuit judge.

(f) SCHEDULE TO SECTION 12.—

(1) Except to the extent inconsistent with the provisions of this section, all provisions of law and rules of court in force on the effective date of this article shall continue in effect until superseded in the manner authorized by the constitution.

(2) After this section becomes effective and until adopted by rule of the commission consistent with it:

a. The commission shall be divided, as determined by the chairperson, into one investigative panel and one hearing panel to meet the responsibilities set forth in this section.

b. The investigative panel shall be composed of:

1. Four judges,
2. Two members of the bar of Florida, and
3. Three non-lawyers.

c. The hearing panel shall be composed of:

1. Two judges,
2. Two members of the bar of Florida, and
3. Two non-lawyers.

d. Membership on the panels may rotate in a manner determined by the rules of the commission provided that no member shall vote as a member of the investigative and hearing panel on the same proceeding.

e. The commission shall hire separate staff for each panel.

f. The members of the commission shall serve for staggered terms of six years.

~~g. The terms of office of the present members of the judicial qualifications commission shall expire upon the effective date of the amendments to this section approved by the legislature during the regular session of the legislature in 1996 and new members shall be appointed to serve the following staggered terms:~~

~~1. Group I. The terms of five members, composed of two electors as set forth in s. 12(a)(1)c. of Article V, one member of the bar of Florida as set forth in s. 12(a)(1)b. of Article V, one judge from the district courts of appeal and one circuit judge as set forth in s. 12(a)(1)a. of Article V, shall expire on December 31, 1998.~~

~~2. Group II. The terms of five members, composed of one elector as set forth in s. 12(a)(1)c. of Article V, two members of the bar of Florida as set forth in s. 12(a)(1)b. of Article V, one circuit judge and one county judge as set forth in s. 12(a)(1)a. of Article V shall expire on December 31, 2000.~~

~~3. Group III. The terms of five members, composed of two electors as set forth in s. 12(a)(1)c. of Article V, one member of the bar of Florida as set forth in s. 12(a)(1)b., one judge from the district courts of appeal and one county judge as set forth in s. 12(a)(1)a. of Article V, shall expire on December 31, 2002.~~

~~g.h. An appointment to fill a vacancy of the commission shall be for the remainder of the term.~~

~~h.i. Selection of members by district courts of appeal judges, circuit judges, and county court judges, shall be by no less than a majority of the members voting at the respective courts' conferences. Selection of members by the board of governors of the bar of Florida shall be by no less than a majority of the board.~~

~~i.j. The commission shall be entitled to recover the costs of investigation and prosecution, in addition to any penalty levied by the supreme court.~~

~~j.~~ The compensation of members and referees shall be the travel expenses or transportation and per diem allowance as provided by general law.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE V, SECTIONS 2, 4, 11, AND 12

STATE COURTS.—Proposing a revision of Article V of the State Constitution relating to the judiciary.

Under current law, the Governor appoints a justice from a list of nominees provided by a judicial nominating commission, and appointments by the Governor are not subject to confirmation. This revision requires Senate confirmation of a justice before the appointee can take office. If the Senate votes not to confirm the appointment, the judicial nominating commission must reconvene and may not renominate any person whose prior appointment to fill the same vacancy was not confirmed by the Senate. For the purpose of confirmation, the Senate may meet at any time. If the Senate does not vote against confirmation within 90 days, the justice will be deemed confirmed and will take office.

The State Constitution authorizes the Supreme Court to adopt rules for the practice and procedure in all courts. The constitution further provides that a rule of court may be repealed by a general law enacted by a two-thirds vote of the membership of each house of the Legislature. This proposed constitutional revision eliminates the requirement that a general law repealing a court rule pass by a two-thirds vote of each house. The Legislature could repeal a rule of court by a general law approved by a majority vote of each house of the Legislature that expresses the policy behind the repeal. The court could readopt the rule in conformity with the public policy expressed by the Legislature, but if the Legislature repeals the readopted rule, this proposed revision prohibits the court from readopting the repealed rule without the Legislature's prior approval.

The Judicial Qualifications Commission is an independent commission created by the State Constitution to investigate and prosecute before the Florida Supreme Court alleged misconduct by a justice or judge. Currently under the constitution, commission proceedings are confidential until formal charges are filed by the investigative panel of the commission. Once formal charges are filed, the formal charges and all further proceedings of the commission are public. Currently, the constitution authorizes the House of Representatives to impeach a justice or judge. Further, the Speaker of the House of Representatives may request, and the Judicial Qualifications Commission must make available, all information in the commission's possession for use in deciding whether to impeach a justice or judge. This proposed revision requires the commission to make all of its files available to the Speaker of the House of Representatives, rather than just the file of a justice or judge under investigation by the House of Representatives. Such files would maintain their confidentiality unless the House of Representatives initiates impeachment proceedings against a justice or judge, in which case the files related to that justice or judge may be open. This revision deletes a requirement that a general law repealing a commission rule be passed by a majority vote of the membership of each house of the Legislature and revises the number of Supreme Court justices needed to repeal such a rule.

This revision will take effect January 7, 2013, if approved by the electors. This revision makes other conforming and modernizing changes to the State Constitution regarding the judicial system; removing outdated schedules related to the Judicial Qualifications Commission; and making conforming and technical changes in the judicial articles of the constitution.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot if a court declares the preceding statement defective and the decision of the court is not reversed:

CONSTITUTIONAL AMENDMENT

ARTICLE V, SECTIONS 2, 4, 11, AND 12

JUDICIARY.—Proposing a revision of the Judiciary Article of the Florida Constitution; requiring Senate confirmation for appointment of a

Supreme Court justice; providing standards and procedures for legislative repeal of a court rule; allowing legislative review of confidential files of the Judicial Qualifications Commission; and making other ancillary amendments, including, but not limited to, technical and conforming amendments.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot if a court declares the preceding statements defective and the decision of the court is not reversed:

CONSTITUTIONAL AMENDMENT

ARTICLE V, SECTIONS 2, 4, 11, AND 12

STATE COURTS.—Proposing a revision to Article V of the State Constitution relating to the judiciary; changing the authority of the Legislature to repeal a court rule by 2/3 vote of the membership of each house to a simple majority of each house; limiting the Supreme Court's ability to readopt a rule repealed by the Legislature; requiring Senate confirmation before a justice may take office; providing that if the Senate does not act within 90 days the nominee is deemed confirmed as a justice; allowing the Senate to meet outside of regular session without having the House of Representatives convene at the same time; deleting outdated references; requiring the Judicial Qualifications Commission to provide the House of Representatives access to records; providing for confidentiality of records.

And the title is amended as follows:

Delete everything before the resolving clause and insert: A bill to be entitled A joint resolution proposing a revision of Article V of the State Constitution, relating to the judiciary, consisting of amendments to Sections 2, 4, 11, and 12 of Article V of the State Constitution; revising provisions relating to repeal of court rules; limiting re-adoption of a repealed court rule; providing for Senate confirmation of Supreme Court justices; requiring the Judicial Qualifications Commission to make all of its files available to the Speaker of the House of Representatives; revising provisions relating to repeal of commission rules; making other conforming and modernizing changes to the State Constitution regarding the judicial system; providing an effective date.

On motion by Senator Bogdanoff, **CS for HJR 7111** as amended was shown in full as follows:

CS for HJR 7111—A joint resolution proposing a revision of Article V of the State Constitution, relating to the judiciary, consisting of amendments to Sections 2, 3, 4, 7, 11, 12, and 14 of Article V, and the creation of Section 21 of Article V, of the State Constitution to divide the current Supreme Court into two divisions, one hearing civil cases and the other hearing criminal cases; providing for administration of the divisions; defining the jurisdiction of the divisions; providing for transition from the present Supreme Court; revising provisions relating to repeal of court rules; limiting re-adoption of a repealed court rule; providing for Senate confirmation of Supreme Court justices; expanding the jurisdiction of the Supreme Court; requiring the Judicial Qualifications Commission to make all of its files available to the Speaker of the House of Representatives; revising provisions relating to repeal of commission rules; requiring that a specified minimum percentage of general revenue funds be appropriated to the courts; making other conforming and modernizing changes to the State Constitution regarding the judicial system.

Be It Resolved by the Legislature of the State of Florida:

That the following amendments to Sections 2, 3, 4, 7, 11, 12, and 14 of Article V, and the creation of Section 21 of Article V, of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE V

JUDICIARY

SECTION 2. Administration; practice and procedure.—

(a) The supreme court shall adopt rules for the practice and procedure in all courts including the time for seeking appellate review, the administrative supervision of all courts, the transfer to the court having

jurisdiction of any proceeding when the jurisdiction of another court has been improvidently invoked, and a requirement that no cause shall be dismissed because an improper remedy has been sought. The supreme court shall adopt rules to allow ~~it the court~~ and the district courts of appeal to submit questions relating to military law to the federal Court of Appeals for the Armed Forces for an advisory opinion. Rules of court may be repealed by general law *that expresses the policy behind the repeal enacted by two thirds vote of the membership of each house of the legislature.* *The court may readopt the repealed rule only in conformity with the public policy expressed by the legislature. If the legislature repeals the readopted rule, the rule may not be readopted thereafter without prior approval of the legislature. The divisions of the court shall meet jointly to adopt rules or the court may designate a division to adopt any specific class of rules.*

(b)(1) ~~The chief justice of the supreme court of Florida shall be chosen by a majority of the members of the court; shall be the chief administrative officer of the judicial system; and shall have the power to assign justices or judges, including consenting retired justices or judges, to temporary duty in any court for which the judge is qualified and to delegate to a chief judge of a judicial circuit the power to assign judges for duty in that circuit.~~

(2) *The chief justice of a division of the supreme court shall be designated by the governor, subject to confirmation by the senate. The chief justices of the divisions shall serve staggered terms of eight years and shall be the chief administrative officers of their respective divisions. In the second half of any term as chief justice of a division, the chief justice shall serve as the chief justice of the supreme court. A justice may serve more than one term as chief justice of the division. A chief justice of a division is subject to the same requirements of eligibility and retention as a justice of the supreme court.*

(3) *If there is a vacancy in the position of chief justice of a division, the justice who has served the most time with the division shall be the acting chief justice until a new chief justice of the division is appointed and confirmed for the remainder of the term.*

(c) A chief judge for each district court of appeal shall be chosen by a majority of the judges thereof or, if there is no majority, by the chief justice. The chief judge of a district court shall be responsible for the administrative supervision of the district court.

(d) A chief judge in each circuit shall be chosen from among the circuit judges as provided by supreme court rule. The chief judge of a circuit shall be responsible for the administrative supervision of the circuit courts and county courts in ~~the his~~ circuit.

SECTION 3. Supreme court; divisions.—

(a) ORGANIZATION.—~~The supreme court shall consist of ten seven justices. Of the ten justices, five justices shall serve in the civil division and five justices shall serve in the criminal division. In each division of the seven justices, each appellate district shall have at least one justice elected or appointed from the district to the supreme court division who is a resident of the district at the time of the original appointment or election. Four Five justices of a division shall constitute a quorum for that division and; the concurrence of three four justices shall be necessary to a decision. When vacancies or recusals for cause would prohibit the court from convening because of the requirements of this subsection section, judges assigned to temporary duty may be substituted for justices. The justices of both divisions, with seven justices constituting a quorum, shall jointly meet regarding disciplinary cases, and may jointly meet at the discretion of the chief justice regarding court rules or administrative supervision of the courts. The justices shall not otherwise meet en banc.~~

(b) JURISDICTION.—~~The appropriate division of the supreme court:~~

(1) ~~Shall hear appeals from final judgments of trial courts imposing the death penalty and from decisions of district courts of appeal declaring invalid a state statute or a provision of the state constitution.~~

(2) ~~When provided by general law, shall hear appeals from final judgments entered in proceedings for the validation of bonds or certificates of indebtedness and shall review action of statewide agencies relating to rates or service of utilities providing electric, gas, or telephone~~

~~service. Only the civil division may have jurisdiction pursuant to this paragraph.~~

(3) ~~May review any decision of a district court of appeal that expressly declares valid a state statute, or that expressly construes a provision of the state or federal constitution, or that expressly affects a class of constitutional or state officers, or that expressly and directly conflicts with a decision of another district court of appeal or of the supreme court on the same question of law, provided that the conflict appears on the face of the majority, concurring, or dissenting district court opinion.~~

(4) ~~May review any decision of a district court of appeal that passes upon a question certified by the district court of appeal to be of great public importance, that appears to a division to be of great public importance based on information on the face of the majority, concurring, or dissenting district court opinion, or that is certified by the district court of appeal to be in direct conflict with a decision of another district court of appeal.~~

(5) ~~May review any order or judgment of a trial court certified by the district court of appeal in which an appeal is pending to be of great public importance, or to have a great effect on the proper administration of justice throughout the state, and certified to require immediate resolution by the supreme court.~~

(6) ~~May review a question of law certified by the Supreme Court of the United States or a United States Court of Appeals which is determinative of the cause and for which there is no controlling precedent of the supreme court of Florida.~~

(7) ~~May issue writs of prohibition to courts and all writs necessary to the complete exercise of its jurisdiction.~~

(8) ~~May issue writs of mandamus and quo warranto to state officers and state agencies.~~

(9) ~~May, or any justice may, issue writs of habeas corpus returnable before the supreme court or any justice, a district court of appeal or any judge thereof, or any circuit judge. Only a justice in the criminal division may issue a writ of habeas corpus in a criminal case.~~

(10) ~~Shall, when requested by the attorney general pursuant to the provisions of Section 10 of Article IV, render an advisory opinion of the justices, addressing issues as provided by general law.~~

(11) ~~Shall hear appeals from final judgments of trial courts imposing the death penalty. Only the criminal division has any jurisdiction pursuant to this paragraph.~~

(c) ASSIGNMENT OF CASES TO DIVISIONS.—~~Criminal and civil cases are to be referred to each division in a manner consistent with this section.~~

(1) ~~A criminal case is any case or controversy primarily involving the commission of a felony or misdemeanor. A criminal case shall also include any case or controversy involving criminal law, criminal penalties, criminal procedure, juvenile delinquency, or any related action regarding the interpretation of or resolution of matters directly affecting the criminal law. Equitable relief related to the criminal law, including actions in which a party seeks to enjoin the application or form of a criminal penalty, shall be within the jurisdiction of the criminal division.~~

(2) ~~A civil case is any case or controversy within the traditional concepts of civil law, including tort, contract, family law, probate, trusts, real property, employment law, taxation, and elections. The civil division shall have no jurisdiction or authority, whether express or implied, to issue a stay of execution or to hear any challenge of any law or procedure regarding the death penalty or the administration of a criminal penalty.~~

(3) ~~The legislature may, by general law, further define the types of cases that are to be referred to each division in a manner consistent with this section.~~

(d) JURISDICTIONAL CONFLICTS.—~~If both divisions assert jurisdiction over a particular case, the chief justice of the supreme court of Florida shall decide where jurisdiction is appropriate.~~

~~(c) CLERK AND MARSHAL.—The supreme court shall appoint a clerk and a marshal who shall hold office during the pleasure of the court and perform such duties as the court directs. Their compensation shall be fixed by general law. The marshal shall have the power to execute the process of the court throughout the state, and in any county may deputize the sheriff or a deputy sheriff for such purpose.~~

SECTION 4. District courts of appeal.—

(a) ORGANIZATION.—There shall be a district court of appeal serving each appellate district. Each district court of appeal shall consist of at least three judges. Three judges shall consider each case and the concurrence of two shall be necessary to a decision.

(b) JURISDICTION.—

(1) District courts of appeal shall have jurisdiction to hear appeals, that may be taken as a matter of right, from final judgments or orders of trial courts, including those entered on review of administrative action, not directly appealable to the supreme court or a circuit court. They may review interlocutory orders in such cases to the extent provided by rules adopted by the supreme court.

(2) District courts of appeal shall have the power of direct review of administrative action, as prescribed by general law.

(3) A district court of appeal or any judge thereof may issue writs of habeas corpus returnable before the court or any judge thereof or before any circuit judge within the territorial jurisdiction of the court. A district court of appeal may issue writs of mandamus, certiorari, prohibition, quo warranto, and other writs necessary to the complete exercise of its jurisdiction. To the extent necessary to dispose of all issues in a cause properly before it, a district court of appeal may exercise any of the appellate jurisdiction of the circuit courts.

~~(c) CLERKS AND MARSHALS.—Each district court of appeal shall appoint a clerk and a marshal who shall hold office during the pleasure of the court and perform such duties as the court directs. Their compensation shall be fixed by general law. The marshal shall have the power to execute the process of the court throughout the territorial jurisdiction of the court, and in any county may deputize the sheriff or a deputy sheriff for such purpose.~~

SECTION 7. Specialized divisions.—*The supreme court shall sit in a civil division and a criminal division, except where specifically authorized in this article to sit jointly.* All other courts ~~except the supreme court~~ may sit in divisions as may be established by general law. A circuit or county court may hold civil and criminal trials and hearings in any place within the territorial jurisdiction of the court as designated by the chief judge of the circuit.

SECTION 11. Vacancies.—

(a) Whenever a vacancy occurs in a judicial office to which election for retention applies, the governor shall fill the vacancy by appointing for a term ending on the first Tuesday after the first Monday in January of the year following the next general election occurring at least one year after the date of appointment, one of not fewer than three persons nor more than six persons nominated by the appropriate judicial nominating commission.

(b) The governor shall fill each vacancy on a circuit court or on a county court, wherein the judges are elected by a majority vote of the electors, by appointing for a term ending on the first Tuesday after the first Monday in January of the year following the next primary and general election occurring at least one year after the date of appointment, one of not fewer than three persons nor more than six persons nominated by the appropriate judicial nominating commission. An election shall be held to fill that judicial office for the term of the office beginning at the end of the appointed term.

(c) The nominations shall be made within thirty days from the occurrence of a vacancy unless the period is extended by the governor for a time not to exceed thirty days. The governor shall make the appointment within sixty days after the nominations have been certified to the governor.

(d) *Each appointment of a justice of the supreme court is subject to confirmation by the senate. The senate may sit for the purpose of con-*

firmation regardless of whether the house of representatives is in session or not. If the senate fails to vote on the appointment of a justice within 90 days, the justice shall be deemed confirmed. If the senate votes to not confirm the appointment, the supreme court judicial nominating commission shall reconvene as though a new vacancy had occurred but may not renominate any person whose prior appointment to fill the same vacancy was not confirmed by the senate. The appointment of a justice is effective upon confirmation by the senate. A justice in one division may apply for a position in the other division but may not concurrently serve on both.

~~(e)(d)~~ There shall be a separate judicial nominating commission as provided by general law for the supreme court, *one for each district court of appeal, and one for each judicial circuit for all trial courts within the circuit.* Uniform rules of procedure shall be established by the judicial nominating commissions at each level of the court system. Such rules, or any part thereof, may be repealed by general law enacted by a majority vote of the membership of each house of the legislature, or by a *majority vote of the justices of each division of the supreme court, five justices concurring.* Except for deliberations of the judicial nominating commissions, the proceedings of the commissions and their records shall be open to the public.

SECTION 12. Discipline; removal and retirement.—

(a) JUDICIAL QUALIFICATIONS COMMISSION.—A judicial qualifications commission is created.

(1) There shall be a judicial qualifications commission vested with jurisdiction to investigate and recommend to the Supreme Court of Florida the removal from office of any justice or judge whose conduct, during term of office or otherwise, ~~occurring on or after November 1, 1966, (without regard to the effective date of this section)~~ demonstrates a present unfitness to hold office, and to investigate and recommend the discipline of a justice or judge whose conduct, during term of office or otherwise ~~occurring on or after November 1, 1966 (without regard to the effective date of this section)~~, warrants such discipline. For purposes of this section, discipline is defined as any or all of the following: reprimand, fine, suspension with or without pay, or lawyer discipline. The commission shall have jurisdiction over justices and judges regarding allegations that misconduct occurred before or during service as a justice or judge if a complaint is made no later than one year following service as a justice or judge. The commission shall have jurisdiction regarding allegations of incapacity during service as a justice or judge. The commission shall be composed of:

a. Two judges of district courts of appeal selected by the judges of those courts, two circuit judges selected by the judges of the circuit courts and two judges of county courts selected by the judges of those courts;

b. Four electors who reside in the state, who are members of the bar of Florida, and who shall be chosen by the governing body of the bar of Florida; and

c. Five electors who reside in the state, who have never held judicial office or been members of the bar of Florida, and who shall be appointed by the governor.

(2) The members of the judicial qualifications commission shall serve staggered terms, not to exceed six years, as prescribed by general law. No member of the commission except a judge shall be eligible for state judicial office while acting as a member of the commission and for a period of two years thereafter. No member of the commission shall hold office in a political party or participate in any campaign for judicial office or hold public office; provided that a judge may campaign for judicial office and hold that office. The commission shall elect one of its members as its chairperson.

(3) Members of the judicial qualifications commission not subject to impeachment shall be subject to removal from the commission pursuant to the provisions of Article IV, Section 7, Florida Constitution.

(4) The commission shall adopt rules regulating its proceedings, the filling of vacancies by the appointing authorities, the disqualification of members, the rotation of members between the panels, and the temporary replacement of disqualified or incapacitated members. The commission's rules, or any part thereof, may be repealed by general law

enacted by a majority vote of the membership of each house of the legislature, or by the supreme court, ~~seven~~ **five** justices concurring. The commission shall have power to issue subpoenas. Until formal charges against a justice or judge are filed by the investigative panel with the clerk of the supreme court of Florida all proceedings by or before the commission shall be confidential; provided, however, upon a finding of probable cause and the filing by the investigative panel with said clerk of such formal charges against a justice or judge such charges and all further proceedings before the commission shall be public.

(5) The commission shall have access to all information from all executive, legislative and judicial agencies, including grand juries, subject to the rules of the commission. At any time, on request of the speaker of the house of representatives ~~or the governor~~, the commission shall make available *to the house of representatives* all information in the possession of the commission, *which information shall remain confidential during any investigation and until such information is used in the pursuit for use in consideration* of impeachment ~~or suspension, respectively~~.

(b) PANELS.—The commission shall be divided into an investigative panel and a hearing panel as established by rule of the commission. The investigative panel is vested with the jurisdiction to receive or initiate complaints, conduct investigations, dismiss complaints, and upon a vote of a simple majority of the panel submit formal charges to the hearing panel. The hearing panel is vested with the authority to receive and hear formal charges from the investigative panel and upon a two-thirds vote of the panel recommend to the supreme court the removal of a justice or judge or the involuntary retirement of a justice or judge for any permanent disability that seriously interferes with the performance of judicial duties. Upon a simple majority vote of the membership of the hearing panel, the panel may recommend to the supreme court that the justice or judge be subject to appropriate discipline.

(c) SUPREME COURT.—The supreme court shall receive recommendations from the judicial qualifications commission's hearing panel.

(1) The supreme court may accept, reject, or modify in whole or in part the findings, conclusions, and recommendations of the commission and it may order that the justice or judge be subjected to appropriate discipline, or be removed from office with termination of compensation for willful or persistent failure to perform judicial duties or for other conduct unbecoming a member of the judiciary demonstrating a present unfitness to hold office, or be involuntarily retired for any permanent disability that seriously interferes with the performance of judicial duties. Malafides, scienter or moral turpitude on the part of a justice or judge shall not be required for removal from office of a justice or judge whose conduct demonstrates a present unfitness to hold office. After the filing of a formal proceeding and upon request of the investigative panel, the supreme court may suspend the justice or judge from office, with or without compensation, pending final determination of the inquiry.

(2) The supreme court may award costs to the prevailing party.

(d) REMOVAL POWER.—The power of removal conferred by this section shall be both alternative and cumulative to the power of impeachment.

(e) PROCEEDINGS INVOLVING SUPREME COURT JUSTICE.—Notwithstanding any of the foregoing provisions of this section, if the person who is the subject of proceedings by the judicial qualifications commission is a justice of the supreme court of Florida all justices of such court automatically shall be disqualified to sit as justices of such court with respect to all proceedings therein concerning such person and the supreme court for such purposes shall be composed of a panel consisting of the seven chief judges of the judicial circuits of the state of Florida most senior in tenure of judicial office as circuit judge. For purposes of determining seniority of such circuit judges in the event there be judges of equal tenure in judicial office as circuit judge the judge or judges from the lower numbered circuit or circuits shall be deemed senior. In the event any such chief circuit judge is under investigation by the judicial qualifications commission or is otherwise disqualified or unable to serve on the panel, the next most senior chief circuit judge or judges shall serve in place of such disqualified or disabled chief circuit judge.

(f) SCHEDULE TO SECTION 12.—

(1) Except to the extent inconsistent with the provisions of this section, all provisions of law and rules of court in force on the effective date of this article shall continue in effect until superseded in the manner authorized by the constitution.

(2) After this section becomes effective and until adopted by rule of the commission consistent with it:

a. The commission shall be divided, as determined by the chairperson, into one investigative panel and one hearing panel to meet the responsibilities set forth in this section.

b. The investigative panel shall be composed of:

1. Four judges,
2. Two members of the bar of Florida, and
3. Three non-lawyers.

c. The hearing panel shall be composed of:

1. Two judges,
2. Two members of the bar of Florida, and
3. Two non-lawyers.

d. Membership on the panels may rotate in a manner determined by the rules of the commission provided that no member shall vote as a member of the investigative and hearing panel on the same proceeding.

e. The commission shall hire separate staff for each panel.

f. The members of the commission shall serve for staggered terms of six years.

~~g. The terms of office of the present members of the judicial qualifications commission shall expire upon the effective date of the amendments to this section approved by the legislature during the regular session of the legislature in 1996 and new members shall be appointed to serve the following staggered terms:~~

~~1. Group I. The terms of five members, composed of two electors as set forth in s. 12(a)(1)c. of Article V, one member of the bar of Florida as set forth in s. 12(a)(1)b. of Article V, one judge from the district courts of appeal and one circuit judge as set forth in s. 12(a)(1)a. of Article V, shall expire on December 31, 1998.~~

~~2. Group II. The terms of five members, composed of one elector as set forth in s. 12(a)(1)c. of Article V, two members of the bar of Florida as set forth in s. 12(a)(1)b. of Article V, one circuit judge and one county judge as set forth in s. 12(a)(1)a. of Article V shall expire on December 31, 2000.~~

~~3. Group III. The terms of five members, composed of two electors as set forth in s. 12(a)(1)c. of Article V, one member of the bar of Florida as set forth in s. 12(a)(1)b., one judge from the district courts of appeal and one county judge as set forth in s. 12(a)(1)a. of Article V, shall expire on December 31, 2002.~~

~~g.h.~~ An appointment to fill a vacancy of the commission shall be for the remainder of the term.

~~h.i.~~ Selection of members by district courts of appeal judges, circuit judges, and county court judges, shall be by no less than a majority of the members voting at the respective courts' conferences. Selection of members by the board of governors of the bar of Florida shall be by no less than a majority of the board.

~~i.j.~~ The commission shall be entitled to recover the costs of investigation and prosecution, in addition to any penalty levied by the supreme court.

~~j.k.~~ The compensation of members and referees shall be the travel expenses or transportation and per diem allowance as provided by general law.

SECTION 14. Funding.—

(a) All justices and judges shall be compensated only by state salaries fixed by general law. Funding for the state courts system, state attorneys' offices, public defenders' offices, and court-appointed counsel, except as otherwise provided in subsection (c), shall be provided from state revenues appropriated by general law.

(b) All funding for the offices of the clerks of the circuit and county courts performing court-related functions, except as otherwise provided in this subsection and subsection (c), shall be provided by adequate and appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions as required by general law. Selected salaries, costs, and expenses of the state courts system may be funded from appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions, as provided by general law. Where the requirements of either the United States Constitution or the Constitution of the State of Florida preclude the imposition of filing fees for judicial proceedings and service charges and costs for performing court-related functions sufficient to fund the court-related functions of the offices of the clerks of the circuit and county courts, the state shall provide, as determined by the legislature, adequate and appropriate supplemental funding from state revenues appropriated by general law.

(c) No county or municipality, except as provided in this subsection, shall be required to provide any funding for the state courts system, state attorneys' offices, public defenders' offices, court-appointed counsel or the offices of the clerks of the circuit and county courts performing court-related functions. Counties shall be required to fund the cost of communications services, existing radio systems, existing multi-agency criminal justice information systems, and the cost of construction or lease, maintenance, utilities, and security of facilities for the trial courts, public defenders' offices, state attorneys' offices, and the offices of the clerks of the circuit and county courts performing court-related functions. Counties shall also pay reasonable and necessary salaries, costs, and expenses of the state courts system to meet local requirements as determined by general law.

(d) The judiciary shall have no power to fix appropriations.

(e) *The total appropriation of all fund sources to the judicial branch shall equal no less than 2.25 percent of the total general revenue funds appropriated in the general appropriation bill referred to in Section 19(b) of Article III. Any adjustments to the total appropriations of all fund sources to the judicial branch made in any special appropriations act shall equal no more than the percent of total general revenue appropriations adjusted in such special appropriations act.*

For purposes of this subsection, the judicial branch does not include the Justice Administrative Commission or any of the entities for which the Justice Administrative Commission provides administrative services.

SECTION 21. *Schedule to Article V revision increasing the membership of the supreme court and creating divisions thereof.—*

(a) *Except to the extent inconsistent with this article, all provisions of law and rules of court in force on the effective date of this article shall continue in effect until superseded in the manner authorized by the constitution.*

(b) *The effective date of the revision creating two divisions of the supreme court shall be upon passage by the electorate.*

(1) *On the first day after the election approving the revision, the supreme court shall rank all of the justices then*

in office by seniority in service on the supreme court. The three who have the most seniority shall be the initial justices assigned to the criminal division, and the remaining justices shall be the initial justices assigned to the civil division. Initial appointments of existing justices to either division shall not be limited by the district court from which the justice was appointed. A justice assigned to a division of the supreme court pursuant to this paragraph shall remain in the same term of office and shall sit for future retention elections on the same cycle. The supreme court shall immediately transmit to the governor the names of the justices, their division assignments, and the districts from which they were appointed. The governor shall then direct the supreme court nominating commission to make its recommendations for the open seats of justices for both divi-

sions, which recommendations must be delivered to the governor no later than the 60th day after the election. Before the 90th day after the election, the governor shall make the appointments for the open seats of justices for both divisions and shall also designate the chief justices of each division. The appointments and designations shall, in this instance only, not be subject to the advice and consent of the senate.

(2) *The supreme court shall inventory all cases in its possession and determine as to each case whether it will be assigned to the criminal division or the civil division. Newly filed cases shall be designated between the two new divisions as they are filed. The supreme court shall retain full jurisdiction and power over all cases until such cases are actually assigned to a division, including the power to issue final process that would have the effect of removing the case from the inventory of cases to be assigned.*

(c) *The two divisions of the supreme court shall begin formal operations on the 120th day after the election. On that day:*

(1) *Newly appointed justices shall take office.*

(2) *The jurisdiction of the supreme court shall be divided between the divisions, the jurisdictional changes in Sections 3(b)(3) and 3(b)(4) shall take effect, and all pending cases shall be assigned to the appropriate division.*

(3) *The term of the supreme court shall be deemed to have ended. All mandates issued by the supreme court prior to the end of the term shall be final and not subject to recall. No motion for reconsideration shall be considered.*

(d) *The initial chief justice of the civil division shall also be the chief justice of the supreme court of Florida and shall serve in that position from the 120th day after the election through June 30, 2016. The initial chief justice of the criminal division shall be the chief justice of the criminal division from the 120th day after the election through June 30, 2020. Thereafter, the offices of the chief justices of the divisions shall alternate as provided in Section 2.*

(e) *All court rules adopted by the supreme court shall continue in full force and effect after the effective date of this revision, subject to future amendment or repeal.*

(f) *The legislature may, by general law, otherwise provide for the administrative transfer of employees, property, duties, and functions between the divisions.*

(g) *The change in court funding provided in Section 14(e) shall be effective commencing in fiscal year 2013-2014.*

(h) *The legislature shall have the power, by concurrent resolution, to delete from this article any subsection of this section 21, including this subsection, when all events to which the subsection to be deleted is or could become applicable have occurred.*

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE V, SECTIONS 2, 3, 4, 7, 11, 12, 14, AND 21

STATE COURTS.—Proposing a revision of Article V of the State Constitution relating to the judiciary.

Under current law, the Florida Supreme Court is the highest court in Florida and hears both civil and criminal cases. It has 7 appointed justices. This revision would divide the current Supreme Court into two divisions, one hearing civil cases and the other hearing criminal cases. Each division would have 5 appointed justices who are permanently assigned. The 3 current justices who have the most service with the Florida Supreme Court would be assigned to the criminal division, the remaining 4 current justices would be assigned to the civil division, and the Governor would appoint 3 new justices to fill the remaining openings in the two divisions. The existing jurisdiction of the Supreme Court would be expanded to allow discretionary review of certain district court of appeal decisions. This revision generally defines the civil law and criminal law jurisdiction of each division, provides for assignment of cases to each respective division, and allows the Legislature, by general

law, to further define the jurisdictions of each division. The jurisdiction of a division will be limited to the division's area, whether civil or criminal. The power of justices of the criminal division to hear appeals from final judgments entered in proceedings for the validation of bonds or certificates of indebtedness and to review action of statewide agencies relating to rates or service of utilities providing electric, gas, or telephone service is limited by this revision and granted exclusively to the civil division. The power of justices of the civil division to issue a writ of habeas corpus and to hear appeals from final judgments of trial courts imposing the death penalty is limited by this revision and granted exclusively to the justices of the criminal division. This revision provides that if both divisions assert jurisdiction over a case, the Chief Justice of the Supreme Court of Florida will decide where jurisdiction is appropriate.

This proposed revision also creates a title of chief justice in each of the divisions with an 8-year term. The constitution currently provides that the Chief Justice of the Supreme Court is the administrative head of the state judicial system. This revision provides that the position of Chief Justice of the Supreme Court will rotate every 4 years between the chief justice of the civil division and the chief justice of the criminal division. The constitution currently also provides that the chief justice is chosen by vote of the justices. This revision provides that the initial new justices and the initial chief justice of each division will be selected by the Governor and future chief justices will be selected by the Governor subject to Senate confirmation. A chief justice is, like a regular justice under current law, subject to retention election and mandatory retirement requirements applicable to all Florida justices and judges.

Under current law, the Governor appoints a justice from a list of nominees provided by a judicial nominating commission, and appointments by the Governor are not subject to confirmation. Other than the initial 3 new appointees, this revision requires Senate confirmation of a justice before the appointee can take office. If the Senate votes not to confirm the appointment, the judicial nominating commission must reconvene and may not renominate any person whose prior appointment to fill the same vacancy was not confirmed by the Senate. For the purpose of confirmation, the Senate may meet at any time. If the Senate does not vote against confirmation within 90 days, the justice will be deemed confirmed and will take office.

The State Constitution authorizes the Supreme Court to adopt rules for the practice and procedure in all courts. The constitution further provides that a rule of court may be repealed by a general law enacted by a two-thirds vote of the membership of each house of the Legislature. This proposed constitutional revision eliminates the requirement that a general law repealing a court rule pass by a two-thirds vote of each house. The Legislature could repeal a rule of court by a general law approved by a majority vote of each house of the Legislature that expresses the policy behind the repeal. The court could readopt the rule in conformity with the public policy expressed by the Legislature, but if the Legislature repeals the readopted rule, this proposed revision prohibits the court from readopting the repealed rule without the Legislature's prior approval. Court rules may be adopted by both divisions of the Supreme Court meeting jointly, or the court may elect to divide classes of rules between the divisions.

The Judicial Qualifications Commission is an independent commission created by the State Constitution to investigate and prosecute before the Florida Supreme Court alleged misconduct by a justice or judge. Currently under the constitution, commission proceedings are confidential until formal charges are filed by the investigative panel of the commission. Once formal charges are filed, the formal charges and all further proceedings of the commission are public. Currently, the constitution authorizes the House of Representatives to impeach a justice or judge. Further, the Speaker of the House of Representatives may request, and the Judicial Qualifications Commission must make available, all information in the commission's possession for use in deciding whether to impeach a justice or judge. This proposed revision requires the commission to make all of its files available to the Speaker of the House of Representatives, rather than just the file of a justice or judge under investigation by the House of Representatives. Such files would maintain their confidentiality unless the House of Representatives initiates impeachment proceedings against a justice or judge, in which case the files related to that justice or judge may be open. This revision deletes a requirement that a general law repealing a commission rule be passed by a majority vote of the membership of each house of the Legislature

and revises the number of Supreme Court justices needed to repeal such a rule.

State appropriations are made annually by general law. Current law does not require any specific level of funding for any agency or department. This revision requires that the courts be appropriated a minimum of 2.25 percent of general revenue funding beginning with the 2013-2014 fiscal year.

This revision will take effect upon its passage by the electorate and provides a schedule for implementation of its provisions. This revision makes other conforming and modernizing changes to the State Constitution regarding the judicial system, including removing the positions of clerk and marshal of the Supreme Court and the courts of appeal from the constitution; providing for transition to the new divisions; removing outdated schedules related to the Judicial Qualifications Commission; and making conforming and technical changes in the judicial articles of the constitution.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot if a court declares the preceding statement defective and the decision of the court is not reversed:

CONSTITUTIONAL AMENDMENT

ARTICLE V, SECTIONS 2, 3, 4, 7, 11, 12, 14, AND 21

JUDICIARY.—Proposing a revision of the Judiciary Article of the Florida Constitution; reorganizing the Florida Supreme Court into divisions; requiring Senate confirmation for appointment of a Supreme Court justice; providing standards and procedures for legislative repeal of a court rule; providing a minimum level of court funding; allowing legislative review of confidential files of the Judicial Qualifications Commission; providing for transition; and making other ancillary amendments, including, but not limited to, technical and conforming amendments.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot if a court declares the preceding statements defective and the decision of the court is not reversed:

CONSTITUTIONAL AMENDMENT

ARTICLE V, SECTIONS 2, 3, 4, 7, 11, 12, 14, AND 21

STATE COURTS.—Proposing a revision to Article V of the State Constitution relating to the judiciary; changing the authority of the Legislature to repeal a court rule by 2/3 vote of the membership of each house to a simple majority of each house; limiting the Supreme Court's ability to readopt a rule repealed by the Legislature; replacing the current seven-member Supreme Court with two five-member divisions of the Supreme Court, one with civil jurisdiction and one with criminal jurisdiction; establishing a Chief Justice of the Supreme Court who shall serve as the chief administrative officer for the courts; establishing a chief justice for the civil division of the Supreme Court; establishing a chief justice for the criminal division of the Supreme Court; providing for the manner of selection and term for the chief justice of each division of the Supreme Court; changing the manner of designation and term of office of the Chief Justice of the Supreme Court; providing that a chief justice of a division of the Supreme Court is subject to a retention election and eligibility requirements as currently established in the State Constitution; providing for manner of replacement of a chief justice of a division; providing for apportionment of current justices among the civil and criminal divisions of the Supreme Court; changing the requirements for a quorum from four to three as being necessary for a decision; providing authority and circumstances where the divisions of the Supreme Court may meet en banc; providing jurisdiction for each division of the Supreme Court, including matters which will be exclusive to each division; clarifying the jurisdiction of the Supreme Court to hear appeals from certain district court of appeal decisions; providing that the Legislature may further define the split of jurisdiction between civil and criminal matters; providing that the Chief Justice of the Supreme Court decides jurisdiction should both divisions claim jurisdiction over the same case; removing references to clerks and marshals; requiring Senate confirmation before a justice may take office; providing that if the Senate does not act within 90 days the nominee is deemed confirmed as a justice; allowing the Senate to meet outside of regular session without having the House of Representatives convene at the same time; deleting

outdated references; requiring the Judicial Qualifications Commission to provide the House of Representatives access to records; providing for confidentiality of records; requiring a minimum level of funding for the judicial system; providing for transition; requiring the current Supreme Court to list its members by seniority in office; providing that the three most senior justices be assigned to the criminal division and the remaining justices assigned to the criminal division; providing time limits for appointments by the Governor for the remaining seats; providing an exception to Senate confirmation for initial appointments; requiring the Governor to name the initial chief justice of each division; providing that the initial chief justice of the civil division be named the Chief Justice of the Supreme Court; requiring that existing cases be split between the divisions; providing that cases decided before the split into divisions are final and not subject to rehearing or recall of the mandate; providing for the terms of the initial chief justices of the divisions; providing for adoption of court rules; allowing the Legislature by general law to further provide for transition; providing that the transition schedules may be deleted by general law when they have become outdated.

On motion by Senator Bogdanoff, **CS for HJR 7111** as amended was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Evers	Negron
Alexander	Fasano	Norman
Altman	Flores	Oelrich
Benacquisto	Gaetz	Richter
Bennett	Garcia	Simmons
Bogdanoff	Gardiner	Storms
Dean	Hays	Thrasher
Detert	Jones	Wise
Diaz de la Portilla	Latvala	
Dockery	Lynn	

Nays—11

Braynon	Montford	Siplin
Hill	Rich	Smith
Joyner	Ring	Sobel
Margolis	Sachs	

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for SB 384** was withdrawn from the Committee on Commerce and Tourism; **CS for SB 1912** was withdrawn from the Committee on Environmental Preservation and Conservation; **SJR 210**, **CS for SB 332**, and **CS for SB 1772** were withdrawn from the Committee on Judiciary; **CS for SB 414**, **SB 446**, **CS for CS for SB 1316**, **CS for SB 1428**, **SB 1826**, and **CS for CS for SB 2076** were withdrawn from the Committee on Rules.

MOTIONS

On motion by Senator Thrasher, by two-thirds vote all bills remaining on the Special Order Calendar this day were added to the Special Order Calendar for Tuesday, May 3.

On motion by Senator Thrasher, a deadline of 8:00 a.m., Tuesday, May 3, was set for filing amendments to the bills on the Consent Calendar and the bills added to the Special Order Calendar for that day.

On motion by Senator Thrasher, by two-thirds vote **SB 1770**, **CS for SB 1388**, **CS for CS for SB 728**, **CS for CS for SJR 658**, **CS for SB 1722**, **SB 912**, and **CS for SB 1744** were placed on the Special Order Calendar for Tuesday, May 3.

REPORTS OF COMMITTEES

Pursuant to Rule 4.18 the Chair of the Committee on Rules submits the following bills to be placed on the Local Bill Calendar for Monday, May 2, 2011: SB 1980, HB 229, CS for HB 231, HB 233, HB 529, CS for

HB 555, HB 657, HB 659, HB 699, HB 741, CS for HB 745, HB 861, HB 865, HB 867, CS for HB 869, HB 985, HB 1009, HB 1045, CS for HB 1063, CS for HB 1293, HB 1307, HB 1311, CS for HB 1317, CS for HB 1345, HB 1351, CS for HB 1489, HB 4191, HB 4197, HB 4203, HB 4205.

Respectfully submitted,
John Thrasher, Chair

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Monday, May 2, 2011: CS for SB 106, CS for CS for SB 204, CS for SB 224, CS for CS for SB 236, SB 474, CS for SB 524, SB 534, CS for CS for SB 556, CS for SB 580, CS for SJR 592, CS for SB 664, CS for SB 670, SB 762, CS for CS for CS for SB 768, CS for CS for SB 786, CS for SB 828, SB 898, CS for SB 994, CS for SB 1072, SB 1144, CS for SB 1168, SB 1190, CS for CS for SB 1198, CS for CS for SB 1252, CS for CS for SB 1254, CS for CS for SB 1366, SB 1398, CS for SB 1410, SCR 1558, CS for CS for SB 1568, CS for CS for SB 1696, SB 1778, CS for CS for SB 1824, CS for CS for CS for SB 1972, CS for SB 2010.

Respectfully submitted,
John Thrasher, Chair

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State SB 1012, SB 1014, SB 1016, SB 1018, SB 1020, SB 1022, SB 1024, SB 1026, SB 1028, SB 1030, SB 1032, SB 1034, SB 1036, SB 1038, SB 1040, SB 1042, and SB 1044 which he approved on May 2, 2011.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 3, HB 19, CS for CS for CS for HB 311, CS for CS for HB 339, CS for CS for CS for HB 399, HB 431, CS for HB 465, HB 639, CS for HB 723, CS for HB 811, CS for HB 843, CS for CS for CS for HB 949, CS for CS for HB 1043, CS for HB 1121, CS for HB 1127, CS for HB 1193, HB 4001, HB 4031, CS for CS for HB 7197; has passed as amended CS for HB 59, CS for CS for HB 139, CS for CS for HB 445, CS for CS for CS for HB 479, CS for CS for CS for HB 599, CS for HB 663, CS for CS for HB 689, CS for CS for CS for HB 849, CS for HB 1007, CS for HB 1087, CS for HB 1125, CS for CS for CS for HB 1163, HB 1247, CS for CS for HB 1255, CS for CS for CS for HB 1319, CS for HB 7107, CS for HB 7109, CS for HB 7151; has passed as amended by the required constitutional three-fifths vote of the membership CS for CS for CS for CS for CS for HJR 381; has passed by the required constitutional two-thirds vote of the members present HB 597, CS for HB 1473 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Criminal Justice Subcommittee and Representative(s) Nehr, Abruzzo, Ahern, Artiles, Baxley, Berman, Bernard, Boyd, Brodeur, Bullard, Campbell, Crisafulli, Diaz, Ford, Gaetz, Garcia, Hager, Harrell, Harrison, Jones, Julien, Metz, Nuñez, Passidomo, Perman, Pilon, Porter, Rehwinkel, Vasilinda, Roberson, K., Rooney, Rouson, Sands, Smith, Steinberg, Steube, Taylor, Thompson, G., Van Zant, Watson, Weinstein, Wood—

CS for HB 3—A bill to be entitled An act relating to assault or battery of a law enforcement officer; creating s. 784.071, F.S.; requiring the Department of Law Enforcement to issue a blue alert if a law enforcement officer has been killed, suffered serious bodily injury, or been assaulted and the suspect has fled the scene, or if a law enforcement officer is missing while in the line of duty; requiring that the blue alert be disseminated on the emergency alert system through television, radio, and highway signs; providing that emergency traffic information may take precedence over blue alert information; providing an effective date.

—was referred to the Committees on Criminal Justice; Transportation; and Budget.

By Representative(s) Mayfield, Baxley, O'Toole, Williams, T.—

HB 19—A bill to be entitled An act relating to compensation of county officials; amending ss. 145.031, 145.051, 145.071, 145.09, 145.10, and 145.11, F.S.; authorizing each member of a board of county commissioners, each clerk of the circuit court, county comptroller, each sheriff, each supervisor of elections, each property appraiser, and each tax collector to reduce his or her salary on a voluntary basis; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

By Economic Affairs Committee, Finance & Tax Committee, Business & Consumer Affairs Subcommittee and Representative(s) Roberson, K., Caldwell, Gaetz, Kreegel, Van Zant—

CS for CS for CS for HB 311—A bill to be entitled An act relating to local business taxes; amending s. 205.022, F.S.; defining the term “independent contractor”; creating s. 205.066, F.S.; exempting an individual engaging in or managing a business as an employee from requirements related to local business taxes; specifying that an individual licensed and operating as a broker associate or sales associate is an employee; specifying that an independent contractor is not an employee; prohibiting a local governing authority from holding an exempt employee liable for the failure of a principal or employer to comply with certain obligations related to a local business tax or requiring an exempt employee to take certain actions related to a local business tax; prohibiting a local governing authority from requiring a principal or employer to provide personal or contact information for exempt individuals in order to obtain a local business tax receipt; providing that the exemption does not apply to a business tax imposed on individual employees by a municipality or county pursuant to a resolution or ordinance adopted before October 13, 2010; amending s. 205.194, F.S.; deleting obsolete language; requiring a person applying for or renewing a local business tax receipt to engage in or manage a business or occupation regulated by the Florida Supreme Court or a state agency to exhibit certain documentation before such receipt may be issued; authorizing online renewals as a means of providing electronic certifications that meet such requirement; deleting a requirement that the Department of Business and Professional Regulation provide certain professional regulation information to local officials who issue business tax receipts; deleting a provision prohibiting a local official who issues business tax receipts from renewing a license under certain circumstances; providing for retroactive application; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; Budget Subcommittee on Finance and Tax; and Budget.

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Perman, Baxley—

CS for CS for HB 339—A bill to be entitled An act relating to possession of stolen credit or debit cards; amending s. 817.60, F.S.; prohibiting possession of a stolen credit or debit card in specified circumstances; providing penalties; providing that a retailer or retail employee who possesses, receives, or returns a stolen credit or debit card without knowledge that the card is stolen or in order to investigate the card's theft or unlawful use does not commit a violation of the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Commerce and Tourism; and Agriculture.

By Economic Affairs Committee, State Affairs Committee, Transportation & Highway Safety Subcommittee and Representative(s) Ray, Adkins, Mayfield, McBurney, Patronis, Young—

CS for CS for CS for HB 399—A bill to be entitled An act relating to infrastructure investment; amending s. 20.23, F.S.; requiring the Secretary of Transportation to designate duties relating to certain investment opportunities and transportation projects to an assistant secretary;

amending s. 311.09, F.S.; revising requirements for the inclusion of certain goals and objectives in the Florida Seaport Mission Plan; requiring the Florida Seaport Transportation and Economic Development Council to develop a priority list of projects and submit the list to the Department of Transportation; amending s. 311.14, F.S.; requiring certain ports to develop strategic plans; providing criteria for such plans; requiring such plans to be consistent with local government comprehensive plans; requiring such plans to be submitted to the Florida Seaport Transportation and Economic Development Council; requiring the Florida Seaport Transportation and Economic Development Council to review such plans and include related information in the Florida Seaport Mission Plan; amending s. 339.155, F.S.; clarifying and revising the principles on which the Florida Transportation Plan is based; amending s. 339.63, F.S.; adding certain existing and planned facilities to the list of facilities included in the Strategic Intermodal System and the Emerging Strategic Intermodal System; amending s. 373.406, F.S.; exempting overwater piers, docks, and structures located in deepwater ports from stormwater management system requirements under specified conditions; amending s. 373.4133, F.S.; requiring the Department of Environmental Protection to approve or deny an application for a port conceptual permit within a specified time; providing a limitation for the request of additional information from an applicant by the department; providing that failure of an applicant to respond to such a request within a specified time constitutes withdrawal of the application; providing that a third party who challenge the issuance of a port conceptual permit has the burden of ultimate persuasion and the burden of going forward with evidence; amending s. 403.813, F.S.; exempting specified seaports and inland navigation districts from requirements to conduct maintenance dredging under certain conditions; excluding ditches, pipes, and similar linear conveyances from consideration as receiving waters for the disposal of dredged materials; authorizing public ports and inland navigation districts to use sovereignty submerged lands in connection with maintenance dredging; authorizing the disposal of spoil material on specified sites; providing an exemption from permitting requirements for sites that meet specified criteria; requiring notice to the Department of Environmental Protection of intent to use the exemption; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Transportation; and Budget.

By Representative(s) Sands, Smith—

HB 431—A bill to be entitled An act relating to driver's licenses and identification cards; amending s. 322.08, F.S.; requiring the application form for an original, renewal, or replacement driver's license or identification card shall include an option to make a voluntary contribution to Disabled American Veterans, Department of Florida; providing that such contributions are not income of a revenue nature; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Transportation; and Budget.

By Health Care Appropriations Subcommittee and Representative(s) Harrell, Abruzzo, Corcoran, Costello, Gaetz, Holder, Metz, Renuart, Schwartz, Slosberg, Steube, Young—

CS for HB 465—A bill to be entitled An act relating to the Florida Veterans' Hall of Fame; creating s. 265.003, F.S.; establishing the Florida Veterans' Hall of Fame; providing for administration by the Department of Veterans' Affairs; designating location; providing procedures for nomination, selection, and induction; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Budget.

By Representative(s) Aubuchon, Bernard, Fullwood, Garcia, Gibbons, Jones, Pafford, Sands, Steinberg, Williams, T.—

HB 639—A bill to be entitled An act relating to affordable housing; amending s. 20.055, F.S.; revising the definition of “state agency” to include the Florida Housing Finance Corporation; revising the definition

of “agency head” to include the board of directors of the corporation; requiring the inspector general to prepare an annual report; amending s. 159.608, F.S.; providing a housing finance authority with an additional purpose for which it may exercise its power to borrow; amending s. 163.3177, F.S.; revising provisions relating to the elements of local comprehensive plans to authorize the inclusion of an element for affordable housing for certain seniors; providing for the disposition of real property by a local government for the development of affordable housing; amending s. 201.15, F.S.; revising the allocation of certain proceeds distributed from the excise tax on documents that are paid into the State Treasury to the credit of the State Housing Trust Fund; providing for retroactive repeal of s. 8, ch. 2009-131, Laws of Florida, to eliminate a conflicting version of s. 201.15, F.S.; amending s. 420.0003, F.S.; including the needs of persons with special needs in the state housing strategy’s periodic review and report; amending s. 420.0004, F.S.; defining the terms “disabling condition” and “person with special needs”; conforming cross-references; amending s. 420.0006, F.S.; removing an obsolete reference; deleting provisions requiring the inspector general of the Department of Community Affairs to perform functions for the corporation to conform to changes made by the act; amending s. 420.504, F.S.; authorizing the Secretary of Community Affairs to designate a senior-level agency employee to serve on the board of directors of the Florida Housing Finance Corporation; amending s. 420.506, F.S.; providing for the appointment of an inspector general of the Florida Housing Finance Corporation; providing appointing authority thereof; providing duties and responsibilities of the inspector general; amending s. 420.507, F.S.; requiring certain rates of interest to be made available to sponsors of projects for persons with special needs; providing additional powers of the corporation relating to receipt of federal funds; revising powers of the corporation relating to criteria establishing a preference for eligible developers and general contractors; conforming a cross-reference; amending s. 420.5087, F.S.; limiting the reservation of funds within each notice of fund availability to the persons with special needs tenant group; including persons with special needs as a tenant group for specified purposes of the State Apartment Incentive Loan Program; revising and providing criteria to be used by a specified review committee for the competitive ranking of applications for such program; conforming a cross-reference; amending ss. 163.31771, 212.08, 215.5586, and 420.503, F.S.; conforming cross-references; providing legislative intent; prohibiting funds from the State Housing Trust Fund or the Local Government Housing Trust Fund that are appropriated for specified programs from being used for certain purposes; providing for future repeal; providing an effective date.

—was referred to the Committees on Community Affairs; Children, Families, and Elder Affairs; and Budget.

By Insurance & Banking Subcommittee and Representative(s) Weinstein, Dorworth—

CS for HB 723—A bill to be entitled An act relating to extraterritorial reciprocity in workers’ compensation claims; creating s. 440.094, F.S.; providing extraterritorial coverage; exempting certain employees working in this state and the employers of such employees from the Workers’ Compensation Law of this state under certain conditions; providing requirements for the establishment of prima facie evidence that the employer carries certain workers’ compensation insurance; requiring courts to take judicial notice of the construction of certain laws; providing requirements for claims made in other states; providing criteria for employees to be considered temporarily in a state; providing application; providing an effective date.

—was referred to the Committees on Banking and Insurance; Budget; and Rules.

By Appropriations Committee and Representative(s) Perry—

CS for HB 811—A bill to be entitled An act relating to the Florida Endowment Foundation for Vocational Rehabilitation; amending s. 318.21, F.S.; revising provisions for distribution of specified funds received from civil penalties for traffic infractions; directing the funds to be transmitted monthly by the Department of Revenue directly to the foundation; amending s. 413.615, F.S.; revising procedures for use of such funds; removing provisions for investment by the State Board of Administration; directing liquid balances of such funds held by the State

Board of Administration to be remitted to the foundation; providing an effective date.

—was referred to the Committees on Community Affairs; Higher Education; Governmental Oversight and Accountability; Budget Subcommittee on Higher Education Appropriations; and Budget.

By Health & Human Services Access Subcommittee and Representative(s) Diaz—

CS for HB 843—A bill to be entitled An act relating to a teaching agency for home and community-based care; creating s. 430.81, F.S.; providing a definition; authorizing the Department of Elderly Affairs to designate a home health agency as a teaching agency for home and community-based care; establishing criteria for qualification; authorizing a teaching agency to be affiliated with an academic research university in the state that meets certain criteria; authorizing a teaching agency to be affiliated with an academic health center; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

By State Affairs Committee, Rulemaking & Regulation Subcommittee, Agriculture & Natural Resources Subcommittee and Representative(s) Smith, Williams, T.—

CS for CS for CS for HB 949—A bill to be entitled An act relating to pest control; amending s. 482.051, F.S.; providing rule changes that allow operators to provide certain emergency notice to the Department of Agriculture and Consumer Services by facsimile or electronic means; amending s. 482.071, F.S.; increasing the minimum bodily injury and property damage insurance coverage required for pest control businesses; creating s. 482.072, F.S.; providing for licensure by the department of pest control customer contact centers; providing application requirements; providing for fees, licensure renewal, penalties, and licensure expiration; creating s. 482.157, F.S.; providing for the certification of commercial wildlife trappers; providing certification requirements, examination requirements, and fees; limiting the scope of work permitted by certificateholders; amending s. 482.183, F.S.; providing that licensees and certificateholders who practice accepted pest control methods are immune from liability for violating laws prohibiting cruelty to animals; providing construction; amending s. 482.226, F.S.; increasing the minimum financial responsibility requirements for licensees that perform certain inspections; providing an effective date.

—was referred to the Committees on Agriculture; Environmental Preservation and Conservation; Budget Subcommittee on General Government Appropriations; and Budget.

By Economic Affairs Committee, Health & Human Services Quality Subcommittee and Representative(s) Smith—

CS for CS for HB 1043—A bill to be entitled An act relating to Citrus County; providing for codification of special laws relating to the Citrus County Hospital Board, an independent special district in Citrus County; codifying, amending, reenacting, and repealing chapters 99-442 and 2001-308, Laws of Florida, as the “Citrus County Hospital and Medical Nursing and Convalescent Home Act”; deleting obsolete provisions; making technical revisions; providing definitions; authorizing the board to enter into a lease or contract with a not-for-profit corporation for the purpose of operating and managing the hospital and its facilities; declaring a need for governance authority to fulfill the hospital board’s public responsibilities; providing for a board of directors; providing for membership; requiring that the not-for-profit corporation conform all governance documents to certain requirements, if necessary; authorizing ad valorem taxation; requiring that the not-for-profit corporation separately account for the expenditure of all ad valorem tax moneys provided by the hospital board; requiring that the expenditure of all public tax funds be approved in a public meeting and maintained in a separate account; providing for the hospital board’s approval or rejection of the not-for-profit corporation’s articles of incorporation or bylaws, selection of a chief executive officer or renewal of his or her employment contract, the annual operating and capital budgets, additional loan indebtedness or leases in excess of a specified amount, and the not-for-profit cor-

poration's policies for travel reimbursements and contract bid procedures; providing that all records of the not-for-profit corporation are public records unless exempt; providing that any dispute between the hospital board and the not-for-profit corporation is subject to court action; providing for a future operational audit of the hospital board; providing application; repealing chapters 99-442 and 2001-308, Laws of Florida, relating to the Citrus County Hospital Board; providing severability; providing an effective date.

—was referred to the Committee on Rules.

By Insurance & Banking Subcommittee and Representative(s) Ingram—

CS for HB 1121—A bill to be entitled An act relating to financial institutions; amending s. 655.005, F.S.; revising definitions relating to the financial institutions codes; amending s. 655.013, F.S.; updating a reference; creating s. 655.03855, F.S.; authorizing the office to appoint provisional directors or executive officers; specifying the rights, qualifications, and reporting requirements of such directors and officers; clarifying the liability of such directors and officers and of the office; amending s. 655.044, F.S.; specifying which accounting principles must be followed by financial institutions; amending s. 655.045, F.S.; authorizing the office to conduct additional examinations of financial institutions if warranted; providing for the use of certain examination methods; amending s. 655.41, F.S.; revising definitions to conform provisions to changes made by the act; amending s. 655.411, F.S.; revising the criteria for approval of a financial entity's plan of conversion; amending s. 655.414, F.S.; providing for the transfer of assets from a federally chartered or out-of-state chartered institution; amending ss. 655.416, 655.417, and 655.418, F.S.; conforming provisions to changes made by the act; amending s. 655.4185, F.S.; revising provisions relating to emergency actions that may be taken for a failing financial institution; authorizing the office to provide prior approval for the chartering of an entity acquiring control of a failing institution; amending s. 655.419, F.S.; deleting a provision relating to actions conducted outside this state; amending s. 655.947, F.S.; conforming a cross-reference; amending s. 657.038, F.S.; specifying the loan factors that must be considered when computing a person's total obligations for purposes of extending credit; amending s. 657.042, F.S.; revising criteria that limit a credit union's investment of funds; requiring a credit union to establish policies and procedures for evaluating risk; amending ss. 657.063 and 657.064, F.S.; conforming cross-references; amending s. 658.12, F.S.; revising the definition of "banker's bank"; conforming a cross-reference; deleting a provision relating to the application of definitions in the financial institutions codes; amending s. 658.165, F.S.; revising provisions relating to banker's banks; specifying the type of business that such bank may do with entities or individuals that are not banks; revising provisions relating to the services a banker's bank may provide to financial institutions in organization; repealing s. 658.20(3), F.S., relating to applications for prior approval of officers or directors; amending s. 658.28, F.S.; providing additional limitations on acquiring or controlling another bank; repealing s. 658.295, F.S., relating to the Florida Interstate Banking Act; amending s. 658.2953, F.S.; revising and updating provisions relating to Florida bank mergers with out-of-state banks; deleting legislative intent; repealing s. 658.296, F.S., relating to the control of deposit-taking institutions; amending s. 658.36, F.S.; authorizing the office to approve a special stock offering plan under certain circumstances; amending s. 658.41, F.S.; clarifying that state laws do not restrict the right of a state bank or trust company to merge with an out-of-state bank; amending s. 658.48, F.S.; revising provisions relating to bank loans; specifying the process for computing the liabilities of a person seeking a loan; amending s. 658.53, F.S.; deleting a provision providing that unpaid proceeds of sales are used to evaluate the adequacy of a bank's capital; repealing ss. 658.65, 665.013(33), and 667.003(35), F.S., relating to remote financial service units; amending s. 658.67, F.S.; updating provisions relating to the investment powers of a bank or trust company; requiring banks and trust companies to establish procedures for evaluating risk; amending ss. 288.772, 288.99, 440.12, 440.20, 445.051, 489.503, 501.005, 501.165, 624.605, 626.321, 626.730, and 626.9885, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Banking and Insurance; Budget Subcommittee on General Government Appropriations; Budget; and Rules.

By Health & Human Services Committee and Representative(s) Porter, Ahern, Albritton, Baxley, Broxson, Burgin, Corcoran, Costello, Davis, Ford, Grant, Ingram, Metz, Perry, Plakon, Precourt, Renuart, Smith, Stargel, Van Zant, Weatherford, Weinstein—

CS for HB 1127—A bill to be entitled An act relating to abortions; amending s. 390.0111, F.S.; requiring that an ultrasound be performed on a woman obtaining an abortion; specifying who must perform an ultrasound; requiring that the ultrasound be reviewed with the patient before the woman gives informed consent for the abortion procedure; specifying who must review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; providing that failure to comply with the requirements of the section constitutes grounds for disciplinary action; requiring rulemaking; amending s. 390.012, F.S.; requiring an ultrasound for all patients regardless of when the abortion is performed; requiring the agency to adopt rules requiring clinics to comply with s. 390.0111, F.S.; deleting provisions relating to reviewing ultrasound evaluation results, to conform to changes made by the act; providing for severability; providing an effective date.

—was referred to the Committees on Health Regulation; Budget; and Rules.

By Health & Human Services Quality Subcommittee and Representative(s) Hudson, Adkins, Ahern, Albritton, Artiles, Bileca, Boyd, Brodeur, Burgin, Caldwell, Corcoran, Davis, Diaz, Dorworth, Gaetz, Hager, Harrison, Horner, Ingram, McBurney, Metz, Pilon, Plakon, Porter, Ray, Renuart, Roberson, K., Smith, Stargel, Williams, T., Wood—

CS for HB 1193—A bill to be entitled An act relating to health insurance; creating s. 624.24, F.S.; prohibiting a person from being compelled to purchase health insurance except under specified conditions; specifying that the act does not prohibit the collection of certain debts; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Rules.

By Representative(s) Diaz—

HB 4001—A bill to be entitled An act relating to growth policy; repealing s. 163.2523, F.S., relating to the Urban Infill and Redevelopment Assistance Grant Program, to terminate the program; amending ss. 163.065, 163.2511, and 163.2514, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Community Affairs; Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Budget.

By Representative(s) Dorworth, Campbell—

HB 4031—A bill to be entitled An act relating to local government services; repealing s. 163.07, F.S., relating to efficiency and accountability in local government services; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

By Education Committee, Appropriations Committee, K-20 Innovation Subcommittee and Representative(s) Stargel, McKeel, Passidomo, Precourt—

CS for CS for HB 7197—A bill to be entitled An act relating to digital learning; creating s. 1002.321, F.S.; creating the Digital Learning Now Act; providing legislative findings related to the elements to be included in high-quality digital learning; providing digital preparation requirements; providing for customized and accelerated learning; amending s.

1002.33, F.S.; authorizing the establishment of virtual charter schools; providing application requirements for establishment of a virtual charter school; authorizing a charter school to implement blended learning courses; requiring each charter school governing board to appoint a representative and specifying duties; requiring each governing board to hold two public meetings per school year; providing funding for a virtual charter school; establishing administrative fees for a virtual charter school; amending s. 1002.37, F.S.; redefining the term “full-time equivalent student” as it applies to the Florida Virtual School; providing instruction, eligibility, funding, assessment, and accountability requirements; amending s. 1002.45, F.S.; revising the definition of the term “virtual instruction program”; revising school district requirements for providing virtual instruction programs; requiring full-time and part-time virtual instruction program options; authorizing a school district to enter into an agreement with a virtual charter school to provide virtual instruction to district students; authorizing virtual charter school contracts; providing additional provider qualifications relating to curriculum, student performance accountability, and disclosure; revising student eligibility requirements; providing funding and accountability requirements; creating s. 1002.455, F.S.; establishing student eligibility requirements for K-12 virtual instruction; amending s. 1003.428, F.S.; requiring at least one course required for high school graduation to be completed through online learning; creating s. 1003.498, F.S.; authorizing school districts to offer virtual courses and blended learning courses; amending s. 1008.22, F.S.; requiring all statewide end-of-course assessments to be administrated online beginning with the 2014-2015 school year; amending s. 1011.61, F.S.; redefining the term “full-time equivalent student” for purposes of virtual instruction; amending s. 1012.57, F.S.; authorizing school districts to issue adjunct teaching certificates to qualified applicants to provide online instruction; revising requirements for adjunct teaching certificateholders; providing for annual contracts; amending ss. 1000.04, 1002.20, and 1003.03, F.S.; conforming provisions to changes made by the act; requiring the Department of Education to submit a report to the Governor and the Legislature relating to school district offering of, and student access to, digital learning; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Budget; and Rules.

By Civil Justice Subcommittee and Representative(s) Julien, Baxley, Boyd, Brodeur, Burgin, Drake, Gaetz, Hager, Horner, McBurney, Metz, O’Toole, Roberson, K., Stargel, Van Zant, Wood, Young—

CS for HB 59—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; authorizing a sheriff to charge a fee for processing a writ of execution; authorizing a person to provide the sheriff with an electronic copy of a process for service; amending s. 48.031, F.S.; directing a process server to place required information on the first page of at least one of the processes served; requiring a process server to list all initial pleadings delivered and served along with the process on the return-of-service form; requiring the person issuing the process to file the return-of-service form with the court; granting authorized process servers unannounced access to specified residential areas where a defendant or witness resides or is known to be; amending s. 48.081, F.S.; authorizing a person attempting to serve process on the registered agent of a corporation to serve the process, in specified circumstances, on any employee of the registered agent during the first attempt at service even if the registered agent is temporarily absent from his or her office; amending s. 48.151, F.S.; revising the number of copies of process that must be served on statutory agents for certain persons; providing that records may be retained as paper or electronic copies; amending s. 48.21, F.S.; requiring a process server to sign the return-of-service form; authorizing an employee of a sheriff to sign a return-of-service form electronically; providing that the failure to sign a return-of-service form invalidates the service and subjects the process server to a fine; amending s. 48.29, F.S.; directing a process server to place required information on the first page of at least one of the processes served; amending s. 624.423, F.S.; reducing the number of copies to be served on the Chief Financial Officer or an assistant as process agent of an insurer; providing that records may be retained as paper or electronic copies; providing an effective date.

—was referred to the Committees on Judiciary; Regulated Industries; Criminal Justice; and Budget.

By Health & Human Services Committee, Health & Human Services Access Subcommittee and Representative(s) Ahern—

CS for CS for HB 139—A bill to be entitled An act relating to child care facilities; amending s. 402.281, F.S.; revising the criteria for a child care facility, large family child care home, or family day care home to obtain and maintain a designation as a Gold Seal Quality Care provider; amending s. 402.302, F.S.; revising and providing definitions; providing for certain household children to be included in calculations regarding the capacity of licensed family day care homes and large family child care homes; providing conditions for supervision of household children of operators of family day care homes and large family child care homes; amending s. 402.318, F.S.; revising advertising requirements applicable to child care facilities; providing penalties; amending s. 411.01, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Commerce and Tourism; Judiciary; and Budget.

By Insurance & Banking Subcommittee, Health & Human Services Quality Subcommittee and Representative(s) Ingram, Corcoran, Jones, Passidomo—

CS for CS for HB 445—A bill to be entitled An act relating to wellness or health improvement programs; amending ss. 626.9541 and 641.3903, F.S.; authorizing insurers and health maintenance organizations to offer a voluntary wellness or health improvement program and to encourage or reward participation in the program by offering rewards or incentives to members; authorizing insurers and health maintenance organizations to require plan members not participating in the wellness or health improvement programs to provide verification that their medical condition warrants nonparticipation in order for the non-participants to receive rewards or incentives; requiring that the reward or incentive be disclosed in the policy or certificate; providing that the act does not prohibit insurers or health maintenance organizations from offering other incentives or rewards for adherence to a wellness or health improvement program; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Rules.

By Judiciary Committee, Health Care Appropriations Subcommittee, Health & Human Services Access Subcommittee, Civil Justice Subcommittee and Representative(s) Horner, Campbell, Brodeur, Broxson, Caldwell, Costello, Fresen, Frishe, Gaetz, Hager, Harrell, Kregel, Metz, Nuñez, Passidomo, Patronis, Renuart, Van Zant—

CS for CS for CS for CS for HB 479—A bill to be entitled An act relating to medical malpractice; creating ss. 458.3175, 459.0066, and 466.005, F.S.; requiring the Department of Health to issue expert witness certificates to certain physicians and dentists licensed outside of the state; providing application and certification requirements; establishing application fees; providing for the validity and use of certifications; exempting physicians and dentists issued certifications from certain licensure and fee requirements; amending ss. 458.331, 459.015, and 466.028, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; providing construction with respect to the doctrine of incorporation by reference; amending ss. 458.351 and 459.026, F.S.; requiring the Board of Medicine and the Board of Osteopathic Medicine to adopt within a specified period certain patient forms specifying cataract surgery risks; specifying that an incident resulting from risks disclosed in the patient form is not an adverse incident; providing for the execution and admissibility of the patient forms in civil and administrative proceedings; creating a rebuttable presumption that a physician disclosed cataract surgery risks if the patient form is executed; amending s. 627.4147, F.S.; deleting a requirement that medical malpractice insurance contracts contain a clause authorizing the insurer to make and conclude certain offers within policy limits over the insured’s veto; amending s. 766.102, F.S.; defining terms; providing that certain insurance information is not admissible as evidence in medical negligence actions; establishing the burden of proof that a claimant must meet in certain damage claims against health care providers based on death or personal injury; requiring that certain expert witnesses who provide certain expert testimony meet certain licensure or certification requirements; excluding a health care provider’s failure to comply with or breach of federal requirements from evidence in

medical negligence cases in the state; amending s. 766.106, F.S.; requiring a claimant for medical malpractice to execute an authorization form; revising provisions relating to discovery and admissibility; allowing a prospective medical malpractice defendant to interview a claimant's treating health care providers without the presence of the claimant or the claimant's legal representative; requiring a prospective defendant to provide 10 days' notice before such interviews; authorizing a prospective defendant to take unsworn statements of a claimant's health care providers; creating s. 766.1065, F.S.; requiring that presuit notice for medical negligence claims be accompanied by an authorization for release of protected health information; providing requirements for the form of such authorization; amending s. 766.206, F.S.; requiring dismissal of a medical malpractice claim if such authorization is not completed in good faith; amending s. 768.0981, F.S.; limiting the liability of hospitals related to certain medical negligence claims; amending s. 768.135, F.S.; providing immunity for volunteer team physicians under certain circumstances; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

By Economic Affairs Committee, Civil Justice Subcommittee, Insurance & Banking Subcommittee and Representative(s) Passidomo, Boyd—

CS for CS for CS for HB 599—A bill to be entitled An act relating to corporations not for profit; creating s. 617.2104, F.S.; providing a short title; providing definitions; providing requirements for the management of funds held by an institution exclusively for charitable purposes; providing standards of conduct in managing and investing institutional funds; providing requirements for appropriation for expenditure or accumulation of an endowment fund by an institution; authorizing an institution to delegate to an external agent the management and investment of an institutional fund; authorizing the release or modification of a restriction on management, investment, or purpose of an institutional fund; providing for determination of compliance; providing for application to existing or newly established institutional funds; providing relationship to federal law; providing requirements for uniformity of application and construction of the act; creating s. 617.2105, F.S.; authorizing reversion of real property to the Board of Trustees of the Internal Improvement Trust Fund if a not-for-profit corporation holding a deed subject to a reverter clause violates deed restrictions; providing for retroactive and prospective application; repealing s. 1010.10, F.S., relating to the Florida Uniform Management of Institutional Funds Act; providing effective dates.

—was referred to the Committees on Commerce and Tourism; Higher Education; and Governmental Oversight and Accountability.

By Agriculture & Natural Resources Appropriations Subcommittee and Representative(s) Steube, Ahern, Artiles, Burgin, Corcoran, Ford, Pilon, Van Zant—

CS for HB 663—A bill to be entitled An act relating to state forests; amending s. 589.19, F.S.; requiring the designation of "Wounded Warrior Special Hunt Areas" within state forests; limiting guest admittance to such areas for eligible veterans, servicemembers, and certain persons; requiring that funding for specialized accommodations be provided through specified sources; authorizing the Division of Forestry of the Department of Agriculture and Consumer Services to adopt rules; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Environmental Preservation and Conservation; Budget Subcommittee on General Government Appropriations; and Budget.

By Economic Affairs Committee, Transportation & Highway Safety Subcommittee and Representative(s) Berman, Taylor—

CS for CS for HB 689—A bill to be entitled An act relating to driver education and testing; amending ss. 318.1451 and 322.095, F.S.; requiring the curricula of driver improvement courses and traffic law and substance abuse education courses to include instruction on the risks associated with using a handheld electronic communication device while

operating a motor vehicle; amending s. 322.12, F.S.; providing requirements for driver license examination questions pertaining to traffic regulations relating to blind pedestrians; amending s. 322.56, F.S.; providing for written examination for a learner's driver's license to be available from third-party providers; providing for the examination to be administered online under certain conditions; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Economic Affairs Committee, Rulemaking & Regulation Subcommittee, Business & Consumer Affairs Subcommittee and Representative(s) Davis, Van Zant—

CS for CS for CS for HB 849—A bill to be entitled An act relating to building construction and inspection; amending s. 120.541, F.S.; exempting rules that adopt federal standards and certain updates of or amendments to the Florida Building Code or Florida Fire Prevention Code from a requirement that the Legislature ratify any rule that has an adverse impact or regulatory costs which exceed certain criteria; deleting an exemption for emergency rules and rules that adopt federal standards from a requirement that an agency's statement of a rule's estimated regulatory costs include an economic analysis of the rule's adverse impacts and regulatory costs; amending s. 161.053, F.S.; prohibiting the Florida Building Commission from adopting rules that limit any exceptions or exemptions provided for modifications or repairs of existing structures within the limits of an existing foundation under certain circumstances; amending s. 255.252, F.S.; conforming provisions to changes made by the act; amending s. 255.253, F.S.; redefining the term "sustainable building rating" to include a national model green building code; amending ss. 255.257 and 255.2575, F.S.; requiring that state agencies, local governments, and the court system adopt a sustainable building rating system or use a national model green building code for new and renovated buildings; amending s. 468.8316, F.S.; revising the continuing education requirements for licensed home inspectors; amending s. 468.8319, F.S.; deleting an exemption for certain contractors from the prohibition against performing repairs on a home that has a home inspection report; deleting an obsolete provision; amending s. 468.8323, F.S.; clarifying a provision relating to the contents of a home inspection report; amending s. 468.8324, F.S.; providing alternative criteria for obtaining a home inspector's license; removing certain application requirements for a person who performs home inspection services and who qualifies for licensure on or before a specified date; amending s. 468.841, F.S.; adding licensed home inspectors to those who are exempt from complying with provisions related to mold assessment; amending s. 481.329, F.S.; providing that part II of ch. 481, F.S., does not preclude any person who engages in the business of landscape design from submitting such plans to governmental agencies for approval; amending s. 489.103, F.S.; clarifying an exemption from construction contracting regulation relating to Habitat for Humanity; amending s. 489.105, F.S.; adding the term "glass and glazing contractors" to the definition of the term "contractor"; amending ss. 489.107 and 489.141, F.S.; conforming cross-references; amending s. 514.028, F.S.; revising the composition of the advisory review board relating to public swimming pools and bathing facilities; creating s. 514.0315, F.S.; requiring certain public swimming pools and spas to be equipped with certain safety features; amending s. 527.06, F.S.; prohibiting the Department of Agriculture and Consumer Services and other state agencies from requiring compliance with certain national standards for liquefied petroleum gas tanks unless the department or agencies require compliance with a specified edition of the national standards; providing for repeal under certain circumstances; amending s. 527.21, F.S.; revising the term "propane" for purposes of the Florida Propane Gas Education, Safety, and Research Act, to incorporate changes to certain national standards in a reference thereto; amending s. 553.502, F.S.; revising intent with respect to the Florida Americans with Disabilities Act; amending s. 553.503, F.S.; incorporating the Americans with Disabilities Act Standards for Accessible Design into state law by reference and directing that they be adopted by rule into the Florida Accessibility Code for Building Construction; amending s. 553.504, F.S.; revising exceptions to incorporate the standards; amending s. 553.5041, F.S.; revising provisions relating to parking spaces for persons who have disabilities to incorporate the standards; amending ss. 553.505 and 553.506, F.S.; conforming provisions to changes made by the act; amending s. 553.507, F.S.; providing for the applicability of the act; amending s. 553.509, F.S.; revising provisions relating to vertical accessibility to incorporate the

standards; providing that buildings and facilities in this state do not have to comply with the changes provided by this act until the Florida Accessibility Code for Building Construction is updated; amending s. 553.73, F.S.; revising requirements relating to the Florida Building Code; specifying national codes to form the foundation for state building standards and codes; revising provisions for the amendment or modification of the foundation code; revising the criteria for approval by the Florida Building Commission of technical amendments to the code; exempting certain storage sheds from door height and width requirements; amending s. 553.74, F.S.; revising requirements for selecting a member of the Florida Building Commission; amending s. 553.842, F.S.; providing for the approval of certain windstorm products; providing a cause of action against any person who advertises, sells, offers, provides, distributes, or markets certain products without approval; repealing s. 553.9061, F.S., relating to requirements for scheduled increases in the energy performance of buildings subject to the Florida Energy Efficiency Code for Building Construction; amending s. 553.909, F.S.; revising the requirements and effective dates for certain pool-related equipment; amending s. 627.711, F.S.; revising requirements relating to home inspectors conducting hurricane mitigation inspections; providing effective dates.

—was referred to the Committees on Community Affairs; Regulated Industries; and Budget.

By Insurance & Banking Subcommittee and Representative(s) Bernard, Julien, Cruz, Jones, Nelson—

CS for HB 1007—A bill to be entitled An act relating to insurer insolvency; amending s. 215.5595, F.S., relating to the Insurance Capital Build-Up Incentive Program; providing for renegotiation of surplus notes issued before a specified date; providing for an exemption from certain premium-to-surplus ratios in certain circumstances; amending s. 624.610, F.S.; revising surplus requirements for assuming insurers in connection with reinsurance credits; specifying rating agencies that may rate such assuming insurers; creating s. 631.400, F.S.; providing for rehabilitation plans for title insurers; providing that each title insurer doing business in this state is liable for an assessment for claims against title insurers ordered into rehabilitation; providing for an annual assessment upon request of a receiver; providing for emergency assessments in certain circumstances; providing limits on the amount of an assessment; providing that assessments are considered an asset of the estate and subject to specified provisions; providing for use of assessment proceeds; providing for availability of information concerning unpaid claims; specifying circumstances for release of title insurers from rehabilitation; prohibiting a title insurer in rehabilitation from issuing new policies until released from rehabilitation and permission to issue new policies granted; providing that officers, directors, and shareholders of a title insurer who served in that capacity within the 2-year period prior to the date the insurer was ordered into rehabilitation or liquidation may not thereafter serve in that capacity unless the officer, director, and shareholder meets specified criteria; creating s. 631.401, F.S.; providing for surcharges on title insurance policies to collect the amount needed to cover an assessment for an insolvent insurer; providing for a maximum period for a surcharge; providing a maximum for a surcharge; providing for responsibility for payment of a surcharge; providing for collection of surcharges by a title insurer doing business in the state writing no premiums in the prior calendar year; providing for remission and collection of surcharges within a specified period; specifying a limit on the amount in surcharges that may be retained by a title insurer; requiring notification when the collection of an assessment is completed; requiring an accounting of assessments paid and surcharges collected; providing for disposition of surcharges collected in excess of the amount assessed; amending s. 631.152, F.S.; authorizing the Department of Financial Services to request appointment as ancillary receiver if necessary for obtaining records to adjudicate covered claims; providing for the reimbursement of specified costs associated with ancillary delinquency proceedings; creating s. 631.2715, F.S.; providing for State Risk Management Trust Fund coverage for specified officers, employees, agents, and other representatives of the Department of Financial Services for liability under specified federal laws relating to receiverships; amending s. 631.391, F.S.; providing liability to persons who fail to cooperate in the providing of records; amending s. 631.54, F.S.; providing that a covered claim for purposes of specified guaranty provisions does not include a claim rejected or denied by another state's guaranty fund based upon that state's statutory exclusions; amending s. 631.56, F.S.; providing

that any board member of the Florida Insurance Guaranty Association representing an insurer in receivership shall be terminated as a board member; specifying a termination date; amending s. 631.904, F.S.; providing that a covered claim for purposes of specified guaranty provisions does not include a claim rejected or denied by another state's guaranty fund based upon that state's statutory exclusions; amending s. 631.912, F.S.; providing that any board member of the Florida Workers' Compensation Insurance Guaranty Association who is employed by, or has a material relationship with, an insurer in receivership shall be terminated as a board member; specifying a termination date; amending s. 631.717, F.S.; providing that specified provisions relieving the Florida Life and Health Insurance Guaranty Association of liability for certain acts of a member insurer do not relieve the association of liability for valid insurance policy or contract claims if warranted after a specified review; providing an effective date.

—was referred to the Committees on Banking and Insurance; Budget; and Rules.

By Economic Affairs Committee and Representative(s) Holder—

CS for HB 1087—A bill to be entitled An act relating to insurance; amending s. 440.12, F.S.; authorizing payment of workers' compensation benefits on a prepaid card under certain circumstances; requiring the keeping and furnishing, upon request, of certain records; providing for the adoption of rules; amending s. 440.20, F.S.; specifying when an insurer's obligation to pay workers' compensation benefits is satisfied if payment is made on a prepaid card; amending s. 440.49, F.S.; revising the dates applicable to calculations of annual assessments upon certain workers' compensation insurers relating to the special disability trust fund; providing application to specified years and rate filings; amending s. 624.402, F.S.; providing an exemption from having to obtain a certificate of authority to insurers that cover only nonresidents of the United States under certain conditions; requiring such insurers to provide certain documentation to the Office of Insurance Regulation; requiring certificates, policies, or contracts issued by such insurers to include a disclaimer relating to the coverage provided; defining a "nonresident" for purposes of applying the exemption provided to such insurers from having to obtain a certificate of authority; providing penalties applicable to alien insurers who transact insurance without complying with certain provisions; deleting procedures and requirements relating to an exemption from obtaining a certificate of authority provided to alien insurers who issue life insurance policies and annuity contracts to certain nonresidents; amending s. 624.424, F.S.; revising the timeframes that limit how frequently an insurer may use the same accountant or partner to prepare an annual audited financial report; amending s. 626.207, F.S.; defining the term "financial services business"; precluding licensure under the Florida Insurance Code of specified persons who commit specified offenses; providing application to convictions and certain pleas, regardless of adjudication; establishing waiting periods relating to other specified offenses during which time an applicant is disqualified for licensure; granting rulemaking authority to the Department of Financial Services relating to specific penalties against licensees; clarifying rulemaking authority relating to penalties against licensees; providing that specified statutory provisions prohibiting prior crimes from being a bar to employment are not applicable to applicants for licensure under the Florida Insurance Code; amending s. 626.7451, F.S.; requiring funds collected for an insurer to be held in a bank insured by the Federal Deposit Insurance Corporation; amending s. 626.8651, F.S.; revising requirements for a public adjuster apprentice license to include additional qualifying designations; amending s. 627.4133, F.S.; changing the designated person or persons who must be notified by an insurer from the "insured" to the "first-named insured" in situations involving the nonrenewal, renewal premium, cancellation, or termination of workers' compensation, employer liability, or certain property and casualty insurance coverage; specifying that the date of cancellation of a workers' compensation or employer's liability policy is the date of the insured's written request to cancel; amending s. 627.4137, F.S.; requiring a claimant's request concerning insurance coverage to be served upon the disclosing entity in a specified manner; amending s. 627.7277, F.S.; making a conforming change that specifies the "first-named insured" as the person who is to receive notification of a renewal premium; amending s. 627.728, F.S.; changing the designated person or persons who must be notified by an insurer from the "insured" to the "first-named insured" in certain situations involving the cancellation or nonrenewal of motor vehicle insurance coverage; making a conforming

change that specifies the “first-named insured’s insurance agent” as a person who is to receive certain notifications relating to motor vehicle insurance coverage; amending s. 627.7281, F.S.; making a conforming change that specifies the “first-named insured” as the person who is to receive notification of cancellation of motor vehicle insurance coverage; amending s. 634.403, F.S.; exempting certain persons providing service warranties relating to consumer products from licensing requirements under certain circumstances; amending s. 627.442, F.S.; limiting the requirement for premium audits of workers’ compensation coverage to specified instances; amending s. 627.7295, F.S.; providing application; requiring a certain amount of motor vehicle insurance premium to be paid before the effective date of a policy binder or policy in order to issue the binder or policy; authorizing an insurer to cancel certain motor vehicle insurance policies or binders for nonpayment of premium; removing a restriction requiring payment of the first policy payment of a motor vehicle insurance policy before issuance of a binder or policy when payments are being made in a specified manner; amending s. 626.916, F.S.; revising provisions relating to insurance coverage eligibility for export under the Surplus Lines Law; providing applicability; amending s. 817.234, F.S.; revising a cross-reference; providing civil penalties consisting of monetary fines relating to making false and fraudulent insurance claims for the purpose of receiving motor vehicle insurance proceeds; providing escalating monetary fines for repeat offenses; providing a mandatory minimum civil fine relating to certain international motor vehicle accident schemes; allocating fine revenues to a specified trust fund for specified purposes; authorizing certain agreements between a defendant and a state attorney relating to the payment of civil fines for making false and fraudulent insurance claims for the purpose of receiving motor vehicle insurance proceeds; providing effective dates.

—was referred to the Committees on Banking and Insurance; Budget; and Rules.

By Health & Human Services Quality Subcommittee and Representative(s) Corcoran—

CS for HB 1125—A bill to be entitled An act relating to health and human services; amending s. 408.910, F.S.; providing and revising definitions; revising eligibility requirements for participation in the Florida Health Choices Program; providing that statutory rural hospitals are eligible as employers rather than participants under the program; permitting specified eligible vendors to sell health maintenance contracts or products and services; requiring certain risk-bearing products offered by insurers to be approved by the Office of Insurance Regulation; providing requirements for product certification; providing duties of the Florida Health Choices, Inc., including maintenance of a toll-free telephone hotline to respond to requests for assistance; providing for enrollment periods; providing for certain risk pooling data used by the corporation to be reported annually; amending s. 409.821, F.S.; authorizing personal identifying information of a Florida Kidcare program applicant to be disclosed to the Florida Health Choices, Inc., to administer the program; amending s. 409.912, F.S.; requiring the Agency for Health Care Administration to establish a demonstration project in Miami-Dade County of a long-term-care facility and a psychiatric facility to improve access to health care by medically underserved persons; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Economic Affairs Committee, Appropriations Committee, Finance & Tax Committee and Representative(s) Dorworth, Bovo, Adkins, Ahern, Van Zant—

CS for CS for CS for HB 1163—A bill to be entitled An act relating to ad valorem taxation; amending s. 193.1554, F.S.; reducing the amount by which any change in the value of nonhomestead residential property resulting from an annual reassessment may exceed the assessed value of the property for the prior year; amending s. 193.1555, F.S.; reducing the amount by which any change in the value of certain residential and nonresidential real property resulting from an annual reassessment may exceed the assessed value of the property for the prior year; creating s. 196.078, F.S.; providing a definition; providing a first-time Florida homesteader with an additional homestead exemption; providing for calculation of the exemption; providing for the applicability period of the exemption; providing for an annual reduction in the exemption during the applicability period; providing application procedures; providing for

applicability of specified provisions; providing for contingent effect of provisions and varying dates of application depending on the adoption and adoption date of specified joint resolutions; authorizing the Department of Revenue to adopt emergency rules; providing for application and renewal of emergency rules; amending s. 218.12, F.S.; requiring the Legislature to consider appropriating funds to fiscally constrained counties to offset reductions in ad valorem tax revenue as the result of the implementation of certain revisions to the State Constitution; requiring application to the department to participate in the distribution of such an appropriation; providing for certain contingent effect and retroactive application; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; Budget; and Rules.

By Representative(s) Stargel, Adkins, Ahern, Albritton, Baxley, Brodeur, Broxson, Corcoran, Costello, Davis, Grant, Mayfield, Metz, Perry, Plakon, Porter, Precourt, Smith, Van Zant, Weatherford, Weinstein, Williams, T.—

HB 1247—A bill to be entitled An act relating to parental notice of abortion; amending s. 390.01114, F.S.; revising the definition of the term “constructive notice”; revising notice requirements relating to the termination of a pregnancy of a minor; providing exceptions to the notice requirements; revising procedure for judicial waiver of notice; providing for the minor to petition for a hearing within a specified time; providing that in a hearing relating to waiving the requirement for parental notice, the court consider certain additional factors, including whether the minor’s decision to terminate her pregnancy was due to undue influence; providing a procedure for appeal if judicial waiver of notice is not granted; requiring that the court order contain factual findings and legal conclusions; requiring Supreme Court reports to the Governor and Legislature to include additional information; providing for severability; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; and Budget.

By Education Committee, K-20 Competitiveness Subcommittee and Representative(s) Adkins—

CS for CS for HB 1255—A bill to be entitled An act relating to education accountability; amending s. 1001.20, F.S.; deleting a provision that requires the Florida Virtual School to be administratively housed within the Office of Technology and Information Services within the Office of the Commissioner of Education; amending s. 1001.42, F.S.; revising the powers and duties of district school boards relating to student access to Florida Virtual School courses; creating s. 1001.421, F.S.; prohibiting district school board members and their relatives from soliciting or accepting certain gifts; amending s. 1002.37, F.S.; conforming provisions to changes made by the act; amending s. 1002.38, F.S.; providing that school grades shall be based on statewide assessments for purposes of the Opportunity Scholarship Program; amending s. 1002.39, F.S.; providing requirements for determining the end of the term of a John M. McKay Scholarship; amending s. 1002.45, F.S.; revising provisions relating to virtual instruction program provider qualifications; amending s. 1002.66, F.S.; providing an additional instructional service for children with disabilities in the Voluntary Prekindergarten Education Program; amending s. 1002.67, F.S.; requiring that the State Board of Education periodically review and revise the performance standards for the statewide kindergarten screening; amending s. 1002.69, F.S.; authorizing nonpublic schools to administer the statewide kindergarten screening to kindergarten students who were enrolled in the Voluntary Prekindergarten Education Program; revising provisions relating to the minimum kindergarten readiness rate and criteria for good cause exemptions from meeting the requirement; requiring prekindergarten enrollment screening and post-assessment under certain circumstances; amending s. 1002.71, F.S.; providing that a child may reenroll more than once in a prekindergarten program if granted a good cause exemption; amending s. 1002.73, F.S.; requiring the Department of Education to adopt procedures relating to prekindergarten enrollment screening, the standardized post-assessment, and reporting of the results of readiness measures; amending s. 1003.01, F.S.; providing an additional special education service; amending s. 1003.4156, F.S.; revising the general requirements for middle grades promotion; providing that a student with a disability may have end-of-course assessment results waived

under certain circumstances; providing that a middle grades student may be exempt from reading remediation requirements under certain circumstances; creating s. 1003.4203, F.S.; authorizing each district school board to develop and implement a digital curriculum for students in grades 6 through 12; requiring the Department of Education to develop a model digital curriculum; authorizing partnerships with private businesses and consultants; amending s. 1003.428, F.S.; revising provisions relating to the general requirements for high school graduation; providing that a high school student may be exempt from reading remediation requirements under certain circumstances; amending s. 1003.429, F.S.; revising provisions relating to the selection of accelerated high school graduation options; amending s. 1003.491, F.S.; revising provisions relating to the development, contents, and approval of the strategic plan to address workforce needs; amending s. 1003.493, F.S.; revising requirements for career and professional academies and enrollment of students; creating s. 1003.4935, F.S.; requiring each district school board to develop a plan to implement a career and professional academy in at least one middle school; providing requirements for middle school career and professional academies and academy courses; amending s. 1003.573, F.S.; revising provisions relating to the use of restraint and seclusion on students with disabilities; requiring that certain information be included in incident reports; revising provisions relating to school district policies and procedures to include setting goals for the reduction of restraint and seclusion; requiring the State Board of Education to adopt rules defining terms and identifying additional variables to be documented in incident reports and standards for documentation and reporting; providing for application of specified provisions of the act; amending s. 1012.582, F.S.; conforming provisions to changes made by the act; amending s. 1003.575, F.S.; providing requirements for completion of an assistive technology assessment; amending s. 1008.22, F.S.; revising provisions relating to the student assessment program for public schools; requiring that the Commissioner of Education direct school districts to participate in certain international assessment programs; authorizing a school principal to exempt certain students from the end-of-course assessment in civics education; revising provisions relating to administration and reporting of results of assessments; amending s. 1008.30, F.S.; revising provisions relating to evaluation of college readiness and providing for postsecondary preparatory instruction; requiring the State Board of Education to adopt certain rules; amending s. 1008.33, F.S.; revising provisions relating to public school improvement; requiring the Department of Education to categorize public schools based on a school's grade that relies on statewide assessments; amending s. 1008.34, F.S.; revising the basis for the designation of school grades; including achievement scores and learning gains for students who are hospital or homebound; amending s. 1011.01, F.S.; revising provisions relating to the annual operating budgets of district school boards and Florida College System institution boards of trustees; amending s. 1011.03, F.S.; revising provisions relating to adopted district school board budgets; creating s. 1011.035, F.S.; requiring each school district to post budgetary information on its website; amending s. 1011.62, F.S.; revising provisions relating to the funding model for exceptional student education programs; requiring the Department of Education to revise the descriptions of services and to implement the revisions; amending s. 1012.39, F.S.; revising provisions relating to the qualifications for nondegree teachers of career education; providing effective dates.

—was referred to the Committees on Education Pre-K - 12; Budget Subcommittee on Education Pre-K - 12 Appropriations; and Budget.

By Health & Human Services Committee, Health Care Appropriations Subcommittee, Health & Human Services Quality Subcommittee and Representative(s) Harrell, Corcoran, Plakon—

CS for CS for CS for HB 1319—A bill to be entitled An act relating to certificates and licenses for certain health care practitioners; amending s. 456.024, F.S.; providing for issuance of a temporary license to specified health care practitioners who are spouses of active duty members of the Armed Forces under certain circumstances; providing for criminal history checks; providing fees; providing for expiration of a temporary license; requiring a person who is issued a temporary license to be subject to certain general licensing requirements; providing that certain persons are ineligible for such license; providing for revocation of such license; requiring certain temporary licensees to practice under the indirect supervision of other licensees; amending ss. 458.315 and 459.0076, F.S.; naming the temporary certificates issued to physicians

who practice in areas of critical need after Rear Admiral LeRoy Collins, Jr.; amending s. 466.003, F.S.; revising the definition of the term “health access setting” and defining the term “school-based prevention program” for purposes of provisions regulating the practice of dentistry; amending s. 466.023, F.S.; revising the scope and area of practice for dental hygienists; amending s. 466.0235, F.S.; revising the locations at which dental hygienists may perform dental charting; amending s. 466.024, F.S.; authorizing dental hygienists to perform certain duties without supervision or authorization by a dentist; providing exceptions; requiring that dental hygienists in a health access setting provide a certain disclaimer to patients before a procedure is performed; providing that a health access setting may bill for certain services; requiring that dental hygienists provide a referral, encourage the establishment of a dental home, and maintain insurance coverage in specified circumstances; re-enacting s. 466.00672(2), F.S., relating to the revocation of health access dental licenses, to incorporate the amendment made by the act to s. 466.003, F.S., in a reference thereto; amending s. 466.006, F.S.; providing legislative intent with respect to the use of the American Dental Licensing Examination developed by the American Board of Dental Examiners, Inc., in lieu of an independent state-developed practical or clinical exam, to measure an applicant's ability to practice the profession of dentistry; providing for examination fees and use thereof; revising criteria for applicants for licensure with respect to accreditation of dental school and period of validity of examination scores; adopting the American Dental Licensing Examination as the clinical or practical licensure examination used for licensure as a dentist in this state, providing specified conditions are maintained; providing for period of validity of examination scores; authorizing applicants to submit American Dental Licensing Examination scores from a jurisdiction outside the state; specifying period of validity of such examination scores; providing that authority to submit such examination scores does not apply retroactively; providing that such examination scores outside the period of validity be recognized as valid upon demonstration that the applicant has met specified additional standards; designating the practical examination and specifying minimum standards therefor; requiring applicants for licensure with American Dental Licensing Examination scores from a state other than this state to engage in the full-time practice of dentistry inside the geographic boundaries of this state within 1 year of receiving such licensure in this state; providing legislative findings with respect thereto; providing a definition; providing legislative intent with respect to expiration of such licenses upon a finding that acceptable proof of full-time practice within the geographic boundaries of this state within 1 year after the initial issuance of the license was not received by the board; providing procedures and requirements with respect to determination of compliance; providing procedures, requirements, and prohibitions in the event of expiration; providing a penalty for using or attempting to use a license that has expired; amending s. 466.0067, F.S.; correcting a cross-reference; re-enacting ss. 466.0065(1), 466.0067(2), (5), (9), and (12), 466.00671(1)(d), 466.0072(b) and (3), 466.009(1), and 466.011, F.S., relating to regional licensure examinations, application for health access dental license, renewal of the health access dental license, examination of dental hygienists, reexamination, and licensure, respectively, to incorporate the amendments made to s. 466.006, F.S., in references thereto; amending s. 468.701, F.S.; defining “Board of Certification”; amending s. 468.703, F.S.; revising qualifications for certain members of the Board of Athletic Training; amending s. 468.707, F.S.; revising requirements for licensure by the Department of Health as an athletic trainer; reorganizing provisions; amending s. 468.711, F.S.; revising provisions relating to renewal of license and continuing education requirements for athletic trainers; providing severability; providing that the act does not apply retroactively; providing effective dates.

—was referred to the Committees on Health Regulation; Military Affairs, Space, and Domestic Security; and Budget.

By Appropriations Committee, Health & Human Services Committee and Representative(s) Schenck—

CS for HB 7107—A bill to be entitled An act relating to Medicaid managed care; creating pt. IV of ch. 409, F.S., entitled “Medicaid Managed Care”; creating s. 409.961, F.S.; providing for statutory construction; providing applicability of specified provisions throughout the part; providing rulemaking authority for specified agencies; creating s. 409.962, F.S.; providing definitions; creating s. 409.963, F.S.; designating the Agency for Health Care Administration as the single state

agency to administer the Medicaid program; providing for specified agency responsibilities; requiring client consent for release of medical records; creating s. 409.964, F.S.; establishing the Medicaid program as the statewide, integrated managed care program for all covered services; authorizing the agency to apply for and implement waivers; providing for public notice and comment; creating s. 409.965, F.S.; providing for mandatory enrollment; providing for exemptions; creating s. 409.966, F.S.; providing requirements for eligible plans that provide services in the Medicaid managed care program; establishing provider service network requirements for eligible plans; providing for eligible plan selection; requiring the agency to use an invitation to negotiate; requiring the agency to compile and publish certain information; establishing eight regions for separate procurement of plans; providing quality criteria for plan selection; providing limitations on serving recipients during the pendency of procurement litigation; creating s. 409.967, F.S.; providing for managed care plan accountability; establishing contract terms; providing for contract extension under certain circumstances; establishing payments to noncontract providers; establishing requirements for access; requiring plans to establish and maintain an electronic database; establishing requirements for the database; requiring plans to provide encounter data; requiring the agency to maintain an encounter data system; requiring the agency to establish performance standards for plans; providing program integrity requirements; establishing a grievance resolution process; providing penalties for early termination of contracts or reduction in enrollment levels; establishing prompt payment requirements; requiring plans to accept electronic claims; requiring fair payment to providers with a controlling interest in a provider service network by other plans; requiring the agency and prepaid plans to use a uniform method for certain financial reports; providing income-sharing ratios; providing a timeframe for a plan to pay an additional rebate under certain circumstances; requiring the agency to return prepaid plan overpayments; creating s. 409.968, F.S.; establishing managed care plan payments; providing payment requirements for provider service networks; requiring the agency to conduct annual cost reconciliations to determine certain cost savings and report the results of the reconciliations to the fee-for-service provider; providing a timeframe for the provider service to respond to the report; creating s. 409.969, F.S.; requiring enrollment in managed care plans by all nonexempt Medicaid recipients; creating requirements for plan selection by recipients; providing for choice counseling; establishing choice counseling vendor requirements; authorizing disenrollment under certain circumstances; defining the term "good cause" for purposes of disenrollment; providing time limits on an internal grievance process; providing requirements for agency determination regarding disenrollment; requiring recipients to stay in plans for a specified time; creating s. 409.97, F.S.; authorizing the agency to accept the transfer of certain revenues from local governments; requiring the agency to contract with a representative of certain entities participating in the low-income pool for the provision of enhanced access to care; providing for support of these activities by the low-income pool as authorized in the General Appropriations Act; establishing the Access to Care Partnership; requiring the agency to seek necessary waivers and plan amendments; providing requirements for prepaid plans to submit data; authorizing the agency to implement a tiered hospital rate system; creating s. 409.971, F.S.; creating the managed medical assistance program; providing deadlines to begin and finalize implementation of the program; creating s. 409.972, F.S.; providing eligibility requirements for mandatory and voluntary enrollment; creating s. 409.973, F.S.; establishing minimum benefits for managed care plans to cover; authorizing plans to customize benefit packages; requiring plans to establish a program to encourage healthy behaviors; requiring plans to establish a primary care initiative; providing requirements for primary care initiatives; requiring plans to report certain primary care data to the agency; creating s. 409.974, F.S.; establishing a deadline for issuing invitations to negotiate; establishing a specified number or range of eligible plans to be selected in each region; establishing quality selection criteria; establishing requirements for participation by specialty plans; establishing the Children's Medical Service Network as an eligible plan; creating s. 409.975, F.S.; providing for managed care plan accountability; authorizing plans to limit providers in networks; requiring plans to include essential Medicaid providers in their networks unless an alternative arrangement is approved by the agency; identifying statewide essential providers; specifying provider payments under certain circumstances; requiring plans to include certain statewide essential providers in their networks; requiring good faith negotiations; specifying provider payments under certain circumstances; allowing plans to exclude essential providers under certain circumstances; requiring plans to offer a contract to home medical equipment and supply providers under

certain circumstances; establishing the Florida medical school quality network; requiring the agency to contract with a representative of certain entities to establish a clinical outcome improvement program in all plans; providing for support of these activities by certain expenditures and federal matching funds; requiring the agency to seek necessary waivers and plan amendments; providing for eligibility for the quality network; requiring plans to monitor the quality and performance history of providers; establishing the MomCare network; requiring the agency to contract with a representative of all Healthy Start Coalitions to provide certain services to recipients; providing for support of these activities by certain expenditures and federal matching funds; requiring plans to enter into agreements with local Healthy Start Coalitions for certain purposes; requiring specified programs and procedures be established by plans; establishing a screening standard for the Early and Periodic Screening, Diagnosis, and Treatment Service; requiring managed care plans and hospitals to negotiate rates, methods, and terms of payment; providing a limit on payments to hospitals; establishing plan requirements for medically needy recipients; creating s. 409.976, F.S.; providing for managed care plan payment; requiring the agency to establish payment rates for statewide inpatient psychiatric programs; requiring payments to managed care plans to be reconciled to reimburse actual payments to statewide inpatient psychiatric programs; creating s. 409.977, F.S.; establishing choice counseling requirements; providing for automatic enrollment in a managed care plan for certain recipients; establishing opt-out opportunities for recipients; creating s. 409.978, F.S.; requiring the agency to be responsible for administering the long-term care managed care program; providing implementation dates for the long-term care managed care program; providing duties of the Department of Elderly Affairs relating to assisting the agency in implementing the program; creating s. 409.979, F.S.; providing eligibility requirements for the long-term care managed care program; creating s. 409.98, F.S.; establishing the benefits covered under a managed care plan participating in the long-term care managed care program; creating s. 409.981, F.S.; providing criteria for eligible plans; designating regions for plan implementation throughout the state; providing criteria for the selection of plans to participate in the long-term care managed care program; providing that participation by the Program of All-Inclusive Care for the Elderly is pursuant to an agency contract; creating s. 409.982, F.S.; requiring the agency to establish uniform accounting and reporting methods for plans; providing for mandatory participation in plans by certain service providers; authorizing the exclusion of certain providers from plans for failure to meet quality or performance criteria; requiring plans to monitor participating providers using specified criteria; requiring certain providers to be included in plan networks; providing provider payment specifications for nursing homes and hospices; creating s. 409.983, F.S.; providing for negotiation of rates between the agency and the plans participating in the long-term care managed care program; providing specific criteria for calculating and adjusting plan payments; allowing the CARES program to assign plan enrollees to a level of care; providing incentives for adjustments of payment rates; requiring the agency to establish nursing facility-specific and hospice services payment rates; creating s. 409.984, F.S.; providing that before contracting with another vendor, the agency shall offer to contract with the aging resource centers to provide choice counseling for the long-term care managed care program; providing criteria for automatic assignments of plan enrollees who fail to choose a plan; providing for hospice selection within a specified timeframe; providing for a choice of residential setting under certain circumstances; creating s. 409.9841, F.S.; creating the long-term care managed care technical advisory workgroup; providing duties; providing membership; providing for reimbursement for per diem and travel expenses; providing for repeal by a specified date; creating s. 409.985, F.S.; providing that the agency shall operate the Comprehensive Assessment and Review for Long-Term Care Services program through an interagency agreement with the Department of Elderly Affairs; providing duties of the program; defining the term "nursing facility care"; creating s. 409.986, F.S.; providing authority and agency duties regarding long-term care programs for persons with developmental disabilities; authorizing the agency to delegate specific duties to and collaborate with the Agency for Persons with Disabilities; requiring the agency to make payments for long-term care for persons with developmental disabilities under certain conditions; creating s. 409.987, F.S.; providing eligibility requirements for long-term care plans; creating s. 409.988, F.S.; specifying covered benefits for long-term care plans; creating s. 409.989, F.S.; establishing criteria for eligible plans; specifying minimum and maximum number of plans and selection criteria; authorizing participation by the Children's Medical Services Network in long-term care plans under certain conditions; creating s.

409.99, F.S.; providing requirements for managed care plan accountability; specifying limitations on providers in plan networks; providing for evaluation and payment of network providers; requiring managed care plans to establish family advisory committees and offer consumer-directed care services; creating s. 409.991, F.S.; providing for payment of managed care plans; providing duties for the Agency for Persons with Disabilities to assign plan enrollees into a payment-rate level of care; establishing level-of-care criteria; providing payment requirements for intensive behavior residential habilitation providers and intermediate care facilities for the developmentally disabled; creating s. 409.992, F.S.; providing requirements for enrollment and choice counseling; specifying enrollment exceptions for certain Medicaid recipients; providing an effective date.

—was referred to the Committees on Health Regulation; Budget Subcommittee on Health and Human Services Appropriations; and Budget.

By Appropriations Committee, Health & Human Services Committee and Representative(s) Schenck—

CS for HB 7109—A bill to be entitled An act relating to Medicaid; amending s. 393.0661, F.S.; requiring the Agency for Persons with Disabilities to establish a transition plan for current Medicaid recipients of home and community-based services under certain circumstances; providing for expiration of the section on a specified date; amending s. 393.0662, F.S.; requiring the Agency for Persons with Disabilities to complete the transition for current Medicaid recipients of home and community-based services to the iBudget system by a specified date; requiring the Agency for Persons with Disabilities to develop a transition plan for current Medicaid recipients of home and community-based services to managed care plans; providing for expiration of the section on a specified date; amending s. 408.040, F.S.; providing for suspension of certain conditions precedent to the issuance of a certificate of need for a nursing home, effective on a specified date; amending s. 408.0435, F.S.; extending the certificate-of-need moratorium for additional community nursing home beds; designating ss. 409.016-409.803, F.S., as pt. I of ch. 409, F.S., and entitling the part “Social and Economic Assistance”; designating ss. 409.810-409.821, F.S., as pt. II of ch. 409, F.S., and entitling the part “Kidcare”; designating ss. 409.901-409.9205, F.S., as part III of ch. 409, F.S., and entitling the part “Medicaid”; amending s. 409.905, F.S.; requiring the Agency for Health Care Administration to set reimbursement rates for hospitals that provide Medicaid services based on allowable-cost reporting from the hospitals; providing the methodology for the rate calculation and adjustments; requiring the rates to be subject to certain limits or ceilings; providing that exemptions to the limits or ceilings may be provided in the General Appropriations Act; deleting provisions relating to agency adjustments to a hospital’s inpatient per diem rate; directing the agency to develop a plan to convert inpatient hospital rates to a prospective payment system that categorizes each case into diagnosis-related groups; requiring a report to the Governor and Legislature; amending s. 409.907, F.S.; providing additional requirements for provider agreements for Medicare crossover providers; providing that the agency is not obligated to enroll certain providers as Medicare crossover providers; specifying additional requirements for certain providers; providing the agency may establish additional criteria for providers to promote program integrity; amending s. 409.911, F.S.; providing for expiration of the Medicaid Low-Income Pool Council; amending s. 409.912, F.S.; providing payment requirements for provider service networks; providing for the expiration of various provisions relating to agency contracts and agreements with certain entities on specified dates to conform to the reorganization of Medicaid managed care; requiring the agency to contract on a prepaid or fixed-sum basis with certain prepaid dental health plans; eliminating obsolete provisions and updating provisions, to conform; amending ss. 409.91195 and 409.91196, F.S.; conforming cross-references; repealing s. 409.91207, F.S., relating to the medical home pilot project; amending s. 409.91211, F.S.; conforming cross-references; providing for future repeal of s. 409.91211, F.S., relating to the Medicaid managed care pilot program; amending s. 409.9122, F.S.; providing for the expiration of provisions relating to mandatory enrollment in a Medicaid managed care plan or MediPass on specified dates to conform to the reorganization of Medicaid managed care; eliminating obsolete provisions; requiring the agency to develop a process to enable any recipient with access to employer-sponsored coverage to opt out of eligible plans in the Medicaid program; requiring the agency, contingent on federal approval, to enable

recipients with access to other coverage or related products that provide access to specified health care services to opt out of eligible plans in the Medicaid program; requiring the agency to maintain and operate the Medicaid Encounter Data System; requiring the agency to conduct a review of encounter data and publish the results of the review before adjusting rates for prepaid plans; authorizing the agency to establish a designated payment for specified Medicare Advantage Special Needs members; authorizing the agency to develop a designated payment for Medicaid-only covered services for which the state is responsible; requiring the agency to establish, and managed care plans to use, a uniform method of accounting for and reporting medical and nonmedical costs; authorizing the agency to create exceptions to mandatory enrollment in managed care under specified circumstances; requiring the agency to contract with a provider service network to function as a third-party administrator and managing entity for the MediPass program; providing contract provisions; providing for the expiration of such contract requirements on a specified date; requiring the agency to contract with a single provider service network to function as a third-party administrator and managing entity for the Medically Needy program; providing contract provisions; providing for the expiration of such contract requirements on a specified date; amending s. 430.04, F.S.; eliminating obsolete provisions; requiring the Department of Elderly Affairs to develop a transition plan for specified elders and disabled adults receiving long-term care Medicaid services when eligible plans become available; providing for expiration of the plan; amending s. 430.2053, F.S.; eliminating obsolete provisions; providing additional duties of aging resource centers; providing an additional exception to direct services that may not be provided by an aging resource center; providing an expiration date for certain services administered through aging resource centers; providing for the cessation of specified payments by the department as eligible plans become available; providing for a memorandum of understanding between the agency and aging resource centers under certain circumstances; eliminating provisions requiring reports; repealing s. 430.701, F.S., relating to legislative findings and intent and approval for action relating to provider enrollment levels; repealing s. 430.702, F.S., relating to the Long-Term Care Community Diversion Pilot Project Act; repealing s. 430.703, F.S., relating to definitions; repealing s. 430.7031, F.S., relating to the nursing home transition program; repealing s. 430.704, F.S., relating to evaluation of long-term care through the pilot projects; repealing s. 430.705, F.S., relating to implementation of long-term care community diversion pilot projects; repealing s. 430.706, F.S., relating to quality of care; repealing s. 430.707, F.S., relating to contracts; repealing s. 430.708, F.S., relating to certificate of need; repealing s. 430.709, F.S., relating to reports and evaluations; renumbering ss. 409.9301, 409.942, 409.944, 409.945, 409.946, 409.953, and 409.9531, F.S., as ss. 402.81, 402.82, 402.83, 402.84, 402.85, 402.86, and 402.87, F.S., respectively; amending ss. 443.111 and 641.386, F.S.; conforming cross-references; directing the agency to develop a plan to implement the enrollment of the medically needy into managed care; amending s. 766.118, F.S.; providing a limitation on noneconomic damages for negligence of practitioners providing services and care to Medicaid recipients; providing effective dates and a contingent effective date.

—was referred to the Committees on Health Regulation; Budget Subcommittee on Health and Human Services Appropriations; and Budget.

By Education Committee, K-20 Innovation Subcommittee and Representative(s) Stargel—

CS for HB 7151—A bill to be entitled An act relating to postsecondary education; amending s. 467.009, F.S.; deleting a reference to the College-Level Academic Skills Test (CLAST); amending s. 705.18, F.S.; revising provisions relating to the disposal of personal property lost or abandoned on public postsecondary institution campuses; providing requirements for notification, disposal, and use or disposition of proceeds from the sale of lost or abandoned bicycles and bicycle safety equipment; repealing s. 1007.07, F.S., relating to the Florida Business and Education Collaborative; amending s. 1001.64, F.S.; requiring a Florida College System institution board of trustees to ask the Commissioner of Education to authorize an investigation of the college president by the Department of Education’s inspector general in specified circumstances; requiring a report and recommendations; requiring the inspector general to refer potential legal violations to the Commission on Ethics, the Department of Law Enforcement, the Attorney General, or another appropriate au-

thority; amending s. 1004.015, F.S.; requiring the Higher Education Coordinating Council to make recommendations and submit a report relating to core missions of postsecondary education institutions, performance outputs and outcomes, articulation policies, and workforce development education; amending s. 1004.04, F.S.; deleting a reference to the CLAST; amending s. 1004.68, F.S.; deleting provisions relating to the use of test scores for assessment of college-level communication and computation skills; amending s. 1007.01, F.S.; providing legislative intent and requirements relating to articulation; requiring the establishment of the Articulation Coordinating Committee and providing its responsibilities; amending s. 1007.25, F.S.; deleting provisions that require an examination or demonstration of remediation of academic deficiencies to obtain a postsecondary degree; amending ss. 1007.264 and 1007.265, F.S.; deleting provisions that exclude students with intellectual disabilities from eligibility for substitute requirements for admission to or graduation from a public postsecondary education institution; amending s. 1007.27, F.S.; requiring the Department of Education to use student performance data to determine appropriate credit-by-examination scores and courses; deleting an exemption from summer-term enrollment in a public postsecondary education institution for students earning accelerated credit; amending s. 1007.33, F.S.; providing for State Board of Education rules relating to approval and exemption from approval for baccalaureate degree programs at Florida College System institutions; amending s. 1008.30, F.S., relating to common placement testing for public postsecondary education; deleting a reference to the CLAST; requiring rules for remediation opportunities, retesting policies, and academic competencies; requiring that students be advised of academic requirements, financial aid eligibility, and certain costs; amending s. 1008.345, F.S.; deleting Department of Education duties relating to tests and assessment procedures that measure student achievement of college-level communication and computation skills; amending s. 1008.38, F.S.; revising and conforming provisions relating to the articulation accountability process; amending s. 1009.534, F.S.; revising provisions relating to approval of community service work for eligibility for the Florida Academic Scholars award; amending ss. 267.062, 1004.23, 1010.03, 1010.04, 1010.07, and 1013.171, F.S.; replacing references to university rules with university regulations; conforming provisions; amending s. 1013.33, F.S.; conforming provisions; repealing s. 1013.63, F.S., relating to the University Concurrence Trust Fund; providing an effective date.

—was referred to the Committees on Higher Education; Budget Subcommittee on Higher Education Appropriations; and Budget.

By Economic Affairs Committee, Appropriations Committee, Finance & Tax Committee, Community & Military Affairs Subcommittee and Representative(s) Dorworth, Costello, Crisafulli, Bovo, Adkins, Corcoran, Davis, Gaetz, Harrell, Harrison, Mayfield, Perry, Precourt, Tobia, Van Zant—

CS for CS for CS for CS for CS for HJR 381—A joint resolution proposing amendments to Sections 4 and 6 of Article VII and Section 27 of Article XII and the creation of Sections 32 and 33 of Article XII of the State Constitution to allow the Legislature by general law to prohibit increases in the assessed value of homestead and specified non-homestead property if the just value of the property decreases, reduce the limitation on annual assessment increases applicable to non-homestead real property, provide an additional homestead exemption for owners of homestead property who have not owned homestead property for a specified time before purchase of the current homestead property, and application and limitations with respect thereto, delay the future repeal of provisions limiting annual assessment increases for specified nonhomestead real property, and provide effective dates.

—was referred to the Committees on Community Affairs; Judiciary; Budget; and Rules.

By Representative(s) Taylor—

HB 597—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records

requirements for information furnished by a person to an agency for the purpose of being provided with emergency notification by the agency; providing for retroactive effect of the exemption; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

By Government Operations Subcommittee and Representative(s) Corcoran—

CS for HB 1473—A bill to be entitled An act relating to public records; amending s. 408.910, F.S.; providing definitions; creating an exemption from public records requirements for personal identifying information of an enrollee or participant in the Florida Health Choices Program; creating an exemption from public records requirements for proprietary confidential business information of a vendor; creating an exemption from public records requirements for client and customer lists of a program buyer's representative; providing exceptions; authorizing an enrollee's legal guardian to obtain confirmation of certain information about the enrollee's health plan; providing for retroactive application; providing a penalty for unlawful disclosure of confidential and exempt information; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Governmental Oversight and Accountability.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 29 was corrected and approved.

CO-INTRODUCERS

Senators Alexander—SR 2214; Altman—SR 2214; Benacquisto—SR 2214; Bennett—SR 2214; Bogdanoff—SR 2214; Braynon—SR 2214; Dean—SR 2214; Detert—SR 2214; Diaz de la Portilla—SR 2214; Dockery—SR 2214; Evers—SR 2214; Fasano—SR 2214; Flores—SR 2214; Gaetz—CS for CS for SB 236, CS for CS for SJR 658, CS for SB 1722, SR 2214; Garcia—SR 2214; Gardiner—SR 2214; Haridopolos—SR 2214; Hays—SR 2214; Hill—SR 2214; Jones—SR 2214; Joyner—SR 2214; Latvala—CS for SB 546; Lynn—CS for SB 224, SR 2214; Margolis—SR 2214; Montford—SR 2214; Negron—SR 2214; Norman—SR 2214; Oelrich—SR 2214; Rich—SR 2214; Richter—SR 2214; Ring—SR 2214; Sachs—SR 2214; Simmons—SR 2214; Siplin—SR 2214; Smith—CS for SB 524, CS for SB 2010, SR 2214; Sobel—SR 2214; Storms—SR 2214; Thrasher—SR 2214; Wise—SR 2214

RECESS

On motion by Senator Thrasher, the Senate recessed at 6:35 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Tuesday, May 3 or upon call of the President.

SENATE PAGES

May 2-6, 2011

Michael Cenedella, Tallahassee; Victor Chrispin, Jacksonville; Lauren Claude, Tallahassee; Elizabeth Fechtel, Leesburg; Mary Katherine Fechtel, Leesburg; Rebekah Giordano, New Port Richey; Daniel Klumpp, Davie; Wallace "Wally" Martin, Arcadia; Paul Palmer, Jr., Tallahassee; Michael Robinson, Tallahassee; Tiffani-Michelle Schmidt, Carrabelle; Bryce Sellers, Pace; Amelia Smith, Tallahassee; Ricardo Toussaint, Tallahassee; Micheal West, Tallahassee; Miranda Wilson, Panama City



Journal of the Senate

Number 20—Regular Session

Tuesday, May 3, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 10:00 a.m.
A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Excused: Senator Bullard

PRAYER

The following prayer was offered by Pastor Brant Copeland, Pastor of First Presbyterian Church of Tallahassee:

Gracious God, source of justice and lover of all:

We thank you for those who serve you by serving others—for teachers and first responders; for state workers and helpers of the disabled; for those who pick our crops and provide food for our tables; and for these, your servants, here assembled.

Open their minds to reasonable arguments. Open their hearts to resonate with yours. Open their ears to the cry of the least of your children.

By your spirit, guide the Senate to seek your will, pursue just priorities, avoid pointless rancor, and work together for the good of all the people of Florida. In your holy name, we pray. Amen.

PLEDGE

Senate Pages Paul Palmer, Jr.; Amelia Smith; and Michael Cenedella of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Ring—

By Senator Ring—

SR 2068—A resolution recognizing May 2011 as “Amyotrophic Lateral Sclerosis Awareness Month” in the State of Florida.

WHEREAS, Amyotrophic Lateral Sclerosis (ALS), better known as Lou Gehrig’s Disease, is a progressive neurodegenerative disease that affects nerve cells in the brain and spinal cord, and

WHEREAS, the early symptoms of ALS include weakness of the skeletal muscles, especially involving the arms and legs, and difficulty in swallowing, talking, and breathing, and

WHEREAS, ALS eventually causes muscles to atrophy, eventually leading to functional quadriplegia, and

WHEREAS, ALS does not affect an individual’s mental capacity, which means that a person with ALS remains alert and aware of his or her loss of motor functions and the inevitability of continued deterioration and death, and

WHEREAS, on average, a patient diagnosed as having ALS survives only 2 to 5 years after the initial diagnosis, and

WHEREAS, research indicates that military veterans are at least 50 percent more likely to develop ALS than those who have not served in the military, and

WHEREAS, ALS has no known cause, means of prevention, or cure, and

WHEREAS, the recognition of “Amyotrophic Lateral Sclerosis Awareness Month” will increase awareness regarding the circumstances of ALS patients and the terrible impact of this disease not only on the person who has ALS, but on his or her family and the larger community, and will lend support to the goals of biomedical research on ALS, which are to find the cause or causes of ALS, understand the mechanisms involved in the progression of the disease, and to develop effective treatment, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That May 2011 is recognized as “Amyotrophic Lateral Sclerosis Awareness Month” in the State of Florida.

—was introduced out of order and read by title. On motion by Senator Ring, **SR 2068** was read the second time in full and adopted.

At the request of Senator Fasano—

By Senator Fasano—

SR 2196—A resolution recognizing May 2011 as “Lupus Awareness Month” in Florida.

WHEREAS, Lupus is an acute, chronic, and lifelong autoimmune disease in which the immune system is unbalanced, causing inflammation and tissue damage to virtually every organ system in the body, and

WHEREAS, Lupus can affect any part of the body, including the skin, lungs, heart, kidneys, and brain, with no organ spared, and can cause seizures, strokes, heart attacks, miscarriages, and organ failure, and

WHEREAS, researchers estimate that 5 million people worldwide have been diagnosed with Lupus or related diseases, with about 100,000 new diagnoses each year, and

WHEREAS, the Lupus Foundation of America, Inc., estimates that more than 1.5 million Americans live with some form of Lupus, including an estimated 100,000 Floridians, and

WHEREAS, Lupus strikes mostly women of childbearing age, when they are 15 to 44 years of age, affecting all aspects of their lives, with African Americans, Hispanics/Latinos, Asians, and Native Americans two to three times more likely to develop Lupus, a disparity that remains unexplained, and

WHEREAS, Lupus is difficult to diagnose because its symptoms are similar to symptoms of other illnesses, meaning that more than one-half of all people with Lupus wait 4 or more years and visit three or more doctors before they are correctly diagnosed, and

WHEREAS, early diagnosis and proper treatment are critical to improving the quality of life and survival rate of those living with Lupus, and

WHEREAS, major gaps exist in the understanding of the causes and consequences of Lupus, and increased public awareness, education, and research are key to winning the battle against the disease, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That May 2011 is recognized as “Lupus Awareness Month” in Florida.

—**SR 2196** was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Richter, by two-thirds vote **SB 688** and **SB 690** were removed from the Special Order Calendar and withdrawn from further consideration.

On motion by Senator Thrasher, by two-thirds vote **SB 404**, **CS for SB 770**, **SB 962**, **SB 974**, **CS for SB 1246**, **CS for SB 1384**, **SB 1508**, **CS for SB 1808**, **CS for SB 1902**, and **CS for SB 2062** were withdrawn from the Committee on Budget; **CS for SM 1598** was withdrawn from the Committee on Community Affairs; **SB 982** and **SB 2056** were withdrawn from the Committee on Governmental Oversight and Accountability; **SB 162**, **SB 700**, and **SB 982** were withdrawn from the Committee on Judiciary; and **CS for SB 606** was withdrawn from the Committee on Rules.

MOTIONS

On motion by Senator Thrasher, the rules were waived and bills on the Consent Calendar to which objections were filed were moved to the end of the Special Order Calendar this day.

On motion by Senator Thrasher, the rules were waived and by two-thirds vote **CS for HB 7109** was withdrawn from the committees of reference and placed on the Special Order Calendar after **CS for CS for SB 1972**.

BILLS ON THIRD READING

Consideration of **CS for CS for SB 818** was deferred.

SB 762—A bill to be entitled An act relating to the Florida Climate Protection Act; repealing s. 403.44, F.S., relating to a cap-and-trade regulatory program to reduce greenhouse gas emissions from electric utilities; amending s. 366.8255, F.S.; conforming a cross-reference; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 762** was passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Fasano	Montford
Alexander	Flores	Negron
Altman	Gaetz	Norman
Benacquisto	Garcia	Oelrich
Bennett	Gardiner	Richter
Bogdanoff	Hays	Ring
Dean	Hill	Simmons
Detert	Jones	Siplin
Diaz de la Portilla	Latvala	Storms
Dockery	Lynn	Thrasher
Evers	Margolis	Wise

Nays—6

Braynon	Rich	Smith
Joyner	Sachs	Sobel

Consideration of **CS for HB 913** and **CS for CS for HB 1255** was deferred.

CS for CS for SB 1824—A bill to be entitled An act relating to regulated professions and occupations; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to release certain digital images to the Department of Business and Professional Regulation to identify certain persons; amending s. 455.213, F.S.; authorizing the Department of Business and Professional Regulation to grant waivers of renewal fees under certain circumstances; amending s. 455.271, F.S.; revising continuing education requirements for certain license reactivations; amending s. 475.42, F.S.; revising violations and penalties for real estate professionals; amending s. 477.0212, F.S.; revising continuing education requirements for cosmetology license reactivations; amending s. 477.0265, F.S.; revising prohibited acts for cosmetologists; amending s. 481.217, F.S.; revising continuing education requirements for license reactivation of architect or interior design licenses; amending s. 481.315, F.S.; revising continuing education requirements for landscape architect license reactivations; amending s. 489.116, F.S.; revising continuing education requirements for contractor license reactivations; amending s. 489.519, F.S.; revising continuing education requirements for electrical and alarm system contractor license reactivations; repealing s. 475.611(1)(v), F.S., relating to Uniform Standards of Professional Appraisal Practice; repealing s. 475.626(1)(b) and (c), F.S., relating to violations and penalties against registered appraisers; amending s. 475.624, F.S.; establishing professional standards for appraisers by board rule; amending s. 475.628, F.S.; authorizing the board to adopt rules establishing standards of professional appraisal practice; amending s. 509.032, F.S.; clarifying provisions relating to the preemption to the state of the regulation of public lodging and public food service establishments; amending s. 509.261, F.S.; providing for remedial training in response to certain violations by public lodging and food service establishments; amending s. 10, chapter 2010-84, Laws of Florida; delaying the effective date of provisions relating to the discipline of appraisal management companies; creating s. 473.3066, F.S.; authorizing the Board of Accountancy to establish a peer review oversight committee; providing for membership and duties of the oversight committee; requiring the board to adopt rules under certain circumstances; amending s. 473.311, F.S.; revising licensure renewal requirements for firms engaged in certain aspects of the practice of public accounting; requiring such firms to comply with certain peer review requirements; providing an exception; creating s. 473.3125, F.S.; defining terms for purposes of peer review requirements; requiring firms engaged in certain aspects of the practice of public accounting to enroll in peer review programs and undergo peer reviews; providing for the frequency of peer reviews; providing exceptions; requiring firms that fail a specified number of peer reviews to submit certain documentation to the board; requiring the board to adopt rules establishing minimum standards for peer review programs and requiring a peer review administering organization to submit certain information; providing for the approval of peer review administering organizations; authorizing the board to withdraw approval of peer review administering organizations under certain circumstances; providing that certain persons who perform specified administrative services for a peer review administering organization are immune from civil liability; providing that the proceedings, records, and

workpapers of peer review administering organizations are confidential and privileged; providing exceptions; prohibiting persons involved in peer reviews from testifying; amending s. 473.323, F.S.; providing additional grounds for the discipline of firms engaged in certain aspects of the practice of public accounting, to which penalties apply; authorizing disciplinary actions to be taken against firms that fail to enroll in a peer review program, to undergo a peer review, or to cooperate with a peer review administering organization approved by the board; revising requirements for reissuance of licenses after compliance with disciplinary final orders; conforming provisions; amending s. 481.205, F.S.; authorizing the Board of Architecture and Interior Design to contract with certain private entities for specific functions; repealing s. 686.201, F.S., relating to sales representative contracts involving commissions; amending s. 373.461, F.S.; requiring certain appraisers to follow specific standards of professional practice in appraisals involving the restoration of the Lake Apopka Basin; amending s. 475.25, F.S.; conforming and clarifying certain real estate appraisal standards and practices; amending s. 475.615, F.S.; conforming provisions relating to standards of professional practice for real estate appraisers; amending s. 475.617, F.S.; conforming provisions relating to appraisal practice; amending s. 475.6175, F.S.; conforming provisions relating to appraisal practice; amending s. 475.6235, F.S.; conforming provisions relating to appraisal practice; amending s. 475.6245, F.S.; conforming provisions relating to appraisal practice; amending s. 489.118, F.S.; extending the date within which certain registered contractors may apply for certification; amending s. 499.003, F.S.; redefining the term “prescription drug” to exclude active pharmaceutical ingredients; providing effective dates.

—as amended May 2 was read the third time by title.

Senator Fasano moved the following amendment which failed to receive the required two-thirds vote:

Amendment 1 (718752) (with title amendment)—Delete lines 925-935.

And the title is amended as follows:

Delete lines 109-111 and insert: providing effective dates.

Senator Hays moved the following amendment which was adopted by two-thirds vote:

Amendment 2 (625908) (with title amendment)—Between lines 935 and 936 insert:

Section 33. Paragraph (t) of subsection (2) of section 499.01, Florida Statutes, is amended to read:

499.01 Permits.—

(2) The following permits are established:

(t) *Health care clinic establishment permit.*—Effective January 1, 2009, a health care clinic establishment permit is required for the purchase of a prescription drug by a place of business at one general physical location that provides health care or veterinary services, which is owned and operated by a business entity that has been issued a federal employer tax identification number. For the purpose of this paragraph, the term “qualifying practitioner” means a licensed health care practitioner defined in s. 456.001, or a veterinarian licensed under chapter 474, who is authorized under the appropriate practice act to prescribe and administer a prescription drug.

1. An establishment must provide, as part of the application required under s. 499.012, designation of a qualifying practitioner who will be responsible for complying with all legal and regulatory requirements related to the purchase, recordkeeping, storage, and handling of the prescription drugs. In addition, the designated qualifying practitioner shall be the practitioner whose name, establishment address, and license number is used on all distribution documents for prescription drugs purchased or returned by the health care clinic establishment. Upon initial appointment of a qualifying practitioner, the qualifying practitioner and the health care clinic establishment shall notify the department on a form furnished by the department within 10 days after such employment. In addition, the qualifying practitioner and health care clinic establishment shall notify the department within 10 days after any subsequent change.

2. The health care clinic establishment must employ a qualifying practitioner at each establishment.

3. In addition to the remedies and penalties provided in this part, a violation of this chapter by the health care clinic establishment or qualifying practitioner constitutes grounds for discipline of the qualifying practitioner by the appropriate regulatory board.

4. The purchase of prescription drugs by the health care clinic establishment is prohibited during any period of time when the establishment does not comply with this paragraph.

5. A health care clinic establishment permit is not a pharmacy permit or otherwise subject to chapter 465. A health care clinic establishment that meets the criteria of a modified Class II institutional pharmacy under s. 465.019 is not eligible to be permitted under this paragraph.

6. This paragraph does not apply to the purchase of a prescription drug by a licensed practitioner under his or her license. *A professional corporation or limited liability company composed of dentists and operating as authorized in s. 466.0285 may pay for prescription drugs obtained by a practitioner licensed under chapter 466, and the licensed practitioner is deemed the purchaser and owner of the prescription drugs.*

And the title is amended as follows:

Delete line 111 and insert: ingredients; amending s. 499.01, F.S.; authorizing certain business entities to pay for prescription drugs obtained by practitioners licensed under ch. 466, F.S.; providing effective dates.

On motion by Senator Hays, **CS for CS for SB 1824** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Gardiner	Ring
Benacquisto	Hays	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Norman	

Nays—3

Fasano	Garcia	Rich
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Vote after roll call:

Yea—Negron

Yea to Nay—Norman, Sobel

CS for SB 1590—A bill to be entitled An act relating to medical malpractice; creating ss. 458.3175, 459.0066, and 466.005, F.S.; requiring the Department of Health to issue expert witness certificates to certain physicians and dentists licensed outside the state; providing application and certification requirements; establishing application fees; providing for the validity and use of certifications; exempting physicians and dentists issued certifications from certain licensure and fee requirements; amending ss. 458.331, 459.015, and 466.028, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; providing construction with respect to the doctrine of incorporation by reference; amending ss. 458.351 and 459.026, F.S.; requiring the Board of Medicine and the Board of Osteopathic Medicine to adopt within a specified period certain patient forms specifying cataract surgery risks; specifying that an incident resulting from risks disclosed in the patient form is not an adverse

incident; providing for the execution and admissibility of the patient forms in civil and administrative proceedings; creating a rebuttable presumption that a physician disclosed cataract surgery risks if the patient form is executed; amending s. 627.4147, F.S.; deleting a requirement that medical malpractice insurance contracts contain a clause authorizing the insurer to make and conclude certain offers within policy limits over the insured's veto; amending s. 766.102, F.S.; defining terms; providing that certain insurance information is not admissible as evidence in medical negligence actions; requiring that certain expert witnesses who provide certain expert testimony meet certain licensure or certification requirements; excluding a health care provider's failure to comply with or breach of federal requirements from evidence in medical negligence cases in the state; amending s. 766.106, F.S.; requiring claimants for medical malpractice to execute an authorization form; authorizing prospective defendants to take unsworn statements of a claimant's health care provider; creating s. 766.1065, F.S.; requiring that presuit notice for medical negligence claims be accompanied by an authorization for release of protected health information; providing requirements for the form of such authorization; amending s. 766.206, F.S.; requiring dismissal of a medical malpractice claim if such authorization is not completed in good faith; amending s. 768.135, F.S.; defining the term "volunteer team physician"; providing that a volunteer team physician is not liable for civil damages unless treatment was rendered in a wrongful manner; providing that certain practitioners who conduct certain evaluations are not liable for civil damages unless the evaluation was conducted in a wrongful manner; defining the term "wrongful manner"; providing an effective date.

—as amended May 2 was read the third time by title.

Amendments were considered and adopted to conform **CS for SB 1590 to CS for CS for CS for CS for HB 479**.

Pending further consideration of **CS for SB 1590** as amended, on motion by Senator Hays, by two-thirds vote **CS for CS for CS for CS for HB 479** was withdrawn from the Committees on Health Regulation; Banking and Insurance; and Budget.

On motion by Senator Hays, by two-thirds vote—

CS for CS for CS for CS for HB 479—A bill to be entitled An act relating to medical malpractice; creating ss. 458.3175, 459.0066, and 466.005, F.S.; requiring the Department of Health to issue expert witness certificates to certain physicians and dentists licensed outside of the state; providing application and certification requirements; establishing application fees; providing for the validity and use of certifications; exempting physicians and dentists issued certifications from certain licensure and fee requirements; amending ss. 458.331, 459.015, and 466.028, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; providing construction with respect to the doctrine of incorporation by reference; amending ss. 458.351 and 459.026, F.S.; requiring the Board of Medicine and the Board of Osteopathic Medicine to adopt within a specified period certain patient forms specifying cataract surgery risks; specifying that an incident resulting from risks disclosed in the patient form is not an adverse incident; providing for the execution and admissibility of the patient forms in civil and administrative proceedings; creating a rebuttable presumption that a physician disclosed cataract surgery risks if the patient form is executed; amending s. 627.4147, F.S.; deleting a requirement that medical malpractice insurance contracts contain a clause authorizing the insurer to make and conclude certain offers within policy limits over the insured's veto; amending s. 766.102, F.S.; defining terms; providing that certain insurance information is not admissible as evidence in medical negligence actions; establishing the burden of proof that a claimant must meet in certain damage claims against health care providers based on death or personal injury; requiring that certain expert witnesses who provide certain expert testimony meet certain licensure or certification requirements; excluding a health care provider's failure to comply with or breach of federal requirements from evidence in medical negligence cases in the state; amending s. 766.106, F.S.; requiring a claimant for medical malpractice to execute an authorization form; revising provisions relating to discovery and admissibility; allowing a prospective medical malpractice defendant to interview a claimant's treating health care providers without the presence of the claimant or the claimant's legal representative; requiring a prospective defendant to provide 10 days' notice before such interviews; authorizing a prospective defendant to take unsworn statements of a claimant's health care providers; creating s. 766.1065, F.S.; requiring that presuit

notice for medical negligence claims be accompanied by an authorization for release of protected health information; providing requirements for the form of such authorization; amending s. 766.206, F.S.; requiring dismissal of a medical malpractice claim if such authorization is not completed in good faith; amending s. 768.0981, F.S.; limiting the liability of hospitals related to certain medical negligence claims; amending s. 768.135, F.S.; providing immunity for volunteer team physicians under certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for SB 1590** as amended and read the second time by title.

MOTION

On motion by Senator Hays, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Hays moved the following amendments which were adopted:

Amendment 1 (911838)—Delete line 761 and insert:

Section 16. This act shall take effect October 1, 2011, and applies to causes of action accruing on or after that date.

Amendment 2 (855110) (with directory and title amendments)—Delete lines 385-400.

And the directory clause is amended as follows:

Delete line 353 and insert:

Section 10. Subsections (3) and (5) of section

And the title is amended as follows:

Delete lines 31-34 and insert: evidence in medical negligence actions; requiring that certain expert

Amendment 3 (462134) (with title amendment)—Delete lines 718-729.

And the title is amended as follows:

Delete lines 55-57 and insert: authorization is not completed in good faith; amending s.

Amendment 4 (593896)—Delete lines 553-561 and insert:

5. *Unsworn statements of treating health care providers*

Amendment 5 (512636) (with title amendment)—Between lines 699 and 700 insert:

Section 13. Subsection (3) is added to section 766.110, Florida Statutes, to read:

766.110 Liability of health care facilities.—

(3) *In order to ensure comprehensive risk management for diagnosis of disease, a health care facility, including a hospital or ambulatory surgical center, as defined in chapter 395, may use scientific diagnostic disease methodologies that use information regarding specific diseases in health care facilities and that are adopted by the facility's medical review committee.*

And the title is amended as follows:

Delete line 53 and insert: such authorization; amending s. 766.110, F.S.; authorizing a health care facility to use scientific diagnostic disease methodologies that use information regarding specific diseases in health care facilities and that are adopted by the facility's medical review committee; amending s. 766.206, F.S.; requiring

On motion by Senator Hays, by two-thirds vote **CS for CS for CS for CS for HB 479** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Evers	Montford
Alexander	Fasano	Negron
Altman	Flores	Norman
Benacquisto	Gaetz	Oelrich
Bennett	Garcia	Richter
Bogdanoff	Gardiner	Simmons
Dean	Hays	Siplin
Detert	Jones	Sobel
Diaz de la Portilla	Latvala	Thrasher
Dockery	Lynn	Wise

Nays—9

Braynon	Margolis	Sachs
Hill	Rich	Smith
Joyner	Ring	Storms

CS for HB 913—A bill to be entitled An act relating to public records; creating s. 332.16, F.S.; providing definitions; providing an exemption from public records requirements for proprietary confidential business information and trade secrets held by a public airport and for any proposal or counterproposal exchanged between a public airport and a nongovernmental entity relating to the sale, use, development, or lease of airport facilities; providing for expiration of the exemptions; providing for future legislative review and repeal of the exemptions under the Open Government Sunset Review Act; providing a finding of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Latvala **CS for HB 913** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—1

Rich

SPECIAL ORDER CALENDAR

CS for SB 90—A bill to be entitled An act relating to financial emergencies; amending s. 163.07, F.S.; requiring a plan of a county or municipality to improve the efficiency, accountability, and coordination of the delivery of local government services to include a plan for the consolidation of all administrative direction and support services if the county or municipality is subject to review and oversight by the Governor; amending s. 218.503, F.S.; authorizing a financial emergency review board for a local governmental entity or district school board to consult with other governmental entities for the consolidation of all administrative direction and support services; authorizing the Governor or Commissioner of Education to require a local governmental entity or district school board to develop a plan implementing the consolidation, sourcing, or discontinuance of all administrative direction and support services; providing that the members of the governing body of a local governmental entity or the members of a district school board who fail to

resolve a state of financial emergency are subject to suspension or removal from office; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Richter, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Richter moved the following amendment which was adopted:

Amendment 1 (712690) (with title amendment)—Between lines 27 and 28 insert:

Section 1. Subsection (3) of section 170.01, Florida Statutes, is amended to read:

170.01 Authority for providing improvements and levying and collecting special assessments against property benefited.—

(3) Any municipality, subject to the approval by ~~of~~ a majority vote of the affected property owners *voting in an election*, may levy and collect special assessments against property benefited for the purpose of stabilizing and improving:

- (a) Retail business districts,
- (b) Wholesale business districts, or
- (c) Nationally recognized historic districts,

or any combination of such districts, through promotion, management, marketing, and other similar services in such districts of the municipality. This subsection does not authorize a municipality to use bond proceeds to fund ongoing operations of these districts.

And the title is amended as follows:

Delete line 2 and insert: An act relating to local government; amending s. 170.01, F.S.; clarifying that certain assessments must be approved by a majority vote of certain voting electors; amending s.

On motion by Senator Gaetz, by two-thirds vote **CS for SB 90** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Garcia

SB 118—A bill to be entitled An act relating to bicycle safety; amending s. 316.2065, F.S.; revising safety standard requirements for bicycle helmets that must be worn by certain riders and passengers; providing for enforcement of requirements for bicycle lighting equipment; providing penalties for violations; providing for dismissal of the charge following a first offense under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Latvala, by two-thirds vote **SB 118** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Alexander	Flores	Norman
Altman	Gaetz	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—1

Oelrich

Vote after roll call:

Yea—Mr. President, Garcia

SB 238—A bill to be entitled An act relating to child safety devices in motor vehicles; amending s. 316.613, F.S.; providing child-restraint requirements for children ages 4 through 7 years of age who are less than a specified height; providing certain exceptions; redefining the term “motor vehicle” to exclude certain vehicles from such requirements; providing a grace period; providing effective dates.

—was read the second time by title. On motion by Senator Altman, by two-thirds vote **SB 238** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Braynon	Hill	Simmons
Dean	Jones	Siplin
Detert	Joyner	Smith
Diaz de la Portilla	Latvala	Sobel
Dockery	Lynn	Thrasher
Fasano	Margolis	Wise
Flores	Montford	

Nays—5

Bogdanoff	Norman	Storms
Negron	Oelrich	

Vote after roll call:

Yea—Evers

SPECIAL GUEST

The President recognized former Senator Al Lawson who was present in the chamber.

CS for CS for SB 450—A bill to be entitled An act relating to emergency management; creating s. 252.515, F.S.; providing a short title; providing immunity from civil liability for providers of temporary housing and aid to emergency first responders and their immediate family members following a declared emergency; providing definitions; providing nonapplicability; authorizing specified registration with a

county emergency management agency as a provider of housing and aid for emergency first responders; providing an effective date.

—was read the second time by title. On motion by Senator Bennett, by two-thirds vote **CS for CS for SB 450** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

CS for SB 480—A bill to be entitled An act relating to the Florida Endowment for Vocational Rehabilitation; amending s. 413.615, F.S.; removing a provision that requires the State Board of Administration to invest and reinvest moneys in the endowment fund for the Florida Endowment for Vocational Rehabilitation; requiring that a specified percent of the remainder of all civil penalties received by a county court and after distribution pursuant to ch. 318, F.S., be remitted to the Department of Revenue on a monthly basis for deposit in the endowment fund; requiring that a specified percent of the additional fine assessed for violating traffic regulations protecting mobility-impaired persons be remitted to the Department of Revenue on a monthly basis for deposit in the endowment fund; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 480** to **CS for HB 811**.

Pending further consideration of **CS for SB 480** as amended, on motion by Senator Wise, by two-thirds vote **CS for HB 811** was withdrawn from the Committees on Community Affairs; Higher Education; Governmental Oversight and Accountability; Budget Subcommittee on Higher Education Appropriations; and Budget.

On motion by Senator Wise, the rules were waived and—

CS for HB 811—A bill to be entitled An act relating to the Florida Endowment Foundation for Vocational Rehabilitation; amending s. 318.21, F.S.; revising provisions for distribution of specified funds received from civil penalties for traffic infractions; directing the funds to be transmitted monthly by the Department of Revenue directly to the foundation; amending s. 413.615, F.S.; revising procedures for use of such funds; removing provisions for investment by the State Board of Administration; directing liquid balances of such funds held by the State Board of Administration to be remitted to the foundation; providing an effective date.

—a companion measure, was substituted for **CS for SB 480** as amended and read the second time by title.

On motion by Senator Wise, by two-thirds vote **CS for HB 811** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bennett	Detert
Alexander	Bogdanoff	Diaz de la Portilla
Altman	Braynon	Dockery
Benacquisto	Dean	Evers

Fasano	Latvala	Ring
Flores	Lynn	Sachs
Gaetz	Margolis	Simmons
Garcia	Montford	Siplin
Gardiner	Negron	Smith
Hays	Norman	Sobel
Hill	Oelrich	Storms
Jones	Rich	Thrasher
Joyner	Richter	Wise

Nays—None

SB 548—A bill to be entitled An act relating to obsolete health care provisions; repealing s. 381.0091, F.S., relating to the designation of separate restrooms and separate dressing rooms for males and females; repealing s. 381.736, F.S., relating to the Florida Healthy People 2010 Program; repealing ss. 408.90-408.908, F.S., relating to the MedAccess program within the Agency for Health Care Administration; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 548**, on motion by Senator Hays, by two-thirds vote **HB 4027** was withdrawn from the Committees on Health Regulation; and Budget.

On motion by Senator Hays—

HB 4027—A bill to be entitled An act relating to obsolete health care provisions; repealing s. 381.0091, F.S., relating to the designation of separate restrooms and separate dressing rooms for males and females; repealing s. 381.736, F.S., relating to the Florida Healthy People 2010 Program; repealing ss. 408.90-408.908, F.S., relating to the MedAccess program within the Agency for Health Care Administration; providing an effective date.

—a companion measure, was substituted for **SB 548** and read the second time by title.

On motion by Senator Hays, by two-thirds vote **HB 4027** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Consideration of **CS for CS for SB 632** was deferred.

CS for SB 746—A bill to be entitled An act relating to open house parties; amending s. 856.015, F.S.; providing that a person who violates the open house party statute a second or subsequent time commits a misdemeanor of the first degree; providing that a person commits a misdemeanor of the first degree if the violation of the open house party statute causes or contributes to causing serious bodily injury or death to the minor, or causes or contributes to causing serious bodily injury or death to another person as a result of the minor's consumption of alcohol or drugs at the open house party; providing criminal penalties; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 746**, on motion by Senator Altman, by two-thirds vote **CS for HB 105** was withdrawn from the Committees on Regulated Industries; Criminal Justice; and Budget.

On motion by Senator Altman—

CS for HB 105—A bill to be entitled An act relating to open house parties; amending s. 856.015, F.S.; providing that a person who violates the open house party statute a second or subsequent time commits a misdemeanor of the first degree; providing that a person commits a misdemeanor of the first degree if the violation of the open house party statute causes or contributes to causing serious bodily injury or death to the minor, or causes or contributes to causing serious bodily injury or death to another person as a result of the minor's consumption of alcohol or drugs at the open house party; providing criminal penalties; providing an effective date.

—a companion measure, was substituted for **CS for SB 746** and read the second time by title.

On motion by Senator Altman, by two-thirds vote **CS for HB 105** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—1

Sachs

On motion by Senator Diaz de la Portilla—

SB 788—A bill to be entitled An act relating to public school educational instruction; amending s. 1003.44, F.S.; requiring district school boards to designate one month of the school year to celebrate the Founding Fathers of the United States of America and the principles inherent in the country's founding documents; specifying the focus of instruction during the designated month; providing that instruction may be integrated into the existing school curriculum; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 788** was placed on the calendar of Bills on Third Reading.

SB 870—A bill to be entitled An act relating to compensation of county officials; amending ss. 145.031, 145.051, 145.071, 145.09, 145.10, and 145.11, F.S.; authorizing each member of a board of county commissioners, each clerk of the circuit court, county comptroller, each sheriff, each supervisor of elections, each property appraiser, and each tax collector to reduce his or her salary on a voluntary basis; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 870**, on motion by Senator Storms, by two-thirds vote **HB 19** was withdrawn from the Committees on Community Affairs; and Budget.

On motion by Senator Storms—

HB 19—A bill to be entitled An act relating to compensation of county officials; amending ss. 145.031, 145.051, 145.071, 145.09, 145.10, and 145.11, F.S.; authorizing each member of a board of county commissioners, each clerk of the circuit court, county comptroller, each sheriff, each supervisor of elections, each property appraiser, and each tax collector to reduce his or her salary on a voluntary basis; providing an effective date.

—a companion measure, was substituted for SB 870 and read the second time by title.

SENATOR FASANO PRESIDING

On motion by Senator Storms, by two-thirds vote HB 19 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Altman	Gaetz	Norman
Benacquisto	Garcia	Oelrich
Bennett	Gardiner	Rich
Bogdanoff	Hays	Richter
Braynon	Hill	Ring
Dean	Jones	Sachs
Detert	Joyner	Simmons
Diaz de la Portilla	Latvala	Siplin
Dockery	Lynn	Sobel
Evers	Margolis	Storms
Fasano	Montford	Thrasher
Flores	Negron	Wise

Nays—None

CS for SB 880—A bill to be entitled An act relating to value adjustment boards; creating s. 194.014, F.S.; requiring a petitioner challenging the assessed value of property before the value adjustment board to pay a specified percentage of the taxes by a certain date; requiring a petitioner challenging the denial of a classification or exemption, or the assessment on specified grounds, before the value adjustment board to pay the amount of tax which the taxpayer admits in good faith to be owing by a certain date; providing for a penalty if the taxpayer’s payment is grossly disproportionate to the amount of tax found to be due and the taxpayer’s admission was not made in good faith; requiring the board to deny the petition in writing by a certain date if the required amount of taxes is not timely paid; requiring the payment of interest on certain unpaid taxes; requiring the payment of interest on certain overpayments of taxes; providing that s. 194.014, F.S., does not apply to petitions for ad valorem deferrals pursuant to ch. 197, F.S.; amending s. 194.034, F.S.; conforming provisions to changes made by the act; amending s. 197.162, F.S.; revising a provision providing for a discount for ad valorem taxes paid within 30 days after the mailing of a corrected tax notice resulting from the action of a value adjustment if the corrected tax notice is issued before the taxes become delinquent; providing for application of the act; providing an effective date.

—was read the second time by title.

Pending further consideration of CS for SB 880, on motion by Senator Garcia, by two-thirds vote CS for CS for CS for HB 281 was withdrawn from the Committees on Community Affairs; and Budget.

On motion by Senator Garcia—

CS for CS for CS for HB 281—A bill to be entitled An act relating to value adjustment boards; creating s. 194.014, F.S.; requiring a petitioner challenging the assessed value of property before the value adjustment board to pay a specified percentage of the taxes by a certain date; requiring a petitioner challenging the denial of a classification or exemption, or the assessment on specified grounds, before the value adjustment board to pay the amount of tax which the taxpayer admits in good faith to be owing by a certain date; providing for a penalty if the good faith payment is grossly disproportionate to the amount of tax found to

be due and the taxpayer’s admission was not made in good faith; requiring the board to deny the petition in writing by a certain date if the required amount of taxes is not timely paid; requiring the payment of interest on certain unpaid taxes; requiring the payment of interest on certain overpayments of taxes; providing that s. 194.014, F.S., does not apply to petitions for ad valorem tax deferrals pursuant to ch. 197, F.S.; amending s. 194.034, F.S.; conforming a provision to changes made by this act; amending s. 197.162, F.S.; providing for a discount for ad valorem taxes paid within 30 days after the mailing of a corrected tax notice resulting from the action of a value adjustment board when the corrected tax notice is issued before the taxes become delinquent; providing applicability; providing an effective date.

—a companion measure, was substituted for CS for SB 880 and read the second time by title.

On motion by Senator Garcia, by two-thirds vote CS for CS for CS for HB 281 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Sachs
Bennett	Hays	Simmons
Bogdanoff	Hill	Siplin
Braynon	Jones	Smith
Dean	Joyner	Sobel
Detert	Latvala	Storms
Diaz de la Portilla	Lynn	Thrasher
Dockery	Margolis	Wise
Evers	Montford	
Fasano	Norman	

Nays—1

Negron

Vote after roll call:

Yea—Ring

Yea to Nay—Storms

CS for SB 886—A bill to be entitled An act relating to motor vehicles; amending s. 316.3045, F.S.; revising penalties for unlawful operation of a soundmaking device in a motor vehicle; providing that a second or subsequent violation is a moving violation and includes the assessment of points against the driver’s license; amending s. 318.18, F.S.; providing increased penalties for repeat violations within a certain time period; providing an effective date.

—was read the second time by title. On motion by Senator Oelrich, by two-thirds vote CS for SB 886 was read the third time by title and failed to pass. The vote was:

Yeas—16

Mr. President	Gardiner	Richter
Bennett	Hays	Simmons
Dean	Jones	Storms
Diaz de la Portilla	Lynn	Wise
Fasano	Montford	
Gaetz	Oelrich	

Nays—20

Altman	Dockery	Margolis
Benacquisto	Flores	Negron
Bogdanoff	Garcia	Norman
Braynon	Hill	Rich
Detert	Joyner	Ring

Sachs Smith Thrasher
Siplin Sobel

Nays—None

Vote after roll call:

Yea to Nay—Mr. President

SPECIAL GUESTS

Senator Hays introduced former Senator Vince Fechtel and his wife who were present in the gallery.

CS for CS for SB 888—A bill to be entitled An act relating to the offense of sexting; providing that a minor commits the offense of sexting if he or she knowingly uses a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any photograph or video of any person which depicts nudity and is harmful to minors; providing noncriminal and criminal penalties; providing that the transmission or distribution of multiple photographs or videos is a single offense if the transmission occurs within a 24-hour period; providing that the act does not prohibit prosecution of a minor for conduct relating to material that includes the depiction of sexual conduct or sexual excitement or for stalking; defining the term found to have committed"; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 888**, on motion by Senator Dean, by two-thirds vote **CS for CS for HB 75** was withdrawn from the Committees on Criminal Justice; Judiciary; Communications, Energy, and Public Utilities; and Budget.

On motion by Senator Dean—

CS for CS for HB 75—A bill to be entitled An act relating to the offense of sexting; providing that a minor commits the offense of sexting if he or she knowingly uses a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any photograph or video of any person which depicts nudity and is harmful to minors; providing that a minor commits the offense of sexting if he or she knowingly possesses a photograph or video of any person that was transmitted or distributed by another minor which depicts nudity and is harmful to minors; providing an exception; providing noncriminal and criminal penalties; providing that the transmission, distribution, or possession of multiple photographs or videos is a single offense if the transmission occurs within a 24-hour period; providing that the act does not prohibit prosecution of a minor for conduct relating to material that includes the depiction of sexual conduct or sexual excitement or for stalking; defining the term "found to have committed"; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 888** and read the second time by title.

On motion by Senator Dean, by two-thirds vote **CS for CS for HB 75** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

RECESS

On motion by Senator Thrasher, the Senate recessed at 11:51 a.m. to reconvene at 12:30 p.m.

AFTERNOON SESSION

The Senate was called to order by President Haridopolos at 12:40 p.m. A quorum present—35:

Mr. President	Flores	Rich
Alexander	Gaetz	Richter
Altman	Gardiner	Ring
Benacquisto	Hays	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Bullard	Lynn	Sobel
Detert	Montford	Storms
Diaz de la Portilla	Negron	Thrasher
Evers	Norman	Wise
Fasano	Oelrich	

SPECIAL ORDER CALENDAR

Consideration of **CS for CS for SB 1180**, **CS for SB 1182** and **CS for CS for SB 1194** was deferred.

CS for SB 1226—A bill to be entitled An act relating to health care fraud; amending s. 456.0635, F.S.; revising the grounds under which the Department of Health or corresponding board is required to refuse to admit a candidate to an examination and refuse to issue or renew a license, certificate, or registration of a health care practitioner; providing an exception; amending s. 456.036, F.S.; requiring a delinquent licensee whose license becomes delinquent before the final resolution of a case regarding Medicaid fraud to affirmatively apply by submitting a complete application for active or inactive status during the licensure cycle in which the case achieves final resolution by order of the court; providing that failure by a delinquent licensee to become active or inactive before the expiration of that licensure cycle renders the license null; requiring that any subsequent licensure be as a result of applying for and meeting all requirements imposed on an applicant for new licensure; providing an effective date.

—was read the second time by title. On motion by Senator Joyner, by two-thirds vote **CS for SB 1226** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Gaetz	Richter
Alexander	Gardiner	Ring
Altman	Hays	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Montford	Sobel
Detert	Negron	Storms
Diaz de la Portilla	Norman	Thrasher
Fasano	Oelrich	Wise
Flores	Rich	

Nays—None

Vote after roll call:

Yea—Benacquisto, Dockery, Evers, Garcia, Lynn

SB 1584—A bill to be entitled An act relating to deaf and hard-of-hearing children; creating the "Deaf and Hard-of-Hearing Children's

Educational Bill of Rights"; providing findings and purpose; recognizing the unique communication needs of deaf and hard-of-hearing children and encouraging the development of a communication-driven and language-driven educational delivery system in the state; requiring the Department of Education to develop a communication model to become part of the individual education plan process for deaf and hard-of-hearing students; providing an effective date.

—was read the second time by title. On motion by Senator Sobel, by two-thirds vote **SB 1584** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Lynn	Smith
Diaz de la Portilla	Montford	Sobel
Dockery	Negron	Storms
Fasano	Norman	Wise

Nays—None

Vote after roll call:

Yea—Bennett, Evers, Garcia, Thrasher

SB 1624—A bill to be entitled An act relating to outdoor theaters; repealing ch. 555, F.S., relating to access to public roads from outdoor theaters; removing provisions for entrances, exits, enclosures, vehicle storage, screen orientation, tower location, and driveway lighting; removing requirements for a qualifying certificate to prove compliance with agency regulations prior to issuance of an occupational license by the tax collector; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1624**, on motion by Senator Lynn, by two-thirds vote **HB 4009** was withdrawn from the Committee on Transportation.

On motion by Senator Lynn—

HB 4009—A bill to be entitled An act relating to outdoor theaters; repealing ch. 555, F.S., relating to access to public roads from outdoor theaters; removing provisions for entrances, exits, enclosures, vehicle storage, screen orientation, tower location, and driveway lighting; removing requirements for a qualifying certificate to prove compliance with agency regulations prior to issuance of an occupational license by the tax collector; providing an effective date.

—a companion measure, was substituted for **SB 1624** and read the second time by title.

On motion by Senator Lynn, by two-thirds vote **HB 4009** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Dockery	Margolis
Alexander	Evers	Montford
Altman	Fasano	Negron
Benacquisto	Flores	Norman
Bennett	Gaetz	Oelrich
Bogdanoff	Hays	Rich
Braynon	Hill	Richter
Dean	Jones	Sachs
Detert	Joyner	Simmons
Diaz de la Portilla	Lynn	Siplin

Smith	Storms	Wise
Sobel	Thrasher	

Nays—None

Vote after roll call:

Yea—Garcia, Gardiner

CS for SB 1626—A bill to be entitled An act relating to television picture tubes; repealing ss. 817.559 and 817.56, F.S., relating to television picture tubes; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1626**, on motion by Senator Lynn, by two-thirds vote **CS for HB 4013** was withdrawn from the Committee on Commerce and Tourism.

On motion by Senator Lynn—

CS for HB 4013—A bill to be entitled An act relating to television picture tubes; repealing ss. 817.559 and 817.56, F.S., relating to television picture tube labeling requirements and misrepresentations of television picture tubes; providing an effective date.

—a companion measure, was substituted for **CS for SB 1626** and read the second time by title.

On motion by Senator Lynn, by two-thirds vote **CS for HB 4013** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	
Flores	Norman	

Nays—1

Benacquisto

CS for SB 1650—A bill to be entitled An act relating to child custody; amending s. 61.13002, F.S.; providing that a parent's activation, deployment, or temporary assignment to military service and the resultant temporary disruption to the child may not be the sole factor in granting a petition for or modification of time-sharing and parental responsibility; providing that a time-sharing and parental responsibility order in effect before a temporary change due to a parent's military service shall automatically be reinstated after a specified period after return and notice by the returning parent; providing an exception; specifying burden of proof for the exception; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 1650** to **CS for HB 621**.

Pending further consideration of **CS for SB 1650** as amended, on motion by Senator Storms, by two-thirds vote **CS for HB 621** was withdrawn from the Committees on Judiciary; Military Affairs, Space, and Domestic Security; Children, Families, and Elder Affairs; and Budget.

On motion by Senator Storms, by two-thirds vote—

CS for HB 621—A bill to be entitled An act relating to child custody; amending s. 61.13002, F.S.; providing that a parent’s activation, deployment, or temporary assignment to military service and the resultant temporary disruption to the child may not be the sole factor in granting a petition for or modification of permanent time-sharing and parental responsibility; providing an effective date.

—a companion measure, was substituted for **CS for SB 1650** as amended and by two-thirds vote read the second time by title.

On motion by Senator Storms, by two-thirds vote **CS for HB 621** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

On motion by Senator Thrasher—

CS for SB 1676—A bill to be entitled An act relating to sovereign immunity; providing legislative findings and intent; amending s. 766.1115, F.S.; providing that specified provisions relating to sovereign immunity for health care providers do not apply to certain affiliation agreements or contracts to provide certain comprehensive health care services; amending s. 768.28, F.S.; expanding the definition of the term “officer, employee, or agent” for purposes of sovereign immunity to include certain health care providers; providing that certain colleges and universities that own or operate a medical school or any of its employees or agents that have agreed in an affiliation agreement to provide patient services as agents of a teaching hospital that is owned or operated by a governmental entity having health care responsibilities, or a not-for-profit entity that operates such facilities as an agent of that governmental entity under a lease, are agents of the state and are immune from certain liability for torts; requiring the contract to provide for indemnification; providing that the portion of the not-for-profit entity deemed to be an agent of the state for purpose of indemnity is also an agency of the state for purpose of public-records laws; providing definitions; requiring that each patient, or the patient’s legal representative, receive written notice regarding the patient’s exclusive remedy for injury or damage suffered; providing that an employee providing patient services is not an employee or agent of the state for purposes of workers’ compensation; providing for application; providing an effective date.

—was read the second time by title.

Senator Thrasher moved the following amendment which was adopted:

Amendment 1 (271574) (with title amendment)—Delete every-thing after the enacting clause and insert:

Section 1. (1) *The Legislature finds that:*

(a) *Access to high-quality, comprehensive, and affordable health care for all persons in this state is a necessary state goal and teaching hospitals play an essential role in providing that access.*

(b) *Graduate medical education, provided by nonprofit independent colleges and universities located and chartered in this state which own or*

operate medical schools, helps provide the comprehensive specialty training needed by medical school graduates to develop and refine the skills essential to the provision of high-quality health care for state residents. Much of that education and training is provided in teaching hospitals under the direct supervision of medical faculty who provide guidance, training, and oversight and serve as role models to their students.

(c) *A large proportion of medical care is provided in teaching hospitals that serve as safety nets for many indigent and underserved patients who otherwise might not receive the medical help they need. Resident physician training that takes place in such hospitals provides much of the care provided to this population. Medical faculty, supervising such training and care, are a vital link between educating and training resident physicians and ensuring the provision of quality care for indigent and underserved residents. Physicians who assume this role are often called upon to juggle the demands of patient care, teaching, health policy, and budgetary issues related to the programs they administer.*

(d) *While teaching hospitals are afforded state sovereign immunity protections under s. 768.28, Florida Statutes, the nonprofit independent colleges and universities located and chartered in this state which own or operate medical schools and which enter into affiliation agreements or contracts with the teaching hospitals to provide patient services are not afforded the same sovereign immunity protections. The employees or agents of such nonprofit independent colleges and universities, therefore, do not have the same level of protection against liability claims as the employees and agents of teaching hospitals providing the same patient services to the same patients.*

(e) *Nonprofit colleges and universities located and chartered in this state which own or operate medical schools and their employees and agents, which are not covered by the state’s sovereign immunity protections, are disproportionately affected by claims arising out of alleged medical malpractice and other allegedly negligent acts. Given the recent growth in medical schools and medical education programs and ongoing efforts to support, strengthen, and increase physician residency training positions and medical faculty in both existing and newly designated teaching hospitals, this exposure and the consequent disparity in liability exposure will continue to increase. The vulnerability of these colleges and universities to claims of medical malpractice will only add to the current physician workforce crisis in this state and can be alleviated only through legislative action.*

(f) *Ensuring that the employees and agents of nonprofit independent colleges and universities located and chartered in this state which own or operate medical schools are able to continue to treat patients, provide graduate medical education, supervise medical students, and provide administrative support and services in teaching hospitals is an overwhelming public necessity.*

(2) *The Legislature intends that:*

(a) *Employees and agents of nonprofit independent colleges and universities located and chartered in this state which own or operate medical schools who provide patient services as agents of a teaching hospital be immune from lawsuits in the same manner and to the same extent as employees and agents of teaching hospitals in this state under existing law, and that such colleges and universities and their employees and agents not be held personally liable in tort or named as a party defendant in an action while providing patient services in a teaching hospital, unless such services are provided in bad faith, with malicious purpose, or in a manner exhibiting wanton and willful disregard of human rights, safety, or property.*

(b) *Nonprofit independent private colleges and universities located and chartered in this state which own or operate medical schools and which permit their employees or agents to provide patient services in teaching hospitals pursuant to an affiliation agreement or other contract be afforded sovereign immunity protections under s. 768.28, Florida Statutes.*

(3) *The Legislature declares that there is an overwhelming public necessity for extending the state’s sovereign immunity to nonprofit independent colleges and universities located and chartered in this state which own or operate medical schools and provide patient services in teaching hospitals, and to their employees and agents, and that there is no alternative method of meeting such public necessity.*

(4) The terms “employee or agent,” “patient services,” and “teaching hospital” as used in this section have the same meaning as defined in s. 768.28, Florida Statutes, as amended by this act.

Section 2. Subsection (11) of section 766.1115, Florida Statutes, is amended to read:

766.1115 Health care providers; creation of agency relationship with governmental contractors.—

(11) APPLICABILITY.—This section applies to incidents occurring on or after April 17, 1992. This section does not:

(a) Apply to any health care contract entered into by the Department of Corrections which is subject to s. 768.28(10)(a).

(b) Apply to any affiliation agreement or other contract that is subject to s. 768.28(10)(f). ~~Nothing in this section in any way reduces or limits~~

(c) Reduce or limit the rights of the state or any of its agencies or subdivisions to any benefit currently provided under s. 768.28.

Section 3. Paragraph (b) of subsection (9) of section 768.28, Florida Statutes, is amended, and paragraph (f) is added to subsection (10) of that section, to read:

768.28 Waiver of sovereign immunity in tort actions; recovery limits; limitation on attorney fees; statute of limitations; exclusions; indemnification; risk management programs.—

(9)

(b) As used in this subsection, the term:

1. “Employee” includes any volunteer firefighter.

2. “Officer, employee, or agent” includes, but is not limited to, any health care provider when providing services pursuant to s. 766.1115; any member of the Florida Health Services Corps, as defined in s. 381.0302, who provides uncompensated care to medically indigent persons referred by the Department of Health; *any nonprofit independent college or university located and chartered in this state which owns or operates an accredited medical school, and its employees or agents, when providing patient services pursuant to paragraph (10)(f);* and any public defender or her or his employee or agent, including, among others, an assistant public defender and an investigator.

(10)

(f) For purposes of this section, any nonprofit independent college or university located and chartered in this state which owns or operates an accredited medical school, or any of its employees or agents, and which has agreed in an affiliation agreement or other contract to provide, or permit its employees or agents to provide, patient services as agents of a teaching hospital, is considered an agent of the teaching hospital while acting within the scope of and pursuant to guidelines established in the affiliation agreement or other contract. To the extent allowed by law, the contract must provide for the indemnification of the teaching hospital, up to the limits set out in this chapter, by the agent for any liability incurred which was caused by the negligence of the college or university or its employees or agents. The contract must also provide that those limited portions of the college, university, or medical school which are directly providing services pursuant to the contract and which are considered an agent of the teaching hospital for purposes of this section are deemed to be acting on behalf of a public agency as defined in s. 119.011(2).

1. For purposes of this paragraph, the term:

a. “Employee or agent” means an officer, employee, agent, or servant of a nonprofit independent college or university located and chartered in this state which owns or operates an accredited medical school, including, but not limited to, the faculty of the medical school, any health care practitioner or licensee as defined in s. 456.001 for which the college or university is vicariously liable, and the staff or administrators of the medical school.

b. “Patient services” mean:

(I) Comprehensive health care services as defined in s. 641.19, including any related administrative service, provided to patients in a teaching hospital;

(II) Training and supervision of interns, residents, and fellows providing patient services in a teaching hospital; or

(III) Training and supervision of medical students in a teaching hospital.

c. “Teaching hospital” means a teaching hospital as defined in s. 408.07 which is owned or operated by the state, a county or municipality, a public health trust, a special taxing district, a governmental entity having health care responsibilities, or a not-for-profit entity that operates such facility as an agent of the state, or a political subdivision of the state, under a lease or other contract.

2. The teaching hospital or the medical school, or its employees or agents, must provide notice to each patient, or the patient’s legal representative, that the college or university that owns or operates the medical school and the employees or agents of that college or university are acting as agents of the teaching hospital and that the exclusive remedy for injury or damage suffered as the result of any act or omission of the teaching hospital, the college or university that owns or operates the medical school, or the employees or agents of the college or university, while acting within the scope of duties pursuant to the affiliation agreement or other contract with a teaching hospital, is by commencement of an action pursuant to the provisions of this section. This notice requirement may be met by posting the notice in a place conspicuous to all persons.

3. This paragraph does not designate any employee providing contracted patient services in a teaching hospital as an employee or agent of the state for purposes of chapter 440.

Section 4. This act shall take effect upon becoming a law, and applies to all claims accruing on or after that date.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to sovereign immunity; providing legislative findings and intent; amending s. 766.1115, F.S.; providing that specified provisions relating to sovereign immunity for health care providers do not apply to certain affiliation agreements or contracts to provide certain comprehensive health care services; amending s. 768.28, F.S.; expanding the definition of the term “officer, employee, or agent” for purposes of provisions expanding sovereign immunity to include certain colleges and universities when providing patient services; providing that certain colleges and universities that own or operate a medical school or any of its employees or agents providing patient services pursuant to a contract with a teaching hospital are agents of the teaching hospital and are immune from certain liability for torts; requiring the contract to provide for indemnification; providing that the portion of the not-for-profit entity which is considered to be an agent of the teaching hospital for purposes of extension of the waiver of sovereign immunity is deemed to be acting on behalf of a public agency for purposes of public-records laws; providing definitions; requiring that each patient, or the patient’s legal representative, receive notice regarding the patient’s exclusive remedy for injury or damage suffered; providing that an employee providing patient services is not an employee or agent of the state for purposes of workers’ compensation; providing for application; providing an effective date.

Pursuant to Rule 4.19, CS for SB 1676 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of CS for CS for SB 1732 was deferred.

SM 1762—A memorial to the Congress of the United States, urging Congress to ban the sale, distribution, and possession of methylenedioxypyrovalerone (MDVP).

WHEREAS, methylenedioxypyrovalerone (MDPV) is a psychoactive drug with stimulant properties and has no history of FDA-approved medical use, and

WHEREAS, MDPV acts as a stimulant and has been reported to have amphetamine-like or cocaine-type effects, which include physical rapid heartbeat, vasoconstriction, sweating, euphoria, anxiety, agitation, perception of a diminished requirement for food and sleep, and increases in alertness, awareness, wakefulness, arousal, and blood pressure and

WHEREAS, Florida's Attorney General has issued an emergency order banning the sale of substances containing MDVP in the state for a limited period, and

WHEREAS, federal action is needed to control MDVP and keep it from entering this state from elsewhere, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Congress of the United States is urged to ban the sale, distribution, and possession of methylenedioxyprovalerone (MDVP).

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full.

The Committee on Health Regulation recommended the following amendment which was moved by Senator Smith and adopted:

Amendment 1 (231150) (with title amendment)—Delete line 25 and insert:

(MDPV).

And the title is amended as follows:

Delete lines 4-18 and insert: possession of methylenedioxyprovalerone (MDPV).

WHEREAS, methylenedioxyprovalerone (MDPV) is a psychoactive drug with stimulant properties and has no history of FDA-approved medical use, and

WHEREAS, MDPV acts as a stimulant and has been reported to have amphetamine-like or cocaine-type effects, which include physical rapid heartbeat, vasoconstriction, sweating, euphoria, anxiety, agitation, perception of a diminished requirement for food and sleep, and increases in alertness, awareness, wakefulness, arousal, and blood pressure and

WHEREAS, Florida's Attorney General has issued an emergency order banning the sale of substances containing MDPV in the state for a limited period, and

WHEREAS, federal action is needed to control MDPV and keep

On motion by Senator Smith, SM 1762 as amended was adopted, ordered engrossed and then certified to the House.

SB 1788—A bill to be entitled An act relating to bicycle regulations; amending s. 316.2065, F.S.; removing a requirement to keep one hand on the handlebars while operating a bicycle; amending s. 322.27, F.S.; conforming a cross-reference to changes made by the act; providing an effective date.

—was read the second time by title. On motion by Senator Bogdanoff, by two-thirds vote SB 1788 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Detert	Gardiner
Alexander	Diaz de la Portilla	Hays
Altman	Dockery	Hill
Benacquisto	Evers	Jones
Bogdanoff	Flores	Joyner
Braynon	Gaetz	Latvala
Dean	Garcia	Lynn

Margolis	Richter	Smith
Montford	Ring	Sobel
Negron	Sachs	Storms
Norman	Simmons	Thrasher
Rich	Siplin	Wise

Nays—2

Fasano	Oelrich
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Vote after roll call:

Yea—Bennett

Yea to Nay—Joyner

CS for CS for CS for SB 1816—A bill to be entitled An act relating to surplus lines insurance; amending s. 626.931, F.S.; requiring a surplus lines agent to file quarterly on or before a specified time an affidavit stating that all surplus lines insurance transacted during the preceding quarter has been submitted to the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; requiring the premium tax due on a surplus lines policy to be computed on the gross premium under certain circumstances; providing a limit on the tax; amending s. 626.9325, F.S.; revising payment dates for the service fee; requiring the service fee on a surplus lines policy to be computed on the gross premium under certain circumstances; creating s. 626.9362, F.S.; authorizing the Department of Financial Services and the Office of Insurance Regulation to enter into a specified type of agreement with other states pursuant to federal law for the collection and allocation of certain nonadmitted insurance taxes; providing terms that may be included in the agreement; requiring the Florida Surplus Lines Service Office to implement an agreement entered into by the department and the Office of Insurance Regulation; providing for application; providing for legislative review of any cooperative reciprocal agreement entered into by the Chief Financial Officer and the office with another state or group of states; authorizing the Legislature to instruct the Chief Financial Officer and the office to withdraw from the cooperative reciprocal agreement if it determines that the agreement is not in the best interest of the state; providing for notice; requiring that the department submit a report to the Legislature; amending s. 626.938, F.S.; requiring certain insureds or self insurers engaging in specified insurance transactions with a foreign or alien insurer to compute the premium tax and service fees based on the gross premium under certain circumstances; providing a limit on the tax; requiring such insureds or self insurers to pay the applicable premium tax to the department and the service fee to the Florida Surplus Lines Service Office on or before a specified time; providing an effective date.

—was read the second time by title. On motion by Senator Fasano, by two-thirds vote CS for CS for CS for SB 1816 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Gardiner

RECONSIDERATION OF BILL

On motion by Senator Thrasher, the Senate recalled from Engrossing—

CS for SB 1676—A bill to be entitled An act relating to sovereign immunity; providing legislative findings and intent; amending s. 766.1115, F.S.; providing that specified provisions relating to sovereign immunity for health care providers do not apply to certain affiliation agreements or contracts to provide certain comprehensive health care services; amending s. 768.28, F.S.; expanding the definition of the term “officer, employee, or agent” for purposes of sovereign immunity to include certain health care providers; providing that certain colleges and universities that own or operate a medical school or any of its employees or agents that have agreed in an affiliation agreement to provide patient services as agents of a teaching hospital that is owned or operated by a governmental entity having health care responsibilities, or a not-for-profit entity that operates such facilities as an agent of that governmental entity under a lease, are agents of the state and are immune from certain liability for torts; requiring the contract to provide for indemnification; providing that the portion of the not-for-profit entity deemed to be an agent of the state for purpose of indemnity is also an agency of the state for purpose of public-records laws; providing definitions; requiring that each patient, or the patient’s legal representative, receive written notice regarding the patient’s exclusive remedy for injury or damage suffered; providing that an employee providing patient services is not an employee or agent of the state for purposes of workers’ compensation; providing for application; providing an effective date.

—for further consideration as amended this day.

On motion by Senator Thrasher, by two-thirds vote CS for SB 1676 as amended was read the third time by title, passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Mr. President, Flores, Oelrich; Alexander, Gaetz, Rich; Altman, Garcia, Richter; Benacquisto, Gardiner, Ring; Bennett, Hays, Sachs; Bogdanoff, Hill, Simmons; Braynon, Jones, Siplin; Dean, Latvala, Smith; Detert, Lynn, Sobel; Diaz de la Portilla, Margolis, Storms; Dockery, Montford, Thrasher; Evers, Negron, Wise; Fasano, Norman.

Nays—None

Vote after roll call:

Yea—Joyner

CS for SB 1886—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; including certain hallucinogenic substances on the list of controlled substances in Schedule I; reenacting ss. 893.13(1), (2), (4), and (5), 893.135(1)(1), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties regarding controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of CS for SB 1886, on motion by Senator Wise, by two-thirds vote CS for HB 1039 was withdrawn from the Committees on Criminal Justice; and Budget.

On motion by Senator Wise—

CS for HB 1039—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; including certain hallucinogenic

substances on the list of controlled substances in Schedule I; reenacting ss. 893.13(1), (2), (4), and (5), 893.135(1)(1), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties regarding controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for CS for SB 1886 and read the second time by title.

On motion by Senator Wise, by two-thirds vote CS for HB 1039 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Mr. President, Flores, Norman; Alexander, Gaetz, Oelrich; Altman, Garcia, Rich; Benacquisto, Gardiner, Richter; Bennett, Hays, Ring; Bogdanoff, Hill, Sachs; Braynon, Jones, Simmons; Dean, Joyner, Siplin; Detert, Latvala, Smith; Diaz de la Portilla, Lynn, Sobel; Dockery, Margolis, Storms; Evers, Montford, Thrasher; Fasano, Negron, Wise.

Nays—None

CS for SB 1974—A bill to be entitled An act relating to driver’s license examinations; amending s. 322.12, F.S.; providing requirements for examination questions pertaining to traffic regulations relating to blind pedestrians; amending s. 318.1451, F.S.; requiring the curricula of driver improvement schools to include instruction on the dangers of driving while distracted; amending s. 322.095, F.S.; requiring the curricula of traffic law and substance abuse education courses to include instruction on the dangers of driving while distracted; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform CS for SB 1974 to CS for CS for HB 689.

Pending further consideration of CS for SB 1974 as amended, on motion by Senator Hill, by two-thirds vote CS for CS for HB 689 was withdrawn from the Committees on Transportation; and Budget.

On motion by Senator Hill—

CS for CS for HB 689—A bill to be entitled An act relating to driver education and testing; amending ss. 318.1451 and 322.095, F.S.; requiring the curricula of driver improvement courses and traffic law and substance abuse education courses to include instruction on the risks associated with using a handheld electronic communication device while operating a motor vehicle; amending s. 322.12, F.S.; providing requirements for driver license examination questions pertaining to traffic regulations relating to blind pedestrians; amending s. 322.56, F.S.; providing for written examination for a learner’s driver’s license to be available from third-party providers; providing for the examination to be administered online under certain conditions; providing an effective date.

—a companion measure, was substituted for CS for SB 1974 as amended and read the second time by title.

On motion by Senator Hill, by two-thirds vote CS for CS for HB 689 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Table with 3 columns: Mr. President, Altman, Benacquisto

Bennett	Hill	Sachs
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Rich	Wise
Fasano	Richter	
Flores	Ring	

Nays—9

Evers	Gardiner	Norman
Gaetz	Hays	Oelrich
Garcia	Latvala	Simmons

Vote after roll call:

Yea—Negron

SPECIAL GUESTS

The President introduced Commissioner of Agriculture Adam Putnam who was present in the chamber.

On motion by Senator Alexander, by unanimous consent—

CS for SB 2040—A bill to be entitled An act relating to unauthorized immigrants; directing the Division of Statutory Revision to designate specified new statutory sections as part III of ch. 448, F.S., and name the part “Unauthorized Immigrants”; creating s. 448.30, F.S.; defining terms; creating s. 448.31, F.S.; requiring every employer to use the federal program for electronic verification of employment eligibility in order to verify the employment eligibility of each employee hired on or after a specified date; providing an exception for employers who request and receive from the employee certain driver’s licenses or identification cards; requiring the employers to check the documents using authentication technology; directing the Department of Highway Safety and Motor Vehicles to post information on the website of the department relating to compliance by states with the federal REAL ID Act of 2005; directing the department to adopt rules relating to authentication technology; providing that an employer who does not comply with the employment requirements is subject to the suspension of any license held by the employer; providing that an employer is not liable for terminating an employee under certain conditions; providing legislative intent for law enforcement and criminal justice agencies to coordinate with the Federal Government on the identification of unauthorized immigrants and enforcement of immigration laws; authorizing the Department of Corrections and the Department of Law Enforcement to pursue agreements with the United States Department of Homeland Security for the training of certain personnel related to the enforcement of immigration laws; requiring reports on activity under the agreements; providing that sheriffs may evaluate the feasibility of entering into such agreements; directing certain agencies having custody of individuals convicted of dangerous crimes to make reasonable efforts to determine whether the individuals are present in the United States lawfully; requiring arresting agencies to adopt rules relating to this requirement and authorizing the agencies to enter into agreements with Immigration and Customs Enforcement; providing for a presumption as to risk of flight in order to avoid prosecution; creating s. 945.80, F.S.; requiring the Department of Corrections to release nonviolent inmates to the custody of the United States Immigration and Customs Enforcement under certain circumstances; requiring the department to identify inmates who are eligible for removal and deportation; establishing certain procedures for the transfer of an inmate to federal custody; providing for a released inmate to serve the remainder of his or her sentence upon unlawfully returning to the United States; authorizing the secretary of the department to enter into an agreement with the United States Department of Homeland Security regarding the rapid repatriation of removable custodial aliens; requiring the department to compile statistics; providing for applicability; providing legislative findings related to costs incurred by the state from unauthorized immigration; requiring the Agency for Workforce Innovation to prepare a report quantifying the costs; requiring the director of the agency to submit to the Federal

Government a request for reimbursement of the costs or a reduction in moneys owed to the Federal Government as a result of borrowing to fund unemployment compensation claims; providing an effective date.

—was taken up out of order and read the second time by title.

MOTION

On motion by Senator Alexander, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Alexander moved the following amendment:

Amendment 1 (730724) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (12) is added to section 445.009, Florida Statutes, to read:

445.009 One-stop delivery system.—

(12)(a) *Staff of the one-stop delivery system shall use the federal program for electronic verification of employment eligibility which is known as the E-Verify Program, or any successor program, to verify the employment eligibility of any worker who is referred to an employer and shall issue to the employer a certification of the verification as provided in regulations of the United States Department of Homeland Security.*

(b) *The requirement to verify employment eligibility under this subsection does not apply in the case of a worker who uses an online referral system and does not report in person to the one-stop career center. If a worker reports in person to a one-stop career center after using the online referral system, the one-stop career center shall perform the verification required by this subsection. The website for the Agency for Workforce Innovation and for the one-stop delivery system in the area served by each regional workforce board shall provide notice to employers that the one-stop career center is not performing electronic-verification inquiries for online referrals.*

(c) *The Agency for Workforce Innovation, together with the regional workforce boards, shall consult with the United States Department of Homeland Security, the United States Department of Labor, and any other appropriate federal agencies to develop procedures, consistent with federal requirements, addressing circumstances in which use of the E-Verify Program, or any successor program, is not possible based on the information or documentation presented by the worker.*

Section 2. *Agency administration of public benefits; verification of lawful status.—*

(1) *As used in this section, the term:*

(a) *“Agency” means any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this section, any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public entity.*

(b) *“Federal public benefit” has the same meaning as in 8 U.S.C. s. 1611(c).*

(c) *“Qualified alien” has the same meaning as in 8 U.S.C. s. 1641(b).*

(d) *“SAVE Program” means the Systematic Alien Verification for Entitlements (SAVE) Program established by the United States Citizenship and Immigration Services.*

(e) *“State or local public benefit” has the same meaning as in 8 U.S.C. s. 1621(c).*

(2)(a) *Except as otherwise provided in 8 U.S.C. s. 1621(b), an alien is not eligible for any state or local public benefit unless the alien is:*

1. *A qualified alien;*

2. *A nonimmigrant under the federal Immigration and Nationality Act; or*

3. An alien who is paroled into the United States under s. 212(d)(5) of the federal Immigration and Nationality Act for less than 1 year.

(b) Each agency shall verify through the SAVE Program the eligibility under this subsection of any applicant for a state or local public benefit administered by the agency.

(3)(a) Except as otherwise provided in 8 U.S.C. s. 1611(b), an alien who is not a qualified alien is not eligible for any federal public benefit.

(b) Each agency shall verify through the SAVE Program the eligibility under this subsection of any applicant for a federal public benefit administered by an agency.

(4)(a) An agency may not provide any state or local public benefit or federal public benefit in violation of this section.

(b) Each agency that administers a state or local public benefit or federal public benefit shall annually compile and maintain information on its compliance with this section.

(c) In the implementation of this section, each agency shall endeavor to improve efficiency, minimize delays in the verification process, and provide for the expeditious resolution of individual cases in which verification procedures would impose undue hardship on a legal resident. An agency shall report all errors in the SAVE Program to the United States Department of Homeland Security.

Section 3. Section 901.37, Florida Statutes, is created to read:

901.37.—Identification of unauthorized immigrants upon arrest and confinement.—

(1) When a person is confined in a jail or other criminal detention facility after being arrested, the agency having custody of the person shall make a reasonable effort to determine the nationality of the person and whether the person is present in the United States lawfully, including, but not limited to, participating in the submission of fingerprints pursuant to the agreement under subsection (2). If the holding agency establishes, independent of the submission of fingerprints, that the person is not lawfully present in the United States, the agency shall notify the United States Department of Homeland Security.

(2) The Department of Law Enforcement shall enter into, and perform all actions reasonably necessary to meet its obligations under, a memorandum of agreement with the United States Department of Homeland Security to implement a program through which fingerprints submitted by local law enforcement agencies during the arrest and booking process are checked against federal databases in order to assess the immigration status of individuals in custody.

(3) This section may not be construed to:

(a) Authorize the arrest of a person on suspicion that the person is not present in the United States lawfully; or

(b) Deny a person bond or prevent release of a person from confinement if the person is otherwise eligible for release. However, for the purpose of the bail determination required by s. 903.046, Florida Statutes, a determination that the person is not present in the United States lawfully raises a rebuttable presumption that there is a risk of flight to avoid prosecution.

Section 4. Section 945.80, Florida Statutes, is created to read:

945.80 Rapid removal of deportable criminal aliens.—

(1) Notwithstanding any law to the contrary, and pursuant to s. 241(a)(4)(B)(ii) of the federal Immigration and Nationality Act, the secretary of the department shall release a prisoner, prior to the completion of his or her sentence, to the custody and control of the United States Immigration and Customs Enforcement if:

(a) The prisoner is confined pursuant to a final conviction for a nonviolent offense;

(b) The department has received a final order of removal for the prisoner from the United States Immigration and Customs Enforcement; and

(c) The secretary determines that removal is appropriate and in the best interest of the state.

As used in this section, the term “nonviolent offense” means a third-degree felony violation under chapter 810 or any other felony offense that is not a forcible felony as defined in s. 776.08.

(2)(a) The department shall identify, during the inmate-reception process and among the existing inmate population, prisoners who are eligible for removal under this section and determine whether removal is appropriate and in the best interest of the state. The department shall provide eligible prisoners with information on this section.

(b) The department shall coordinate with federal authorities to determine the eligibility of a prisoner for removal and to obtain a final order of removal.

(3)(a) Upon approval for removal of the prisoner under this section, the department shall establish a release date for the prisoner to be transferred to federal custody. The department shall maintain control of and responsibility for the custody of the prisoner until the prisoner is physically transferred to federal custody.

(b) In coordination with the department, the Parole Commission shall provide notice and obtain acknowledgment in writing that notice was provided to each alien who is approved for removal and deportation that reentry into the United States requires the return of the alien to the custody of the department in order to complete the remainder of his or her sentence imposed by the court. The alien must agree to release into federal custody under this section.

(4) A prisoner who is released under this section shall be under conditional supervision of the Parole Commission for the remainder of the maximum period for which he or she has been sentenced.

(a) The conditions of supervision for a prisoner who is released under this section are that he or she must not:

1. Violate the law of this state or of any other jurisdiction of the United States; or

2. Return to the United States after release.

(b) If a prisoner who is released under this section returns to the United States, the Parole Commission shall revoke the release of the prisoner in accordance with the procedures in s. 947.141 and seek the return of the prisoner to the custody of the department to serve the remainder of the sentence imposed by the court.

(c) A prisoner whose conditional deportation release is revoked is not thereafter eligible for any form of discretionary release except as the result of accrual of any gain time earned after return to prison.

(5) The secretary of the department shall pursue, and is authorized to enter into, an agreement with the United States Department of Homeland Security regarding the rapid repatriation of removable custodial aliens from the United States pursuant to this section.

(6) The department shall compile statistics on implementation of this section, including, but not limited to:

(a) The number of prisoners who are transferred to federal custody;

(b) The number of prisoners who are removed or deported;

(c) The number of releasees who reenter the United States, including the number who are returned to the custody of the department; and

(d) The annual cost-avoidance achieved.

(7) To the extent practicable, this section applies to all prisoners actually in confinement on, and all prisoners taken into confinement after, July 1, 2011.

Section 5. Section 947.141, Florida Statutes, is amended to read:

947.141 Violations of conditional release, control release, ~~or~~ conditional medical release, ~~or~~ addiction-recovery supervision, or conditional deportation release.—

(1) If a member of the commission or a duly authorized representative of the commission has reasonable grounds to believe that an offender who is on release supervision under s. 947.1405, s. 947.146, s. 947.149, ~~or~~ s. 944.4731, or s. 945.80 has violated the terms and conditions of the release in a material respect, such member or representative may cause a warrant to be issued for the arrest of the releasee; if the offender was found to be a sexual predator, the warrant must be issued.

(2) Upon the arrest on a felony charge of an offender who is on release supervision under s. 947.1405, s. 947.146, s. 947.149, ~~or~~ s. 944.4731, or s. 945.80, the offender must be detained without bond until the initial appearance of the offender at which a judicial determination of probable cause is made. If the trial court judge determines that there was no probable cause for the arrest, the offender may be released. If the trial court judge determines that there was probable cause for the arrest, such determination also constitutes reasonable grounds to believe that the offender violated the conditions of the release. Within 24 hours after the trial court judge's finding of probable cause, the detention facility administrator or designee shall notify the commission and the department of the finding and transmit to each a facsimile copy of the probable cause affidavit or the sworn offense report upon which the trial court judge's probable cause determination is based. The offender must continue to be detained without bond for a period not exceeding 72 hours excluding weekends and holidays after the date of the probable cause determination, pending a decision by the commission whether to issue a warrant charging the offender with violation of the conditions of release. Upon the issuance of the commission's warrant, the offender must continue to be held in custody pending a revocation hearing held in accordance with this section.

(3) Within 45 days after notice to the Parole Commission of the arrest of a releasee charged with a violation of the terms and conditions of conditional release, control release, conditional medical release, ~~or~~ addiction-recovery supervision, or conditional deportation release, the releasee must be afforded a hearing conducted by a commissioner or a duly authorized representative thereof. If the releasee elects to proceed with a hearing, the releasee must be informed orally and in writing of the following:

- (a) The alleged violation with which the releasee is charged.
- (b) The releasee's right to be represented by counsel.
- (c) The releasee's right to be heard in person.
- (d) The releasee's right to secure, present, and compel the attendance of witnesses relevant to the proceeding.
- (e) The releasee's right to produce documents on the releasee's own behalf.
- (f) The releasee's right of access to all evidence used against the releasee and to confront and cross-examine adverse witnesses.
- (g) The releasee's right to waive the hearing.

(4) Within a reasonable time following the hearing, the commissioner or the commissioner's duly authorized representative who conducted the hearing shall make findings of fact in regard to the alleged violation. A panel of no fewer than two commissioners shall enter an order determining whether the charge of violation of conditional release, control release, conditional medical release, ~~or~~ addiction-recovery supervision, or conditional deportation release has been sustained based upon the findings of fact presented by the hearing commissioner or authorized representative. By such order, the panel may revoke conditional release, control release, conditional medical release, ~~or~~ addiction-recovery supervision, or conditional deportation release and thereby return the releasee to prison to serve the sentence imposed, reinstate the original order granting the release, or enter such other order as it considers proper. Effective for inmates whose offenses were committed on or after July 1, 1995, the panel may order the placement of a releasee, upon a finding of violation pursuant to this subsection, into a local detention facility as a condition of supervision. *For prisoners who have violated the conditions governing removal and deportation of criminal aliens under s. 985.80, the commission shall order the return to prison.*

(5) Effective for inmates whose offenses were committed on or after July 1, 1995, notwithstanding the provisions of ss. 775.08, former 921.001, 921.002, 921.187, 921.188, 944.02, and 951.23, or any other law to the contrary, by such order as provided in subsection (4), the panel, upon a finding of guilt, may, as a condition of continued supervision, place the releasee in a local detention facility for a period of incarceration not to exceed 22 months. Prior to the expiration of the term of incarceration, or upon recommendation of the chief correctional officer of that county, the commission shall cause inquiry into the inmate's release plan and custody status in the detention facility and consider whether to restore the inmate to supervision, modify the conditions of supervision, or enter an order of revocation, thereby causing the return of the inmate to prison to serve the sentence imposed. The provisions of this section do not prohibit the panel from entering such other order or conducting any investigation that it deems proper. The commission may only place a person in a local detention facility pursuant to this section if there is a contractual agreement between the chief correctional officer of that county and the Department of Corrections. The agreement must provide for a per diem reimbursement for each person placed under this section, which is payable by the Department of Corrections for the duration of the offender's placement in the facility. This section does not limit the commission's ability to place a person in a local detention facility for less than 1 year. *This subsection is not applicable to a person violating the conditions governing removal and deportation of criminal aliens under s. 985.80.*

(6) Whenever a conditional release, control release, conditional medical release, ~~or~~ addiction-recovery supervision, or conditional deportation release is revoked by a panel of no fewer than two commissioners and the releasee is ordered to be returned to prison, the releasee, by reason of the misconduct, shall be deemed to have forfeited all gain-time or commutation of time for good conduct, as provided for by law, earned up to the date of release. However, if a conditional medical release is revoked due to the improved medical or physical condition of the releasee, the releasee shall not forfeit gain-time accrued before the date of conditional medical release. This subsection does not deprive the prisoner of the right to gain-time or commutation of time for good conduct, as provided by law, from the date of return to prison.

(7) If a law enforcement officer has probable cause to believe that an offender who is on release supervision under s. 947.1405, s. 947.146, s. 947.149, ~~or~~ s. 944.4731, or s. 945.80 has violated the terms and conditions of his or her release by committing a felony offense, the officer shall arrest the offender without a warrant, and a warrant need not be issued in the case.

Section 6. This act shall take effect July 1, 2011.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to enforcement of immigration laws; amending s. 445.009, F.S.; requiring one-stop career center staff to verify the employment eligibility of workers referred to employers using a federal program for electronic verification of employment eligibility; providing an exception; requiring notice to employers on the exception to use of electronic verification; providing definitions relating to administration of public benefits; prohibiting an agency from providing federal, state, or local public benefits to certain aliens; providing exceptions; requiring an agency to verify the eligibility of applicants for public benefits using the federal Systematic Alien Verification for Entitlements Program; requiring agencies to compile and maintain compliance information; creating s. 901.37, F.S.; directing certain agencies having custody of arrestees to make reasonable efforts to determine whether the arrestees are present in the United States lawfully; providing for fingerprints of the arrestees to be checked against federal databases; providing that holding agencies shall notify the United States Department of Homeland Security regarding individuals in their custody whose unlawful presence in the United States is established independently by the agencies; requiring the Department of Law Enforcement to enter into and maintain an agreement with the United States Department of Homeland Security for checking fingerprints of arrestees against federal databases to determine immigration status; providing for a presumption as to risk of flight in order to avoid prosecution; creating s. 945.80, F.S.; requiring the Department of Corrections to release nonviolent inmates to the custody of the United States Immigration and Customs Enforcement under certain circumstances; providing a definition; requiring the department to identify criminal aliens who are eligible for removal; prescribing

certain procedures for the transfer of an inmate to federal custody; requiring the Parole Commission to provide notice to such criminal aliens; providing that a prisoner released under this authority shall be under conditional supervision of the Parole Commission; prescribing conditions of such supervision; providing for procedures for revocation of release upon violation of the conditions; providing that a releasee whose conditional release is revoked is not thereafter eligible for any form of discretionary release; providing an exception; directing the secretary of the department to pursue an agreement with the United States Department of Homeland Security regarding the rapid repatriation of removable custodial aliens; requiring the department to compile statistics; providing for applicability; amending s. 947.141, F.S.; conforming procedures relating to a violation of conditional release to account for conditional release for deportation; providing for issuance of a warrant, detention without bond under certain conditions, a hearing conducted by a commissioner of the Parole Commission or an authorized representative, findings and entry of an order, revocation of release, and arrest without a warrant under certain conditions; providing an effective date.

WHEREAS, Florida ranks third among states in the size of its unauthorized immigrant population, with an estimated range of 725,000 to 950,000 unauthorized immigrants in this state, and

WHEREAS, unauthorized immigration contributes directly and indirectly to substantial costs to the state in policy areas including, but not limited to, law enforcement, criminal justice, labor and employment, education, health care, and human services, and

WHEREAS, the costs related to unauthorized immigration can consume limited state resources, and

WHEREAS, the federal government has failed to enforce immigration laws adequately and to adopt and implement comprehensive reforms to immigration laws in order to control and contain unauthorized immigration effectively, and

WHEREAS, because of the federal government's failure, and because they cannot ignore the challenges posed by unauthorized immigration, states must assume the mantle of leadership for enacting policies to promote within their borders compliance with the immigration laws of this nation, NOW, THEREFORE,

SENATOR FASANO PRESIDING

PRESIDENT PRESIDING

MOTION

On motion by Senator Thrasher, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Thrasher moved the following amendment to **Amendment 1** which failed:

Amendment 1A (928878) (with title amendment)—Between lines 34 and 35 insert:

Section 2. *The Division of Statutory Revision shall designate ss. 448.30 through 448.32, Florida Statutes, as created by this act, as part III of chapter 448, Florida Statutes, titled "UNAUTHORIZED ALIENS."*

Section 3. Section 448.30, Florida Statutes, is created to read:

448.30 *Definitions.—As used in this part, the term:*

(1) "Agency" means any state officer, department, division, board, bureau, commission, or other separate unit of state government created or established by law including, for the purposes of this section, any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any state entity.

(2) "Employee" means any person, other than an independent contractor, who, for consideration, provides labor or services to an employer in this state.

(3) "Employer" means a person or an agency that employs one or more employees in this state. In the case of an independent contractor, the term means the independent contractor and does not mean the person or

agency that uses the contract labor. The term does not include an employee leasing company licensed pursuant to part IX of chapter 468 which enters into a written agreement or understanding with its client company which places the primary obligation for compliance with this part upon its client company. In the absence of a written agreement or understanding, the contracting party, whether the licensed employee leasing company or client company, which initially hires the leased employee is responsible for the obligations set forth in this part. Such employee leasing company shall, at all times, remain an employer as otherwise specified by law.

(4) "E-Verify Program" means the program for electronic verification of employment eligibility which is operated by the United States Department of Homeland Security, or any successor program.

(5) "Independent contractor" means a person that carries on an independent business, contracts to do a piece of work according to its own means and methods, and is subject to control only as to results.

(6) "Unauthorized alien" means an alien who is not authorized under federal law to be employed in the United States, as provided in 8 U.S.C. s. 1324a(h)(3). This term shall be interpreted consistently with that section and any applicable federal rules or regulations.

Section 4. Section 448.31, Florida Statutes, is created to read:

448.31 *Verification of employment eligibility by agencies.—*

(1) *Effective July 1, 2012, an agency shall:*

(a) *Register with the E-Verify Program;*

(b) *Before making an offer of employment, verify the employment eligibility through the E-Verify Program of a prospective employee to whom the agency plans to make an offer of employment on or after that date;*

(c) *Use the program for all prospective employees to whom the agency plans to make an offer of employment, both United States citizens and noncitizens, and not use the program selectively with respect to such prospective employees; and*

(d) *Maintain a record of the verification for 3 years after the date the agency conducts the verification or 1 year after the date employment ends, whichever is longer.*

(2) *The requirements of subsection (1) do not apply if a one-stop career center refers the prospective employee after verifying his or her employment eligibility and issues to the agency a certification as provided in s. 445.009(12).*

Section 5. Section 448.32, Florida Statutes, is created to read:

448.32 *Employment of unauthorized aliens; noncriminal violation; civil fines.—*

(1) *It is a noncriminal violation as defined in s. 775.08(3) for an employer to have in employment a person hired on or after July 1, 2012, who is an unauthorized alien if the employer did not:*

(a) *Verify the employment eligibility of the person through the E-Verify Program before making an offer of employment and conclude, based on the verification, that the person was authorized to work in the United States; or*

(b) *Rely in good faith upon an employment referral from a one-stop career center and retain a certification from the one-stop center that the person is authorized to work in the United States, as provided under s. 445.009.*

(2) *Each violation of this section is punishable as provided in s. 775.082(5).*

(a) *The first violation is punishable by a civil fine of not more than \$500, multiplied by the number of unauthorized aliens with respect to whom the violation occurred.*

(b) The second violation is punishable by a civil fine of not more than \$1,000, multiplied by the number of aliens with respect to whom the violation occurred.

(c) The third or subsequent violation is punishable by a civil fine of not more than \$1,500, multiplied by the number of aliens with respect to whom the violation occurred.

(3) A person who has actual or constructive knowledge that an employer employs, or has within the last 90 days employed, an unauthorized alien may file a complaint with the state attorney or Attorney General. The state attorney or Attorney General may enforce this section if there is reasonable cause to believe that this section has been violated and may commence a civil or administrative action and seek such other relief as may be appropriate.

(4) This section does not apply to an employer that is an agency.

And the title is amended as follows:

Delete line 341 and insert: verification; directing the Division of Statutory Revision to designate specified new statutory sections as part III of ch. 448, F.S., and name the part "Unauthorized Aliens"; creating s. 448.30, F.S.; providing definitions relating to employment and unauthorized aliens; creating s. 448.31, F.S.; requiring state agencies to register with and use the federal program for electronic verification of employment eligibility in order to verify the employment eligibility of prospective employees before they are offered employment; providing an exception; creating s. 448.32, F.S.; prescribing a noncriminal violation for employing an unauthorized alien under specified circumstances; providing for civil fines; authorizing a person with knowledge of a violation to file a complaint; providing for enforcement; providing an exception to application of the noncriminal violation; providing definitions relating to administration

The vote was:

Yeas—16

Table with 3 columns: Name, Fasano, Oelrich. Rows include Mr. President, Altman, Benacquisto, Bennett, Dockery, Evers.

Nays—23

Table with 3 columns: Name, Hill, Richter. Rows include Alexander, Bogdanoff, Braynon, Dean, Detert, Diaz de la Portilla, Flores, Garcia.

MOTION

On motion by Senator Thrasher, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Thrasher moved the following amendments to Amendment 1 which were adopted:

Amendment 1B (842894) (with title amendment)—Between lines 192 and 193 insert:

(7) The department and the Parole Commission may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section.

And the title is amended as follows:

Delete line 379 and insert: compile statistics; authorizing the Department of Corrections and the Parole Commission to adopt rules; providing for applicability; amending s.

SENATOR FASANO PRESIDING

Amendment 1C (513234)—Delete line 305 and insert: under s. 945.80.

Amendment 1D (626452)—Delete line 276 and insert: 945.80, the commission shall order the return to prison.

MOTION

On motion by Senator Sachs, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Sachs moved the following amendment to Amendment 1 which failed:

Amendment 1E (193494) (with title amendment)—Delete lines 87-89 and insert: conviction.—

(1) When a person is confined in a jail or other criminal detention facility after being convicted of a dangerous crime listed in s. 907.041(4)(a), the agency having

And the title is amended as follows:

Delete lines 349-351 and insert: agencies having custody of certain convicted persons to make reasonable efforts to determine whether those persons are lawfully present in the United States; providing for fingerprints of those persons to be

Amendment 1 as amended was adopted.

PRESIDENT PRESIDING

Pursuant to Rule 4.19, CS for SB 2040 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CONSENT CALENDAR

SENATOR FASANO PRESIDING

CS for SB 242—A bill to be entitled An act relating to voter information cards; amending s. 97.071, F.S.; requiring that voter information cards contain the address of the polling place of the registered voter; requiring a supervisor of elections to issue a new voter information card to a voter upon a change in a voter's address of legal residence or a change in a voter's polling place address; providing instructions for implementation by the supervisors of elections; providing an effective date.

—was read the second time by title. On motion by Senator Joyner, by two-thirds vote CS for SB 242 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Table with 3 columns: Name, Flores, Rich. Rows include Mr. President, Alexander, Altman, Benacquisto, Bennett, Bogdanoff, Braynon, Dean, Detert, Diaz de la Portilla, Dockery, Evers, Fasano.

Nays—None

Vote after roll call:

Yea—Hays

CS for SB 328—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; authorizing a sheriff to charge a fee for processing a writ of execution; authorizing a person to provide the sheriff with an electronic copy of a process for service; amending s. 48.031, F.S.; directing a process server to place required information on the first page of at least one of the processes served; requiring a process server to list all initial pleadings delivered and served along with the process on the return-of-service form; requiring the person issuing the process to file the return-of-service form with the court; granting authorized process servers unannounced access to specified residential areas where a defendant or witness resides or is known to be; amending s. 48.081, F.S.; authorizing a person attempting to serve process on the registered agent of a corporation to serve the process, in specified circumstances, on any employee of the registered agent during the first attempt at service even if the registered agent is temporarily absent from his or her office; amending s. 48.21, F.S.; requiring a process server to sign the return-of-service form electronically; providing that the failure to sign a return-of-service form invalidates the service and subjects the process server to a fine; amending s. 48.29, F.S.; directing a process server to place required information on the first page of at least one of the processes served; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for SB 328** to **CS for HB 59**.

Pending further consideration of **CS for SB 328** as amended, on motion by Senator Margolis, by two-thirds vote **CS for HB 59** was withdrawn from the Committees on Judiciary; Regulated Industries; Criminal Justice; and Budget.

On motion by Senator Margolis—

CS for HB 59—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; authorizing a sheriff to charge a fee for processing a writ of execution; authorizing a person to provide the sheriff with an electronic copy of a process for service; amending s. 48.031, F.S.; directing a process server to place required information on the first page of at least one of the processes served; requiring a process server to list all initial pleadings delivered and served along with the process on the return-of-service form; requiring the person issuing the process to file the return-of-service form with the court; granting authorized process servers unannounced access to specified residential areas where a defendant or witness resides or is known to be; amending s. 48.081, F.S.; authorizing a person attempting to serve process on the registered agent of a corporation to serve the process, in specified circumstances, on any employee of the registered agent during the first attempt at service even if the registered agent is temporarily absent from his or her office; amending s. 48.151, F.S.; revising the number of copies of process that must be served on statutory agents for certain persons; providing that records may be retained as paper or electronic copies; amending s. 48.21, F.S.; requiring a process server to sign the return-of-service form; authorizing an employee of a sheriff to sign a return-of-service form electronically; providing that the failure to sign a return-of-service form invalidates the service and subjects the process server to a fine; amending s. 48.29, F.S.; directing a process server to place required information on the first page of at least one of the processes served; amending s. 624.423, F.S.; reducing the number of copies to be served on the Chief Financial Officer or an assistant as process agent of an insurer; providing that records may be retained as paper or electronic copies; providing an effective date.

—a companion measure, was substituted for **CS for SB 328** as amended and read the second time by title.

On motion by Senator Margolis, by two-thirds vote **CS for HB 59** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Braynon	Evers
Altman	Dean	Fasano
Benacquisto	Detert	Flores
Bennett	Diaz de la Portilla	Gaetz
Bogdanoff	Dockery	Garcia

Gardiner	Montford	Simmons
Hays	Negron	Siplin
Hill	Norman	Smith
Jones	Oelrich	Sobel
Joyner	Rich	Storms
Latvala	Richter	Thrasher
Lynn	Ring	Wise
Margolis	Sachs	

Nays—None

Vote after roll call:

Yea—Mr. President

Consideration of **CS for CS for SB 364** was deferred.

SB 418—A bill to be entitled An act relating to state lotteries; amending s. 24.112, F.S.; requiring each retailer of lottery tickets to provide assistance to any individual who is blind or visually impaired and has requested assistance in filling out his or her lottery ticket; providing a definition; providing that a retailer or an employee of the retailer is not liable under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Flores, by two-thirds vote **SB 418** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Garcia	Oelrich
Alexander	Gardiner	Rich
Altman	Hays	Richter
Bennett	Hill	Ring
Bogdanoff	Jones	Sachs
Braynon	Joyner	Simmons
Dean	Latvala	Siplin
Detert	Lynn	Smith
Diaz de la Portilla	Margolis	Sobel
Fasano	Montford	Thrasher
Flores	Negron	Wise
Gaetz	Norman	

Nays—2

Dockery Evers

Vote after roll call:

Nay—Storms

SB 464—A bill to be entitled An act relating to assault or battery of a law enforcement officer; creating s. 784.071, F.S.; requiring the Department of Law Enforcement to issue a blue alert if a law enforcement officer has been killed, suffered serious bodily injury, or been assaulted and the suspect has fled the scene, or if a law enforcement officer is missing while in the line of duty; requiring that the blue alert be disseminated on the emergency alert system through television, radio, and highway signs; providing that emergency traffic information may take precedence over blue alert information; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 464**, on motion by Senator Latvala, by two-thirds vote **CS for HB 3** was withdrawn from the Committees on Criminal Justice; Transportation; and Budget.

On motion by Senator Latvala—

CS for HB 3—A bill to be entitled An act relating to assault or battery of a law enforcement officer; creating s. 784.071, F.S.; requiring the Department of Law Enforcement to issue a blue alert if a law enforce-

ment officer has been killed, suffered serious bodily injury, or been assaulted and the suspect has fled the scene, or if a law enforcement officer is missing while in the line of duty; requiring that the blue alert be disseminated on the emergency alert system through television, radio, and highway signs; providing that emergency traffic information may take precedence over blue alert information; providing an effective date.

—a companion measure, was substituted for **SB 464** and read the second time by title.

On motion by Senator Latvala, by two-thirds vote **CS for HB 3** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Sachs
Bennett	Hays	Simmons
Bogdanoff	Hill	Siplin
Braynon	Jones	Smith
Dean	Joyner	Sobel
Detert	Latvala	Storms
Diaz de la Portilla	Lynn	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Ring

CS for CS for SB 364—A bill to be entitled An act relating to child care facilities; amending s. 402.281, F.S.; revising the criteria for a childcare facility, large family child care home, or family day care home to obtain and maintain a designation as a Gold Seal Quality Care provider; amending s. 402.302, F.S.; revising and providing definitions; providing for certain household children to be included in calculations regarding the capacity of licensed family day care homes and large family child care homes; providing conditions for supervision of household children of operators of family day care homes and large family child care homes; amending s. 402.316, F.S.; requiring that the health, safety, and sanitation standards of an accrediting agency applicable to child care facilities that are exempt from licensure meet or exceed the minimum health, safety, and sanitation standards set forth by the Department of Children and Family Services; requiring a child care facility to prominently display a certificate indicating that the facility qualifies for a religious exemption from licensure; prohibiting an accrediting agency for religious exemption from owning, operating, or administering a child care program that it accredits, including a program owned by relatives; providing that application of the accrediting standards does not authorize the department to regulate or control the governance, curriculum, testing or assessments, evaluation procedures, academic requirements of the staff or the disciplinary or hiring practices of any child care program; amending s. 402.318, F.S.; revising advertising requirements applicable to child care facilities; providing penalties; amending s. 411.01, F.S., relating to school readiness programs; conforming a cross-reference; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 364** to **CS for CS for HB 139**.

Pending further consideration of **CS for CS for SB 364** as amended, on motion by Senator Latvala, by two-thirds vote **CS for CS for HB 139** was withdrawn from the Committees on Children, Families, and Elder Affairs; Commerce and Tourism; Judiciary; and Budget.

On motion by Senator Latvala—

CS for CS for HB 139—A bill to be entitled An act relating to child care facilities; amending s. 402.281, F.S.; revising the criteria for a child care facility, large family child care home, or family day care home to obtain and maintain a designation as a Gold Seal Quality Care provider; amending s. 402.302, F.S.; revising and providing definitions; providing for certain household children to be included in calculations regarding the capacity of licensed family day care homes and large family child care homes; providing conditions for supervision of household children of operators of family day care homes and large family child care homes; amending s. 402.318, F.S.; revising advertising requirements applicable to child care facilities; providing penalties; amending s. 411.01, F.S.; conforming a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 364** as amended and read the second time by title.

On motion by Senator Latvala, by two-thirds vote **CS for CS for HB 139** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Negron	Wise
Fasano	Norman	
Flores	Oelrich	

Nays—None

Consideration of **CS for CS for SB 490** was deferred.

CS for CS for SB 520—A bill to be entitled An act relating to state memorials; creating s. 265.003, F.S.; providing legislative intent; establishing the Florida Veterans' Hall of Fame on the Plaza Level of the Capitol Building; providing for the Department of Veterans' Affairs to administer the Florida Veterans' Hall of Fame; authorizing the department to establish a nomination and selection process and an induction ceremony; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 520**, on motion by Senator Bennett, by two-thirds vote **CS for HB 465** was withdrawn from the Committees on Military Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Budget.

On motion by Senator Bennett—

CS for HB 465—A bill to be entitled An act relating to the Florida Veterans' Hall of Fame; creating s. 265.003, F.S.; establishing the Florida Veterans' Hall of Fame; providing for administration by the Department of Veterans' Affairs; designating location; providing procedures for nomination, selection, and induction; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 520** and read the second time by title.

On motion by Senator Bennett, by two-thirds vote **CS for HB 465** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Altman	Bennett
Alexander	Benacquisto	Bogdanoff

Braynon	Hays	Rich
Dean	Hill	Richter
Detert	Jones	Ring
Diaz de la Portilla	Joyner	Sachs
Dockery	Latvala	Simmons
Evers	Lynn	Siplin
Fasano	Margolis	Smith
Flores	Montford	Sobel
Gaetz	Negron	Storms
Garcia	Norman	Thrasher
Gardiner	Oelrich	Wise

Nays—None

CS for CS for SB 490—A bill to be entitled An act relating to financial responsibility for medical expenses of pretrial detainees or sentenced inmates; amending s. 901.35, F.S.; providing that the responsibility for paying the expenses of medical care, treatment, hospitalization, and transportation for a person who is ill, wounded, or otherwise injured during or as a result of an arrest for a violation of a state law or a county or municipal ordinance is the responsibility of the person receiving the medical care, treatment, hospitalization, or transportation; removing provisions establishing the order by which medical providers receive reimbursement for the expenses incurred in providing the medical services or transportation; amending s. 951.032, F.S.; setting forth the order by which a county or municipal detention facility may seek reimbursement for the expenses incurred during the course of treating or transporting in-custody pretrial detainees or sentenced inmates; requiring each in-custody pretrial detainee or sentenced inmate who receives medical care or other services to cooperate with the county or municipal detention facility in seeking reimbursement for the expenses incurred by the facility; setting forth the order of fiscal resources from which a third-party provider of medical services may seek reimbursement for the expenses the provider incurred in providing medical care; providing that, absent a written agreement between a third-party provider and a governmental body, the remuneration be billed by the third-party provider and paid by the governmental body at a rate not to exceed a specified percent of the Medicare allowable rate for the service rendered; requiring each in-custody pretrial detainee or sentenced inmate who has health insurance, subscribes to a health care corporation, or receives health care benefits from any other source to assign such benefits to the health care provider; defining the term “in-custody pretrial detainee or sentenced inmate”; providing that law enforcement personnel or county or municipal detention facility personnel are responsible for restricting the personal freedom of certain in-custody pretrial detainees or sentenced inmates; providing that the act does not apply to certain counties; providing that certain charter counties are not obligated to reimburse any third-party provider of medical care, treatment, hospitalization, or transportation for an in-custody pretrial detainee or sentenced inmate of a county detention facility at a rate exceeding a particular rate for certain transportation or medical costs; providing an effective date.

—was read the second time by title. On motion by Senator Jones, by two-thirds vote **CS for CS for SB 490** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Flores

Consideration of **CS for CS for CS for SB 530** was deferred.

CS for CS for SB 582—A bill to be entitled An act relating to local business taxes; amending s. 205.022, F.S.; defining the term “independent contractor”; creating s. 205.066, F.S.; exempting an individual engaging in or managing a business in an individual capacity as an employee from requirements related to local business taxes; specifying that an individual licensed and operating as a broker associate or sales associate is an employee; specifying that an independent contractor is not an employee; prohibiting a local governing authority from holding an exempt employee liable for the failure of a principal or employer to comply with certain obligations related to a local business tax or requiring an exempt employee to take certain actions related to a local business tax; prohibiting a local governing authority from requiring a principal or employer to provide personal or contact information for exempt individuals in order to obtain a local business tax receipt; providing that the exemption does not apply to a business tax imposed on an individual employee by a municipality or county pursuant to a resolution or ordinance adopted before October 13, 2010; amending s. 205.194, F.S.; deleting obsolete provisions; requiring a person applying for or renewing a local business tax receipt to engage in or manage a business or occupation regulated by the Florida Supreme Court or a state agency to exhibit certain documentation before such receipt may be issued; authorizing online renewals as a means of providing electronic certifications that meet such requirement; deleting a requirement that the Department of Business and Professional Regulation provide certain professional regulation information to local officials who issue business tax receipts; deleting a provision prohibiting a local official who issues business tax receipts from renewing a license under certain circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 582**, on motion by Senator Detert, by two-thirds vote **CS for CS for CS for HB 311** was withdrawn from the Committees on Community Affairs; Regulated Industries; Budget Subcommittee on Finance and Tax; and Budget.

On motion by Senator Detert—

CS for CS for CS for HB 311—A bill to be entitled An act relating to local business taxes; amending s. 205.022, F.S.; defining the term “independent contractor”; creating s. 205.066, F.S.; exempting an individual engaging in or managing a business as an employee from requirements related to local business taxes; specifying that an individual licensed and operating as a broker associate or sales associate is an employee; specifying that an independent contractor is not an employee; prohibiting a local governing authority from holding an exempt employee liable for the failure of a principal or employer to comply with certain obligations related to a local business tax or requiring an exempt employee to take certain actions related to a local business tax; prohibiting a local governing authority from requiring a principal or employer to provide personal or contact information for exempt individuals in order to obtain a local business tax receipt; providing that the exemption does not apply to a business tax imposed on individual employees by a municipality or county pursuant to a resolution or ordinance adopted before October 13, 2010; amending s. 205.194, F.S.; deleting obsolete language; requiring a person applying for or renewing a local business tax receipt to engage in or manage a business or occupation regulated by the Florida Supreme Court or a state agency to exhibit certain documentation before such receipt may be issued; authorizing online renewals as a means of providing electronic certifications that meet such requirement; deleting a requirement that the Department of Business and Professional Regulation provide certain professional regulation information to local officials who issue business tax receipts; deleting a provision prohibiting a local official who issues business tax receipts from renewing a license under certain circumstances; providing for retroactive application; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 582** and read the second time by title.

On motion by Senator Detert, by two-thirds vote **CS for CS for CS for HB 311** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 722—A bill to be entitled An act relating to damage by dogs; amending s. 767.11, F.S.; redefining the term “dangerous dog” to exclude dogs trained or used for dog fighting from the term; providing an effective date.

—was read the second time by title. On motion by Senator Norman, by two-thirds vote **SB 722** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 850—A bill to be entitled An act relating to state forests; amending s. 589.19, F.S.; providing for Wounded Warrior special hunt areas for certain disabled veterans; providing for funding; providing eligibility requirements; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **SB 850** to **CS for HB 663**.

Pending further consideration of **SB 850** as amended, on motion by Senator Hays, by two-thirds vote **CS for HB 663** was withdrawn from the Committees on Military Affairs, Space, and Domestic Security; Environmental Preservation and Conservation; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Hays, the rules were waived and—

CS for HB 663—A bill to be entitled An act relating to state forests; amending s. 589.19, F.S.; requiring the designation of “Wounded Warrior Special Hunt Areas” within state forests; limiting guest admittance to such areas for eligible veterans, servicemembers, and certain persons; requiring that funding for specialized accommodations be provided through specified sources; authorizing the Division of Forestry of the

Department of Agriculture and Consumer Services to adopt rules; providing an effective date.

—a companion measure, was substituted for **SB 850** as amended and read the second time by title.

On motion by Senator Hays, by two-thirds vote **CS for HB 663** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for CS for SB 890—A bill to be entitled An act relating to public safety telecommunicators; amending s. 401.465, F.S.; providing for sworn state-certified law enforcement officers to serve as temporary 911 public safety telecommunicators; providing training requirements; providing an effective date.

—was read the second time by title. On motion by Senator Dean, by two-thirds vote **CS for CS for SB 890** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

SB 904—A bill to be entitled An act relating to driver’s licenses and identification cards; amending s. 322.08, F.S.; requiring that the application form for an original, renewal, or replacement driver’s license or identification card include an option to make a voluntary contribution to Disabled American Veterans, Department of Florida; providing that such contributions are not income of a revenue nature; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 904**, on motion by Senator Dean, by two-thirds vote **HB 431** was withdrawn from the Committees on Military Affairs, Space, and Domestic Security; Transportation; and Budget.

On motion by Senator Dean—

HB 431—A bill to be entitled An act relating to driver’s licenses and identification cards; amending s. 322.08, F.S.; requiring the application form for an original, renewal, or replacement driver’s license or identification card shall include an option to make a voluntary contribution to Disabled American Veterans, Department of Florida; providing that such contributions are not income of a revenue nature; providing an effective date.

—a companion measure, was substituted for **SB 904** and read the second time by title.

On motion by Senator Dean, by two-thirds vote **HB 431** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 920—A bill to be entitled An act relating to possession of stolen credit or debit cards; amending s. 817.60, F.S.; prohibiting possession of a stolen credit or debit card in specified circumstances; providing penalties; providing that a retailer or retail employee who possesses, receives, or returns a stolen credit or debit card without knowledge that the card is stolen or in order to investigate the card’s theft or unlawful use does not commit a violation of the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 920**, on motion by Senator Ring, by two-thirds vote **CS for CS for HB 339** was withdrawn from the Committees on Criminal Justice; Commerce and Tourism; and Agriculture.

On motion by Senator Ring—

CS for CS for HB 339—A bill to be entitled An act relating to possession of stolen credit or debit cards; amending s. 817.60, F.S.; prohibiting possession of a stolen credit or debit card in specified circumstances; providing penalties; providing that a retailer or retail employee who possesses, receives, or returns a stolen credit or debit card without knowledge that the card is stolen or in order to investigate the card’s theft or unlawful use does not commit a violation of the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 920** and read the second time by title.

On motion by Senator Ring, by two-thirds vote **CS for CS for HB 339** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Braynon	Fasano
Alexander	Dean	Flores
Altman	Detert	Gaetz
Benacquisto	Diaz de la Portilla	Garcia
Bennett	Dockery	Gardiner
Bogdanoff	Evers	Hays

Hill	Negron	Simmons
Jones	Norman	Smith
Joyner	Oelrich	Sobel
Latvala	Rich	Storms
Lynn	Richter	Thrasher
Margolis	Ring	Wise
Montford	Sachs	

Nays—None

Vote after roll call:

Yea—Siplin

CS for CS for SB 952—A bill to be entitled An act relating to uniform prudent management of institutional funds; creating s. 617.2104, F.S.; creating a short title; providing definitions; providing requirements for the management of funds held by an institution exclusively for charitable purposes; providing standards of conduct in managing and investing institutional funds; providing requirements for appropriation for expenditure or accumulation of an endowment fund by an institution; authorizing an institution to delegate to an external agent the management and investment of an institutional fund; authorizing the release or modification of a restriction on management, investment, or purpose of an institutional fund; providing for determination of compliance; providing for application to existing or newly established institutional funds; providing relationship to federal law; providing requirements for uniformity of application and construction of the act; repealing s. 1010.10, F.S., relating to the Florida Uniform Management of Institutional Funds Act; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 952** to **CS for CS for CS for HB 599**.

Pending further consideration of **CS for CS for SB 952** as amended, on motion by Senator Richter, by two-thirds vote **CS for CS for CS for HB 599** was withdrawn from the Committees on Commerce and Tourism; Higher Education; and Governmental Oversight and Accountability.

On motion by Senator Richter—

CS for CS for CS for HB 599—A bill to be entitled An act relating to corporations not for profit; creating s. 617.2104, F.S.; providing a short title; providing definitions; providing requirements for the management of funds held by an institution exclusively for charitable purposes; providing standards of conduct in managing and investing institutional funds; providing requirements for appropriation for expenditure or accumulation of an endowment fund by an institution; authorizing an institution to delegate to an external agent the management and investment of an institutional fund; authorizing the release or modification of a restriction on management, investment, or purpose of an institutional fund; providing for determination of compliance; providing for application to existing or newly established institutional funds; providing relationship to federal law; providing requirements for uniformity of application and construction of the act; creating s. 617.2105, F.S.; authorizing reversion of real property to the Board of Trustees of the Internal Improvement Trust Fund if a not-for-profit corporation holding a deed subject to a reverter clause violates deed restrictions; providing for retroactive and prospective application; repealing s. 1010.10, F.S., relating to the Florida Uniform Management of Institutional Funds Act; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 952** as amended and read the second time by title.

On motion by Senator Richter, by two-thirds vote **CS for CS for CS for HB 599** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Altman	Bennett
Alexander	Benacquisto	Bogdanoff

Braynon	Hays	Rich
Dean	Hill	Richter
Detert	Jones	Ring
Diaz de la Portilla	Joyner	Sachs
Dockery	Latvala	Simmons
Evers	Lynn	Siplin
Fasano	Margolis	Smith
Flores	Montford	Sobel
Gaetz	Negron	Storms
Garcia	Norman	Thrasher
Gardiner	Oelrich	Wise

Nays—None

CS for SB 1092—A bill to be entitled An act relating to state attorneys; amending s. 27.366, F.S.; deleting a provision that requires each state attorney to quarterly submit deviation memoranda relating to offenders who are not sentenced to the mandatory minimum prison sentence in cases involving the possession or use of a weapon; amending s. 775.082, F.S.; deleting a provision that requires each state attorney to quarterly submit deviation memoranda relating to why a defendant did not receive the mandatory minimum prison sentence in cases involving certain specified offenses; repealing s. 775.08401, F.S., relating to criteria to be used when state attorneys decide to pursue habitual felony offenders or habitual violent felony offenders; repealing s. 775.087(5), F.S., relating to a provision that requires each state attorney to report why a case-qualified defendant did not receive the mandatory minimum prison sentence in cases involving certain specified offenses; repealing s. 985.557(4), F.S., relating to direct-file policies and guidelines for juveniles; amending s. 775.0843, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1092**, on motion by Senator Wise, by two-thirds vote **HB 4159** was withdrawn from the Committees on Criminal Justice; Judiciary; and Budget.

On motion by Senator Wise, by two-thirds vote—

HB 4159—A bill to be entitled An act relating to state attorneys; amending s. 775.082, F.S.; deleting provisions requiring each state attorney to submit certain deviation memoranda to the president of the association and requiring the association to maintain such information for a specified period; repealing s. 775.08401, F.S., relating to criteria to be used when state attorneys decide to pursue habitual felony offenders, habitual violent felony offenders, or violent career criminals; amending s. 775.087, F.S.; deleting provisions requiring each state attorney to report why a case-qualified defendant did not receive the mandatory minimum prison sentence in cases involving certain offenses; transferring, renumbering, and amending s. 27.366, F.S.; deleting a provision requiring each state attorney to submit certain deviation memoranda to the President of the Florida Prosecuting Attorneys Association, Inc., and to report annually to the Governor and Legislature; deleting a provision requiring the association to maintain such information for a specified period; transferring provisions relating to the intent of s. 775.087, F.S., to that section; amending s. 938.27, F.S.; providing that convicted persons are liable for certain costs of prosecution; deleting provisions regarding the burden of establishing financial resources of the defendant and demonstrating other matters; amending s. 985.557, F.S.; deleting provisions relating to direct-file policies and guidelines for juveniles; amending s. 775.0843, F.S.; conforming a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for SB 1092** and by two-thirds vote read the second time by title.

MOTION

On motion by Senator Wise, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Wise moved the following amendment which was adopted:

Amendment 1 (352434) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 27.366, Florida Statutes, is amended to read:

27.366 Legislative intent and policy in cases meeting criteria of s. 775.087(2) and (3); ~~report.~~—

(1) It is the intent of the Legislature that convicted criminal offenders who meet the criteria in s. 775.087(2) and (3) be sentenced to the minimum mandatory prison terms provided herein. It is the intent of the Legislature to establish zero tolerance of criminals who use, threaten to use, or avail themselves of firearms in order to commit crimes and thereby demonstrate their lack of value for human life. It is also the intent of the Legislature that prosecutors should appropriately exercise their discretion in those cases in which the offenders' possession of the firearm is incidental to the commission of a crime and not used in furtherance of the crime, used in order to commit the crime, or used in preparation to commit the crime. For every case in which the offender meets the criteria in this act and does not receive the mandatory minimum prison sentence, the state attorney must explain the sentencing deviation in writing and place such explanation in the case file maintained by the state attorney. ~~On a quarterly basis, each state attorney shall submit copies of deviation memoranda regarding offenses committed on or after the effective date of this act to the President of the Florida Prosecuting Attorneys Association, Inc. The association must maintain such information and make such information available to the public upon request for at least a 10 year period.~~

(2) ~~Effective July 1, 2000, each state attorney shall annually report to the Speaker of the House of Representatives, the President of the Senate, and the Executive Office of the Governor regarding the prosecution and sentencing of offenders who met the criteria in s. 775.087(2) and (3). The report must categorize the defendants by age, gender, race, and ethnicity. Cases in which a final disposition has not yet been reached shall be reported in a subsequent annual report.~~

Section 2. Paragraph (d) of subsection (9) of section 775.082, Florida Statutes, is amended to read:

775.082 Penalties; applicability of sentencing structures; mandatory minimum sentences for certain reoffenders previously released from prison.—

(9)

(d)1. It is the intent of the Legislature that offenders previously released from prison who meet the criteria in paragraph (a) be punished to the fullest extent of the law and as provided in this subsection, unless the state attorney determines that extenuating circumstances exist which preclude the just prosecution of the offender, including whether the victim recommends that the offender not be sentenced as provided in this subsection.

2. For every case in which the offender meets the criteria in paragraph (a) and does not receive the mandatory minimum prison sentence, the state attorney must explain the sentencing deviation in writing and place such explanation in the case file maintained by the state attorney. ~~On an annual basis, each state attorney shall submit copies of deviation memoranda regarding offenses committed on or after the effective date of this subsection, to the president of the Florida Prosecuting Attorneys Association, Inc. The association must maintain such information, and make such information available to the public upon request, for at least a 10 year period.~~

Section 3. *Section 775.08401, Florida Statutes, is repealed.*

Section 4. *Subsection (5) of section 775.087, Florida Statutes, is repealed.*

Section 5. *Subsection (4) of section 985.557, Florida Statutes, is repealed.*

Section 6. Subsection (5) of section 775.0843, Florida Statutes, is amended to read:

775.0843 Policies to be adopted for career criminal cases.—

(5) Each career criminal apprehension program shall concentrate on the identification and arrest of career criminals and the support of subsequent prosecution. The determination of which suspected felony offenders shall be the subject of career criminal apprehension efforts

shall be made in accordance with written target selection criteria selected by the individual law enforcement agency and state attorney consistent with the provisions of this section and ~~s. ss. 775.08401 and 775.0842.~~

Section 7. This act shall take effect July 1, 2011.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to state attorneys; amending s. 27.366, F.S.; deleting a provision that requires each state attorney to quarterly submit deviation memoranda relating to offenders who are not sentenced to the mandatory minimum prison sentence in cases involving the possession or use of a weapon; amending s. 775.082, F.S.; deleting a provision that requires each state attorney to quarterly submit deviation memoranda relating to why a defendant did not receive the mandatory minimum prison sentence in cases involving certain specified offenses; repealing s. 775.08401, F.S., relating to criteria to be used when state attorneys decide to pursue habitual felony offenders or habitual violent felony offenders; repealing s. 775.087(5), F.S., relating to a provision that requires each state attorney to report why a case-qualified defendant did not receive the mandatory minimum prison sentence in cases involving certain specified offenses; repealing s. 985.557(4), F.S., relating to direct-file policies and guidelines for juveniles; amending s. 775.0843, F.S.; conforming a cross-reference; providing an effective date.

On motion by Senator Wise, by two-thirds vote **HB 4159** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Dean	Jones	Simmons
Detert	Latvala	Siplin
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—3

Braynon	Joyner	Smith
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CS for SB 1158—A bill to be entitled An act relating to a teaching agency for home and community-based care; creating s. 430.81, F.S.; providing a definition; authorizing the Department of Elderly Affairs to designate a home health agency as a teaching agency for home and community-based care; establishing criteria for qualification; authorizing a teaching agency to be affiliated with an academic research university in the state that meets certain criteria; authorizing a teaching agency to be affiliated with an academic health center; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1158**, on motion by Senator Garcia, by two-thirds vote **CS for HB 843** was withdrawn from the Committees on Children, Families, and Elder Affairs; Health Regulation; and Budget.

On motion by Senator Garcia—

CS for HB 843—A bill to be entitled An act relating to a teaching agency for home and community-based care; creating s. 430.81, F.S.; providing a definition; authorizing the Department of Elderly Affairs to designate a home health agency as a teaching agency for home and community-based care; establishing criteria for qualification; authorizing a teaching agency to be affiliated with an academic research university in the state that meets certain criteria; authorizing a teaching

agency to be affiliated with an academic health center; providing an effective date.

—a companion measure, was substituted for **CS for SB 1158** and read the second time by title.

On motion by Senator Garcia, by two-thirds vote **CS for HB 843** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

CS for CS for SB 1228—A bill to be entitled An act relating to temporary certificates and licenses for certain health care practitioners; amending s. 456.024, F.S.; providing for issuance of a temporary license to specified health care practitioners who are spouses of active duty members of the Armed Forces under certain circumstances; providing for criminal history checks; providing fees; providing for expiration of a temporary license; requiring a person who is issued a temporary license to be subject to certain general licensing requirements; providing that certain persons are ineligible for such license; providing for revocation of such license; requiring certain temporary licensees to practice under the indirect supervision of other licensees; amending ss. 458.315 and 459.0076, F.S.; naming the temporary certificates issued to physicians who practice in areas of critical need after Rear Admiral LeRoy Collins, Jr.; providing an effective date.

—was read the second time by title.

An amendment was adopted to conform **CS for CS for SB 1228** to **CS for CS for CS for HB 1319**.

Pending further consideration of **CS for CS for SB 1228** as amended, on motion by Senator Altman, by two-thirds vote **CS for CS for CS for HB 1319** was withdrawn from the Committees on Health Regulation; Military Affairs, Space, and Domestic Security; and Budget.

On motion by Senator Altman, the rules were waived and—

CS for CS for CS for HB 1319—A bill to be entitled An act relating to certificates and licenses for certain health care practitioners; amending s. 456.024, F.S.; providing for issuance of a temporary license to specified health care practitioners who are spouses of active duty members of the Armed Forces under certain circumstances; providing for criminal history checks; providing fees; providing for expiration of a temporary license; requiring a person who is issued a temporary license to be subject to certain general licensing requirements; providing that certain persons are ineligible for such license; providing for revocation of such license; requiring certain temporary licensees to practice under the indirect supervision of other licensees; amending ss. 458.315 and 459.0076, F.S.; naming the temporary certificates issued to physicians who practice in areas of critical need after Rear Admiral LeRoy Collins, Jr.; amending s. 466.003, F.S.; revising the definition of the term “health access setting” and defining the term “school-based prevention program” for purposes of provisions regulating the practice of dentistry; amending s. 466.023, F.S.; revising the scope and area of practice for dental hygienists; amending s. 466.0235, F.S.; revising the locations at which dental hygienists may perform dental charting; amending s. 466.024, F.S.; authorizing dental hygienists to perform certain duties without supervision or authorization by a dentist; providing exceptions; requir-

ing that dental hygienists in a health access setting provide a certain disclaimer to patients before a procedure is performed; providing that a health access setting may bill for certain services; requiring that dental hygienists provide a referral, encourage the establishment of a dental home, and maintain insurance coverage in specified circumstances; re-enacting s. 466.00672(2), F.S., relating to the revocation of health access dental licenses, to incorporate the amendment made by the act to s. 466.003, F.S., in a reference thereto; amending s. 466.006, F.S.; providing legislative intent with respect to the use of the American Dental Licensing Examination developed by the American Board of Dental Examiners, Inc., in lieu of an independent state-developed practical or clinical exam, to measure an applicant's ability to practice the profession of dentistry; providing for examination fees and use thereof; revising criteria for applicants for licensure with respect to accreditation of dental school and period of validity of examination scores; adopting the American Dental Licensing Examination as the clinical or practical licensure examination used for licensure as a dentist in this state, providing specified conditions are maintained; providing for period of validity of examination scores; authorizing applicants to submit American Dental Licensing Examination scores from a jurisdiction outside the state; specifying period of validity of such examination scores; providing that authority to submit such examination scores does not apply retroactively; providing that such examination scores outside the period of validity be recognized as valid upon demonstration that the applicant has met specified additional standards; designating the practical examination and specifying minimum standards therefor; requiring applicants for licensure with American Dental Licensing Examination scores from a state other than this state to engage in the full-time practice of dentistry inside the geographic boundaries of this state within 1 year of receiving such licensure in this state; providing legislative findings with respect thereto; providing a definition; providing legislative intent with respect to expiration of such licenses upon a finding that acceptable proof of full-time practice within the geographic boundaries of this state within 1 year after the initial issuance of the license was not received by the board; providing procedures and requirements with respect to determination of compliance; providing procedures, requirements, and prohibitions in the event of expiration; providing a penalty for using or attempting to use a license that has expired; amending s. 466.0067, F.S.; correcting a cross-reference; re-enacting ss. 466.0065(1), 466.0067(2), (5), (9), and (12), 466.00671(1)(d), 466.0072(b) and (3), 466.009(1), and 466.011, F.S., relating to regional licensure examinations, application for health access dental license, renewal of the health access dental license, examination of dental hygienists, reexamination, and licensure, respectively, to incorporate the amendments made to s. 466.006, F.S., in references thereto; amending s. 468.701, F.S.; defining "Board of Certification"; amending s. 468.703, F.S.; revising qualifications for certain members of the Board of Athletic Training; amending s. 468.707, F.S.; revising requirements for licensure by the Department of Health as an athletic trainer; reorganizing provisions; amending s. 468.711, F.S.; revising provisions relating to renewal of license and continuing education requirements for athletic trainers; providing severability; providing that the act does not apply retroactively; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1228** as amended and read the second time by title.

On motion by Senator Altman, by two-thirds vote **CS for CS for CS for HB 1319** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for CS for SB 1286—A bill to be entitled An act relating to state reciprocity in workers' compensation claims; creating s. 440.094, F.S.; providing extraterritorial coverage for employees of this state who temporarily leave this state incidental to his or her employment; exempting certain employees from another state working in this state and the employers of such employees from the workers' compensation law of this state under certain conditions; providing that the benefits under the workers' compensation insurance or similar laws of the other state are the exclusive remedy against the employer for any injury received by an employee working temporarily in this state; providing requirements for the establishment of prima facie evidence that the employer carries certain workers' compensation insurance; requiring courts to take judicial notice of the construction of certain laws; requiring an employee having a claim under the workers' compensation law of another state, territory, province, or country for the same injury as the claim filed in this state to have the total amount of compensation paid under another workers' compensation law credited against the compensation due under the state workers' compensation law; providing criteria for employees to be considered temporarily in a state; providing for the application of the act to a claim; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1286**, on motion by Senator Bennett, by two-thirds vote **CS for HB 723** was withdrawn from the Committees on Banking and Insurance; Budget; and Rules.

On motion by Senator Bennett—

CS for HB 723—A bill to be entitled An act relating to extraterritorial reciprocity in workers' compensation claims; creating s. 440.094, F.S.; providing extraterritorial coverage; exempting certain employees working in this state and the employers of such employees from the Workers' Compensation Law of this state under certain conditions; providing requirements for the establishment of prima facie evidence that the employer carries certain workers' compensation insurance; requiring courts to take judicial notice of the construction of certain laws; providing requirements for claims made in other states; providing criteria for employees to be considered temporarily in a state; providing application; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1286** and read the second time by title.

On motion by Senator Bennett, by two-thirds vote **CS for HB 723** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for CS for CS for SB 1290—A bill to be entitled An act relating to pest control; amending s. 482.051, F.S.; providing for rule changes that allow operators to provide certain emergency notice to the Department of Agriculture and Consumer Services by facsimile or electronic means; amending s. 482.071, F.S.; increasing the minimum bodily injury and property damage insurance coverage required for pest control busi-

nesses; creating s. 482.072, F.S.; providing for licensure by the department of pest control customer contact centers; providing application requirements; providing for fees, licensure renewal, penalties, licensure expiration, and transfer of licenses; creating s. 482.157, F.S.; providing for the certification of commercial wildlife trappers; providing certification requirements, examination requirements, and fees; limiting the scope of work permitted by certificateholders; clarifying that licensees and certificateholders who practice accepted pest control methods are immune from liability for violating laws prohibiting cruelty to animals; amending s. 482.226, F.S.; increasing the minimum financial responsibility requirements for licensees that perform certain inspections; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1290**, on motion by Senator Dean, by two-thirds vote **CS for CS for CS for HB 949** was withdrawn from the Committees on Agriculture; Environmental Preservation and Conservation; Budget Subcommittee on General Government Appropriations; and Budget.

On motion by Senator Dean—

CS for CS for CS for HB 949—A bill to be entitled An act relating to pest control; amending s. 482.051, F.S.; providing rule changes that allow operators to provide certain emergency notice to the Department of Agriculture and Consumer Services by facsimile or electronic means; amending s. 482.071, F.S.; increasing the minimum bodily injury and property damage insurance coverage required for pest control businesses; creating s. 482.072, F.S.; providing for licensure by the department of pest control customer contact centers; providing application requirements; providing for fees, licensure renewal, penalties, and licensure expiration; creating s. 482.157, F.S.; providing for the certification of commercial wildlife trappers; providing certification requirements, examination requirements, and fees; limiting the scope of work permitted by certificateholders; amending s. 482.183, F.S.; providing that licensees and certificateholders who practice accepted pest control methods are immune from liability for violating laws prohibiting cruelty to animals; providing construction; amending s. 482.226, F.S.; increasing the minimum financial responsibility requirements for licensees that perform certain inspections; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1290** and read the second time by title.

On motion by Senator Dean, by two-thirds vote **CS for CS for CS for HB 949** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

Consideration of **CS for CS for SB 1318** was deferred.

CS for SB 1332—A bill to be entitled An act relating to financial institutions; amending s. 655.005, F.S.; revising definitions relating to the financial institutions codes; amending s. 655.013, F.S.; updating a reference; creating s. 655.03855, F.S.; authorizing the office to appoint provisional directors or executive officers; specifying the rights, qualifications, and reporting requirements of such directors and officers; clarifying the liability of such directors and officers and of the office; amending s. 655.044, F.S.; specifying which accounting practice must be followed by financial institutions; amending s. 655.045, F.S.; authorizing the office to conduct additional examinations of financial institutions if warranted; providing for the use of certain examination methods; amending s. 655.41, F.S.; revising definitions to conform provisions to changes made by the act; amending s. 655.411, F.S.; revising the criteria for approval of a financial entity's plan of conversion; amending s. 655.414, F.S.; providing for the transfer of assets from a federally chartered or out-of-state chartered institution; amending ss. 655.416, 655.417, and 655.418, F.S.; conforming provisions to changes made by the act; amending s. 655.4185, F.S.; revising provisions relating to emergency actions that may be taken for a failing financial institution; authorizing the office to provide prior approval for the chartering of an entity acquiring control of a failing institution; amending s. 655.419, F.S.; deleting a provision relating to actions conducted outside this state; amending s. 655.947, F.S.; conforming a cross-reference; amending s. 657.038, F.S.; specifying the loan factors that must be considered when computing a person's total obligations for purposes of extending credit; amending s. 657.042, F.S.; revising criteria that limit a credit union's investment of funds; requiring a credit union to establish policies and procedures for evaluating risk; amending ss. 657.063 and 657.064, F.S.; conforming cross-references; amending s. 658.12, F.S.; revising the definition of "banker's bank"; conforming a cross-reference; deleting a provision relating to the application of definitions in the financial institutions codes; amending s. 658.165, F.S.; revising provisions relating to banker's banks; specifying the type of business such a bank may do with entities or individuals that are not banks; revising provisions relating to the services a banker's bank may provide to financial institutions in organization; repealing s. 658.20(3), F.S., relating to applications for prior approval of officers or directors; amending s. 658.28, F.S.; providing additional limitations on acquiring or controlling another bank; repealing s. 658.295, F.S., relating to the Florida Interstate Banking Act; amending s. 658.2953, F.S.; revising and updating provisions relating to Florida bank mergers with out-of-state banks; deleting legislative intent; repealing s. 658.296, F.S., relating to the control of deposit-taking institutions; amending s. 658.36, F.S.; authorizing the office to approve a special stock offering plan under certain circumstances; amending s. 658.41, F.S.; clarifying that state laws do not restrict the right of a state bank or trust company to merge with an out-of-state bank; amending s. 658.48, F.S.; revising provisions relating to bank loans; specifying the process for computing the liabilities of a person seeking a loan; amending s. 658.53, F.S.; deleting a provision providing that unpaid proceeds of sales are used to evaluate the adequacy of a bank's capital; repealing ss. 658.65, 665.013(33), and 667.003(35), F.S., relating to remote financial service units; amending s. 658.67, F.S.; updating provisions relating to the investment powers of a bank or trust company; requiring banks and trust companies to establish procedures for evaluating risk; amending ss. 288.772, 288.99, 440.12, 440.20, 445.051, 489.503, 501.005, 501.165, 624.605, 626.321, 626.730, and 626.9885, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1332**, on motion by Senator Richter, by two-thirds vote **CS for HB 1121** was withdrawn from the Committees on Banking and Insurance; Budget Subcommittee on General Government Appropriations; Budget; and Rules.

On motion by Senator Richter—

CS for HB 1121—A bill to be entitled An act relating to financial institutions; amending s. 655.005, F.S.; revising definitions relating to the financial institutions codes; amending s. 655.013, F.S.; updating a reference; creating s. 655.03855, F.S.; authorizing the office to appoint provisional directors or executive officers; specifying the rights, qualifi-

cations, and reporting requirements of such directors and officers; clarifying the liability of such directors and officers and of the office; amending s. 655.044, F.S.; specifying which accounting principles must be followed by financial institutions; amending s. 655.045, F.S.; authorizing the office to conduct additional examinations of financial institutions if warranted; providing for the use of certain examination methods; amending s. 655.41, F.S.; revising definitions to conform provisions to changes made by the act; amending s. 655.411, F.S.; revising the criteria for approval of a financial entity's plan of conversion; amending s. 655.414, F.S.; providing for the transfer of assets from a federally chartered or out-of-state chartered institution; amending ss. 655.416, 655.417, and 655.418, F.S.; conforming provisions to changes made by the act; amending s. 655.4185, F.S.; revising provisions relating to emergency actions that may be taken for a failing financial institution; authorizing the office to provide prior approval for the chartering of an entity acquiring control of a failing institution; amending s. 655.419, F.S.; deleting a provision relating to actions conducted outside this state; amending s. 655.947, F.S.; conforming a cross-reference; amending s. 657.038, F.S.; specifying the loan factors that must be considered when computing a person's total obligations for purposes of extending credit; amending s. 657.042, F.S.; revising criteria that limit a credit union's investment of funds; requiring a credit union to establish policies and procedures for evaluating risk; amending ss. 657.063 and 657.064, F.S.; conforming cross-references; amending s. 658.12, F.S.; revising the definition of "banker's bank"; conforming a cross-reference; deleting a provision relating to the application of definitions in the financial institutions codes; amending s. 658.165, F.S.; revising provisions relating to banker's banks; specifying the type of business that such bank may do with entities or individuals that are not banks; revising provisions relating to the services a banker's bank may provide to financial institutions in organization; repealing s. 658.20(3), F.S., relating to applications for prior approval of officers or directors; amending s. 658.28, F.S.; providing additional limitations on acquiring or controlling another bank; repealing s. 658.295, F.S., relating to the Florida Interstate Banking Act; amending s. 658.2953, F.S.; revising and updating provisions relating to Florida bank mergers with out-of-state banks; deleting legislative intent; repealing s. 658.296, F.S., relating to the control of deposit-taking institutions; amending s. 658.36, F.S.; authorizing the office to approve a special stock offering plan under certain circumstances; amending s. 658.41, F.S.; clarifying that state laws do not restrict the right of a state bank or trust company to merge with an out-of-state bank; amending s. 658.48, F.S.; revising provisions relating to bank loans; specifying the process for computing the liabilities of a person seeking a loan; amending s. 658.53, F.S.; deleting a provision providing that unpaid proceeds of sales are used to evaluate the adequacy of a bank's capital; repealing ss. 658.65, 665.013(33), and 667.003(35), F.S., relating to remote financial service units; amending s. 658.67, F.S.; updating provisions relating to the investment powers of a bank or trust company; requiring banks and trust companies to establish procedures for evaluating risk; amending ss. 288.772, 288.99, 440.12, 440.20, 445.051, 489.503, 501.005, 501.165, 624.605, 626.321, 626.730, and 626.9885, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for SB 1332** and read the second time by title.

On motion by Senator Richter, by two-thirds vote **CS for HB 1121** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SM 1344—A memorial to the Congress of the United States, urging Congress to direct the Department of the Treasury to withdraw a proposed rule on deposits made by nonresident aliens and to examine the proposed rule for negative effects.

WHEREAS, Florida is known as the "Gateway to the Americas" and, as such, has promoted international trade and finance, and

WHEREAS, the United States has had longstanding policies encouraging nonresident aliens to deposit their funds into financial institutions in the United States so that these funds may be used to foster growth, encourage economic development, and create jobs in Florida and the United States, and

WHEREAS, federal law does not permit the taxation of nonresident alien deposit accounts, and

WHEREAS, the United States Commerce Department has stated that foreigners have deposited nearly \$3 trillion in banks and with securities brokers in the United States, and

WHEREAS, this policy has led to the deposit of tens of billions of dollars by nonresident aliens in banks in this state, and

WHEREAS, the Treasury Department has issued a proposed Internal Revenue Service regulation, REG-146097-09, which will require financial institutions in the United States and in this state to report interest earned on deposits made by nonresident aliens, so that this information can be reported to the nonresident alien's home country, and

WHEREAS, many nonresident alien accounts located in banks in this state were established by Latin Americans who do not trust the privacy of the financial institutions in their home countries, are afraid of kidnappings and extortion when funds are domestically deposited, and are so concerned with the viability of the economies of their home countries that they have moved their money to the safety and soundness of this nation's financial system, and

WHEREAS, adoption of the rule would place financial institutions in the United States and in Florida at a competitive disadvantage relative to the banks of foreign countries and will result in significant withdrawals of foreign deposits from our financial institutions, and

WHEREAS, the withdrawal of these nonresident alien deposits from Florida financial institutions will drive job-creating capital out of Florida and cause a further and deepening banking and economic crisis in Florida and the United States, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Congress of the United States is urged to direct the Department of the Treasury to withdraw proposed Internal Revenue Service regulation REG-146097-09.

BE IT FURTHER RESOLVED that the Congress of the United States is urged to hold hearings to examine the negative effects of the proposed rule on the economy of the United States and Florida and the cost of the proposed rule to financial institutions.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full.

Pending further consideration of **SM 1344**, on motion by Senator Flores, by two-thirds vote **HM 1047** was withdrawn from the Committees on Banking and Insurance; and Judiciary.

On motion by Senator Flores, by two-thirds vote—

HM 1047—A memorial urging the United States Department of the Treasury to withdraw a proposed rule on nonresident alien accounts and Congress to hold certain hearings on the proposed rule.

WHEREAS, Florida is the gateway to the Americas and, as such, has promoted international trade and finance, and WHEREAS, the United States has had a long policy to encourage nonresident aliens to deposit their funds into financial institutions in the United States so that these funds can be used to foster growth, encourage economic development, and create jobs in Florida and the United States, and,

WHEREAS, the federal law does not permit the taxation of the deposit account of a nonresident alien, and

WHEREAS, the United States Commerce Department has stated that foreigners have deposited nearly \$3 trillion in United States banks and with securities brokers, and

WHEREAS, this policy has led to the influx of tens of billions of nonresident alien dollars being deposited in Florida banks, and

WHEREAS, the Treasury Department has issued proposed Internal Revenue Service regulation REG-146097-09 that will require United States and Florida financial institutions to report interest earned on the nonresident alien deposits so that this information can be reported to the nonresident alien's home country, and

WHEREAS, many nonresident alien accounts were established in Florida by individuals from Latin America because many nonresident aliens do not trust the privacy of the financial institutions in their home countries, fear kidnappings and extortion when such financial information is revealed, and are concerned about the viability of their home country's economy and thus have transferred their money to the safety and soundness of the United States' financial system, and

WHEREAS, the adoption of the rule will place United States' and Florida's financial institutions at a competitive disadvantage relative to the banks of foreign countries and will result in significant withdrawals of foreign deposits from our financial institutions, and

WHEREAS, the withdrawal of these nonresident alien deposits from Florida's financial institutions will drive job-creating capital out of Florida and cause a further, deepening banking and economic crisis in Florida and the United States, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Legislature requests that the United States Treasury Department withdraw proposed Internal Revenue Service regulation REG-146097-09.

BE IT FURTHER RESOLVED that the United States Congress hold hearings to examine the negative effects of the proposed rule on the economies of the United States and Florida and the expense to financial institutions.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, and to the United States Secretary of the Treasury.

—a companion measure, was substituted for **SM 1344** and by two-thirds vote read the second time in full. On motion by Senator Flores, **HM 1047** was adopted and certified to the House.

CS for SB 1372—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.125, F.S.; requiring the Department of Children and Family Services to submit its recommended order to the Agency for Persons with Disabilities at the conclusion of an administrative hearing; requiring that the agency issue the final agency order; amending s. 393.506, F.S.; requiring a registered nurse or physician to assess and validate a direct service provider's competency in all routes of medication administration at an onsite setting with an actual client; providing an exception; providing an effective date.

—was read the second time by title. On motion by Senator Storms, by two-thirds vote **CS for SB 1372** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fasano	Norman
Alexander	Flores	Rich
Altman	Gaetz	Richter
Benacquisto	Garcia	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise

Nays—None

Vote after roll call:

Yea—Oelrich

CS for SB 1390—A bill to be entitled An act relating to supervised reentry programs for inmates; amending s. 945.091, F.S.; providing legislative intent to encourage the Department of Corrections, to the extent possible, to place inmates in the community to perform paid employment for community work; providing that an inmate may leave the confinement of prison to participate in a supervised reentry program in which the inmate is housed in the community while working at paid employment or participating in other programs that are approved by the department; requiring the inmate to live at a department-approved residence while participating in the supervised reentry program; specifying the conditions for participating in the supervised reentry program; requiring that the department adopt rules to operate the supervised reentry program; providing an effective date.

—was read the second time by title. On motion by Senator Dockery, by two-thirds vote **CS for SB 1390** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Rich
Alexander	Gardiner	Richter
Altman	Hays	Ring
Benacquisto	Hill	Sachs
Bennett	Jones	Simmons
Bogdanoff	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	
Flores	Oelrich	

Nays—1

Garcia

CS for CS for SB 1430—A bill to be entitled An act relating to the regulation of smoking; amending s. 386.209, F.S.; authorizing school districts to restrict smoking on school district property; providing an effective date.

—was read the second time by title. On motion by Senator Altman, by two-thirds vote **CS for CS for SB 1430** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Benacquisto	Braynon
Alexander	Bennett	Dean
Altman	Bogdanoff	Detert

Diaz de la Portilla	Jones	Ring
Dockery	Joyner	Sachs
Evers	Latvala	Simmons
Fasano	Margolis	Siplin
Flores	Montford	Smith
Gaetz	Negron	Sobel
Garcia	Norman	Storms
Gardiner	Oelrich	Thrasher
Hays	Rich	Wise
Hill	Richter	

Nays—1

Lynn

CS for CS for SB 1456—A bill to be entitled An act relating to public records; amending s. 408.910, F.S.; providing definitions; providing exemptions from public records requirements for personal identifying information of an enrollee or participant in the Florida Health Choices Program, client and customer lists of buyers' representatives which are held by Florida Health Choices, Inc., and proprietary confidential business information of vendors which is held by Florida Health Choices, Inc.; providing for disclosure of such confidential and exempt information to certain persons and entities upon written request; providing that the guardian of a participant in the program is not prohibited from obtaining certain information; providing a criminal penalty; providing for future legislative review and repeal of the exemptions; providing findings of public necessity; providing an effective date.

—was read the second time by title.

An amendment was adopted to conform **CS for CS for SB 1456** to **CS for HB 1473**.

Pending further consideration of **CS for CS for SB 1456** as amended, on motion by Senator Garcia, by two-thirds vote **CS for HB 1473** was withdrawn from the Committees on Health Regulation; Children, Families, and Elder Affairs; and Governmental Oversight and Accountability.

On motion by Senator Garcia—

CS for HB 1473—A bill to be entitled An act relating to public records; amending s. 408.910, F.S.; providing definitions; creating an exemption from public records requirements for personal identifying information of an enrollee or participant in the Florida Health Choices Program; creating an exemption from public records requirements for proprietary confidential business information of a vendor; creating an exemption from public records requirements for client and customer lists of a program buyer's representative; providing exceptions; authorizing an enrollee's legal guardian to obtain confirmation of certain information about the enrollee's health plan; providing for retroactive application; providing a penalty for unlawful disclosure of confidential and exempt information; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1456** as amended and read the second time by title.

On motion by Senator Garcia, by two-thirds vote **CS for HB 1473** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Detert	Gardiner
Alexander	Diaz de la Portilla	Hays
Altman	Dockery	Hill
Benacquisto	Evers	Jones
Bennett	Fasano	Latvala
Bogdanoff	Flores	Lynn
Braynon	Gaetz	Margolis
Dean	Garcia	Montford

Negron	Ring	Sobel
Norman	Sachs	Storms
Oelrich	Simmons	Thrasher
Rich	Siplin	Wise
Richter	Smith	

Nays—1

Joyner

Vote after roll call:

Nay to Yea—Joyner

CS for CS for SB 1522—A bill to be entitled An act relating to wellness or health improvement programs; amending ss. 626.9541 and 641.3903, F.S.; authorizing insurers and health maintenance organizations to offer a voluntary wellness or health improvement program and to encourage or reward participation in the program by offering rewards or incentives to members; authorizing insurers and health maintenance organizations to require plan members not participating in the wellness or health improvement programs to provide verification that their medical condition warrants nonparticipation in order for the non-participants to receive rewards or incentives; requiring that the reward or incentive be disclosed in the policy or certificate; providing that the act does not prohibit insurers or health maintenance organizations from offering other incentives or rewards for adherence to a wellness or health improvement program; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1522**, on motion by Senator Gaetz, by two-thirds vote **CS for CS for HB 445** was withdrawn from the Committees on Health Regulation; Banking and Insurance; and Rules.

On motion by Senator Gaetz—

CS for CS for HB 445—A bill to be entitled An act relating to wellness or health improvement programs; amending ss. 626.9541 and 641.3903, F.S.; authorizing insurers and health maintenance organizations to offer a voluntary wellness or health improvement program and to encourage or reward participation in the program by offering rewards or incentives to members; authorizing insurers and health maintenance organizations to require plan members not participating in the wellness or health improvement programs to provide verification that their medical condition warrants nonparticipation in order for the non-participants to receive rewards or incentives; requiring that the reward or incentive be disclosed in the policy or certificate; providing that the act does not prohibit insurers or health maintenance organizations from offering other incentives or rewards for adherence to a wellness or health improvement program; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1522** and read the second time by title.

On motion by Senator Gaetz, by two-thirds vote **CS for CS for HB 445** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 1574—A bill to be entitled An act relating to business enterprise opportunities for wartime veterans; amending s. 295.187, F.S.; revising legislative intent; renaming and revising the Florida Service-Disabled Veteran Business Enterprise Opportunity Act to expand the vendor preference in state contracting to include certain businesses owned and operated by wartime veterans or veterans of a period of war; providing an effective date.

—was read the second time by title. On motion by Senator Latvala, by two-thirds vote CS for SB 1574 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Mr. President, Flores, Norman, Alexander, Gaetz, Oelrich, Altman, Garcia, Rich, Benacquisto, Gardiner, Richter, Bennett, Hays, Ring, Bogdanoff, Hill, Sachs, Braynon, Jones, Simmons, Dean, Joyner, Siplin, Detert, Latvala, Smith, Diaz de la Portilla, Lynn, Sobel, Dockery, Margolis, Storms, Evers, Montford, Thrasher, Fasano, Negron, Wise

Nays—None

SB 1586—A bill to be entitled An act relating to the authority of certain professionals to practice in this state; amending ss. 455.2185 and 456.023, F.S.; deleting provisions that limit the practice privileges of out-of-state or foreign health care professionals or veterinarians who are in this state for a specific sporting event; providing an effective date.

—was read the second time by title. On motion by Senator Hays, by two-thirds vote SB 1586 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Mr. President, Flores, Norman, Alexander, Gaetz, Oelrich, Altman, Garcia, Rich, Benacquisto, Gardiner, Richter, Bennett, Hays, Ring, Bogdanoff, Hill, Sachs, Braynon, Jones, Simmons, Dean, Joyner, Siplin, Detert, Latvala, Smith, Diaz de la Portilla, Lynn, Sobel, Dockery, Margolis, Storms, Evers, Montford, Thrasher, Fasano, Negron, Wise

Nays—None

SB 1942—A bill to be entitled An act relating to local government services; repealing s. 163.07, F.S., relating to efficiency and accountability in local government services; providing an effective date.

—was read the second time by title.

Pending further consideration of SB 1942, on motion by Senator Bennett, by two-thirds vote HB 4031 was withdrawn from the Committees on Community Affairs; and Budget.

On motion by Senator Bennett—

HB 4031—A bill to be entitled An act relating to local government services; repealing s. 163.07, F.S., relating to efficiency and accountability in local government services; providing an effective date.

—a companion measure, was substituted for SB 1942 and read the second time by title.

On motion by Senator Bennett, by two-thirds vote HB 4031 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Mr. President, Flores, Norman, Alexander, Gaetz, Oelrich, Altman, Garcia, Rich, Benacquisto, Gardiner, Richter, Bennett, Hays, Ring, Bogdanoff, Hill, Sachs, Braynon, Jones, Simmons, Dean, Joyner, Siplin, Detert, Latvala, Smith, Diaz de la Portilla, Lynn, Sobel, Dockery, Margolis, Storms, Evers, Montford, Thrasher, Fasano, Negron, Wise

Nays—None

SB 874—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public-records requirements for information furnished by a person to an agency for the purpose of being provided with emergency notification by the agency; providing for retroactive effect of the exemption; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform SB 874 to HB 597.

Pending further consideration of SB 874 as amended, on motion by Senator Hays, by two-thirds vote HB 597 was withdrawn from the Committees on Community Affairs; Governmental Oversight and Accountability; and Budget.

On motion by Senator Hays—

HB 597—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for information furnished by a person to an agency for the purpose of being provided with emergency notification by the agency; providing for retroactive effect of the exemption; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for SB 874 as amended and read the second time by title.

On motion by Senator Hays, by two-thirds vote HB 597 was read the third time by title, passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Mr. President, Detert, Gardiner, Alexander, Diaz de la Portilla, Hays, Altman, Dockery, Hill, Benacquisto, Evers, Jones, Bennett, Fasano, Joyner, Bogdanoff, Flores, Latvala, Braynon, Gaetz, Lynn, Dean, Garcia, Margolis

Montford	Richter	Smith
Negron	Ring	Sobel
Norman	Sachs	Storms
Oelrich	Simmons	Thrasher
Rich	Siplin	Wise

Nays—None

THE PRESIDENT PRESIDING

CS for CS for CS for SB 530—A bill to be entitled An act relating to condominium, cooperative, and homeowners' associations; creating s. 468.439, F.S.; authorizing a claim of lien to secure reasonable expenses for collection services rendered by a community association manager or community management firm on behalf of a community association for a delinquent account; amending s. 633.0215, F.S.; exempting certain residential buildings from a requirement to install a manual fire alarm system; amending s. 718.111, F.S.; revising provisions relating to the official records of condominium associations; providing for disclosure of employment agreements or compensation paid to association employees; amending s. 718.112, F.S.; revising provisions relating to bylaws; providing that board of administration meetings discussing personnel matters are not open to unit members; revising requirements for electing the board of directors; providing for continued office and for filling vacancies under certain circumstances; specifying unit owner eligibility for board membership; requiring that certain educational curriculum be completed within a specified time before the election or appointment of a board director; amending s. 718.113, F.S.; authorizing the board of a condominium association to install impact glass or other code-compliant windows under certain circumstances; amending s. 718.114, F.S.; requiring the vote or written consent of a majority of the voting interests before a condominium association may enter into certain agreements to acquire leaseholds, memberships, or other possessory or use interests; amending s. 718.116, F.S.; revising provisions relating to condominium assessments; providing that an association that acquires title to a unit through the foreclosure of its lien for assessments is not liable for unpaid assessments, late fees, interest, or attorney's fees and costs under specified circumstances; conforming a cross-reference; revising provisions authorizing an association to collect rent from the tenant of a unit owner that owes money to the association; amending s. 718.117, F.S.; providing a procedure for the termination of ownership of a condominium if the units have been totally destroyed or demolished; providing procedures and requirements for partial termination of a condominium property; requiring that a lien against a condominium unit being terminated be transferred to the proceeds of sale for that property; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner or occupant; providing for the suspension of certain rights of use or voting rights; forbidding a voting interest or consent right allocated to a unit or member which has been suspended from being counted toward the total number of voting interests; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 718.703, F.S.; redefining the term "bulk assignee" for purposes of the Distressed Condominium Relief Act; amending s. 718.704, F.S.; revising provisions relating to the assignment of developer rights by a bulk assignee; amending s. 718.705, F.S.; revising provisions relating to the transfer of control of a condominium board of administration to unit owners; amending s. 718.706, F.S.; revising provisions relating to the offering of units by a bulk assignee or bulk buyer; amending s. 718.707, F.S.; revising the time limitation for classification as a bulk assignee or bulk buyer; amending s. 719.108, F.S.; deleting a provision authorizing an association to add administrative late fees and costs for collection services to a lien against a cooperative parcel for unpaid rents and assessments; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner or occupant; providing for the suspension of certain rights of use or voting rights; forbidding a voting interest or consent right allocated to a unit or member which has been suspended from being counted toward the total number of voting interests; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 720.301, F.S.; revising the definition of the term "declaration of covenants"; amending s. 720.303, F.S.; revising provisions relating to records that are not accessible to members of a homeowners' association; providing for disclosure of employment agreements and compensation paid to association employees; amending s. 720.305, F.S.; revising provisions

relating to imposing remedies against a delinquent member of a homeowners' association; forbidding a voting interest or consent right allocated to a parcel or member which has been suspended from being counted toward the total number of voting interests; requiring that the suspension of certain rights of use or voting rights be approved at a noticed board meeting; amending s. 720.306, F.S.; providing limitations on who may serve on the board of directors of a homeowners' association; amending s. 720.3085, F.S.; revising provisions relating to the payment of assessments; providing that an association that acquires title to a unit through the foreclosure of its lien for assessments is not liable for unpaid assessments, late fees, interest, or attorney's fees and costs under specified circumstances; amending s. 720.309, F.S.; providing for the allocation of communication services by a homeowners' association; providing for the cancellation of communication contracts; providing that hearing-impaired or legally blind owners and owners receiving certain supplemental security income or food stamps may discontinue the service without incurring costs; providing that residents may not be denied access to available franchised, licensed, or certificated cable or video service providers; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for CS for SB 530** to **CS for CS for CS for HB 1195**.

Pending further consideration of **CS for CS for CS for SB 530** as amended, on motion by Senator Fasano, by two-thirds vote **CS for CS for CS for HB 1195** was withdrawn from the Committees on Regulated Industries; Community Affairs; Judiciary; and Budget.

On motion by Senator Fasano, by two-thirds vote—

CS for CS for CS for HB 1195—A bill to be entitled An act relating to condominium, cooperative, and homeowners' associations; amending s. 633.0215, F.S.; exempting certain residential buildings from a requirement to install a manual fire alarm system; providing intent; amending s. 718.111, F.S.; revising provisions relating to the official records of condominium associations; providing for disclosure of certain employment agreements with and compensation paid to association employees; amending s. 718.112, F.S.; revising provisions relating to bylaws; providing that board of administration meetings discussing personnel matters are not open to unit owners; revising requirements for electing the board of directors; providing a definition; providing for continued office and for filling vacancies under certain circumstances; specifying unit owner eligibility for board membership; requiring that certain educational curriculum be completed within a specified time before or after the election or appointment of a board director; providing application; amending s. 718.113, F.S.; authorizing the board of a condominium association to install impact glass or other code-compliant windows under certain circumstances; amending s. 718.114, F.S.; requiring the vote or written consent of a majority of the total voting interests before a condominium association may enter into certain agreements to acquire leaseholds, memberships, or other possessory or use interests; amending s. 718.116, F.S.; revising liability of an association, or its successor or assignee, that acquires title to a unit through the foreclosure of its lien for assessments; revising provisions relating to condominium assessments; providing association notice requirements regarding tenants delinquent in paying any monetary obligation due to the association; conforming a cross-reference; amending s. 718.117, F.S.; providing procedures and requirements for termination of a condominium property that has been totally destroyed or demolished; providing procedures and requirements for partial termination of a condominium property; requiring that a lien against a condominium unit being terminated be transferred to the proceeds of sale for certain portions of that property; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner or a unit owner's tenant, guest, or invitee; providing for the suspension of certain rights of use; revising provisions relating to the suspension of a member's voting rights; requiring that the suspension of certain rights of use and voting rights be approved at a noticed board meeting; amending s. 718.703, F.S.; redefining the term "bulk assignee" and revising the definition of the term "bulk buyer" for purposes of the Distressed Condominium Relief Act; amending s. 718.704, F.S.; revising provisions relating to the assignment and assumption of developer rights by a bulk assignee; amending s. 718.705, F.S.; revising provisions relating to the transfer of control of a condominium board of administration to unit owners; amending s. 718.706, F.S.; revising provisions relating to the offering of units by a bulk assignee or bulk buyer; amending s. 718.707,

F.S.; revising the time limitation for classification as a bulk assignee or bulk buyer; amending s. 719.108, F.S.; providing association notice requirements regarding tenants delinquent in paying any monetary obligation due to the association; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner or a unit owner's tenant, guest, or invitee; providing for the suspension of certain rights of use and voting rights; requiring that the suspension of certain rights of use and voting rights be approved at a noticed board meeting; amending s. 720.301, F.S.; revising the definition of the term "declaration of covenants"; amending s. 720.303, F.S.; revising provisions relating to the rights of a member of a homeowners' association to speak at meetings of the board; revising provisions relating to records that are not accessible to members of a homeowners' association; providing for disclosure of employment agreements with and compensation paid to association employees; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a delinquent member of a homeowners' association or any member's tenant, guest, or invitee; providing for the suspension of certain rights of use; revising provisions relating to the suspension of a member's voting rights; requiring that the suspension of certain rights of use and voting rights be approved at a noticed board meeting; amending s. 720.306, F.S.; specifying additional requirements for candidates to be a member of the board of a homeowners' association; amending s. 720.3085, F.S.; revising liability of an association, or its successor or assignee, that acquires title to a unit through the foreclosure of its lien for assessments; providing association notice requirements regarding tenants delinquent in paying any monetary obligation due to the association; amending s. 720.309, F.S.; providing for the allocation of communications services by a homeowners' association; providing for the cancellation of communication contracts; providing that hearing-impaired or legally blind parcel owners and parcel owners receiving certain supplemental security income or food assistance may discontinue the service without incurring certain costs; providing that parcel residents may not be denied access to available franchised, licensed, or certificated cable or video service providers under certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 530** as amended and by two-thirds vote read the second time by title.

On motion by Senator Fasano, by two-thirds vote **CS for CS for CS for HB 1195** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

SPECIAL ORDER CALENDAR

CS for SB 1182—A bill to be entitled An act relating to the State Board of Administration; amending s. 215.44, F.S.; authorizing the board to invest the assets of a governmental entity in the Local Government Surplus Funds Trust Fund without a trust agreement with that governmental entity; providing that certain investments made by the board under a trust agreement are subject only to the restrictions and limitations contained in the trust agreement; amending s. 215.444, F.S.; reducing the number of members on the Investment Advisory Council; amending s. 215.4755, F.S.; correcting cross-references; clarifying provisions prohibiting certain conflicts of interest by investment advisers and managers retained by the board; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 1182** to **HB 7155**.

Pending further consideration of **CS for SB 1182** as amended, on motion by Senator Ring, by two-thirds vote **HB 7155** was withdrawn from the Committees on Governmental Oversight and Accountability; and Budget.

On motion by Senator Ring, by two-thirds vote—

HB 7155—A bill to be entitled An act relating to state financial matters; amending s. 215.44, F.S.; revising provisions which authorize the State Board of Administration to invest specified funds pursuant to the enrollment requirements of a local government investment authority; authorizing the board to invest specified funds in the Local Government Surplus Funds Trust Fund without a trust agreement upon completion of enrollment materials provided by the board; providing that investments made by the board under a trust agreement are subject only to the restrictions and limitations contained in the trust agreement; amending s. 215.4755, F.S.; correcting a cross-reference; clarifying provisions with respect to an investment adviser's or manager's code of ethics; providing an effective date.

—a companion measure, was substituted for **CS for SB 1182** as amended and by two-thirds vote read the second time by title.

On motion by Senator Ring, by two-thirds vote **HB 7155** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

Consideration of **CS for SB 1974** and **CS for CS for SB 1998** was deferred.

SB 2064—A bill to be entitled An act relating to mental health and substance abuse treatment; amending s. 916.106, F.S.; redefining the term "court" to include county courts in certain circumstances; amending s. 916.13, F.S.; requiring the Department of Children and Family Services to provide a discharged defendant with up to a 7-day supply of psychotropic medication when he or she is returning to jail from a state treatment facility; requiring the department to prescribe a specified formulary when filling prescriptions for psychotropic medications; amending s. 916.17, F.S.; authorizing a county court to order the conditional release of a defendant for the provision of outpatient care and treatment; creating s. 916.185, F.S.; creating the Forensic Hospital Diversion Pilot Program; providing legislative intent; providing definitions; requiring the Department of Children and Family Services to implement a Forensic Hospital Diversion Pilot Program in three specified judicial circuits; providing the scope of eligibility for the pilot program; providing legislative intent concerning training; authorizing the department to adopt rules; directing the Office of Program Policy Analysis and Government Accountability to submit a report to the Governor and Legislature; amending s. 951.23, F.S.; defining the term "facility" for purposes of the administration of county and municipal detention facilities to include detention facilities and residential probation centers; requiring county and municipal detention facilities to use a formulary approved by the Department of Children and Family Services when prescribing

psychotropic medications for defendants discharged from state treatment facilities; providing an effective date.

—was read the second time by title. On motion by Senator Storms, by two-thirds vote **SB 2064** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Consideration of **CS for CS for SB 2086**, **SB 1770** and **CS for SB 1388** was deferred.

CS for CS for SB 728—A bill to be entitled An act relating to unemployment compensation; amending s. 213.053, F.S.; increasing the number of employer payroll service providers who qualify for access to unemployment tax information by filing a memorandum of understanding; amending s. 443.031, F.S.; revising provisions relating to statutory construction; amending s. 443.036, F.S.; revising the definitions for “available for work,” “earned income,” “misconduct,” and “unemployment”; adding a definition for “initial skills review”; amending s. 443.091, F.S.; revising requirements for making continued claims for benefits; requiring that an individual claiming benefits report certain information and participate in an initial skills review; providing an exception; specifying criteria for determining an applicant’s availability for work; amending s. 443.101, F.S.; clarifying “good cause” for voluntarily leaving employment; specifying acts that are “gross misconduct” for purposes of discharging an employee and disqualifying him or her for benefits; revising the criteria for determining suitable work to reduce the number of weeks a person may receive benefits before having to accept a job that pays a certain amount; disqualifying a person for benefits due to the receipt of severance pay; revising provisions relating to the effect of criminal acts on eligibility for benefits; disqualifying an individual for benefits for any week he or she is incarcerated; amending s. 443.111, F.S.; revising the manner in which benefits are payable; eliminating payment by mail; providing an exception; conforming provisions to changes made by the act; amending s. 443.115, F.S.; conforming cross-references; reviving, readopting, and amending s. 443.117, F.S., relating to temporary extended benefits; providing for retroactive application; providing for applicability relating to extended benefits for certain weeks and for periods of high unemployment; providing for applicability; amending s. 443.1216, F.S.; providing that employee leasing companies may make a one-time election to report leased employees under the respective unemployment account of each leasing company client; providing procedures and application for such election; conforming a cross-reference; amending s. 443.141, F.S.; providing an employer payment schedule for 2012, 2013, and 2014 contributions; requiring an employer to pay a fee for paying contributions on a quarterly schedule; providing penalties, interest, and fees on delinquent contributions; amending s. 443.151, F.S.; requiring claims to be submitted by electronic means; conforming cross-references; specifying the allowable forms of evidence in an appeal hearing; specifying the judicial venue for filing a notice of appeal; providing for repayment of benefits in cases of agency error; amending s. 443.171, F.S.; specifying that evidence of mailing an agency document creates a rebuttable presumption; providing that the act fulfills an important state interest; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 728**, on motion by Senator Detert, by two-thirds vote **CS for CS for HB 7005** was withdrawn from the Committees on Commerce and Tourism; Judiciary; and Budget.

On motion by Senator Detert, by two-thirds vote—

CS for CS for HB 7005—A bill to be entitled An act relating to unemployment compensation; amending s. 213.053, F.S.; increasing the number of employer payroll service providers who qualify for access to unemployment tax information by filing a memorandum of understanding; amending s. 443.031, F.S.; revising provisions relating to statutory construction; amending s. 443.036, F.S.; revising and providing definitions; revising the term “misconduct” to include conduct outside of the workplace and additional lapses in behavior; amending s. 443.041, F.S.; conforming a cross-reference; amending s. 443.091, F.S.; conforming provisions to changes made by the act; requiring that an applicant for benefits participate in an initial skills review; providing exceptions; requiring the administrator or operator of the initial skills review to notify specified entities regarding review completion and results; amending s. 443.101, F.S.; clarifying “good cause” for voluntarily leaving employment; disqualifying a person for benefits due to the receipt of severance pay; revising provisions relating to the effects of criminal acts on eligibility for benefits; amending s. 443.111, F.S.; providing a definition; reducing the amount and revising the calculation of the number of weeks of a claimant’s benefit eligibility; amending s. 443.1216, F.S.; conforming provisions to changes made by the act; amending s. 443.131, F.S.; providing definitions; revising an employer’s unemployment compensation contribution rate by certain factors; amending s. 443.141, F.S.; providing an employer payment schedule for 2012, 2013, and 2014 contributions; amending s. 443.151, F.S.; revising allowable forms of evidence in benefit appeals; revising the judicial venue for reviewing commission orders; amending s. 443.171, F.S.; specifying that evidence of mailing an agency document is based on the date stated on the document; reviving, readopting, and amending s. 443.117, F.S., relating to temporary extended benefits; providing for retroactive application; establishing temporary state extended benefits for weeks of unemployment; revising definitions; providing for state extended benefits for certain weeks and for periods of high unemployment; providing severability; providing applicability; providing appropriations for purposes of implementation; providing that the act fulfills an important state interest; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 728** and by two-thirds vote read the second time by title.

Senator Detert moved the following amendment which was adopted:

Amendment 1 (336278) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (4) of section 213.053, Florida Statutes, is amended to read:

213.053 Confidentiality and information sharing.—

(4) The department, while providing unemployment tax collection services under contract with the Agency for Workforce Innovation through an interagency agreement pursuant to s. 443.1316, may release unemployment tax rate information to the agent of an employer *who, which agent* provides payroll services for more than 100 500 employers, pursuant to a memorandum of understanding. The memorandum of understanding must state that the agent affirms, subject to the criminal penalties contained in ss. 443.171 and 443.1715, that the agent will retain the confidentiality of the information, that the agent has in effect a power of attorney from the employer which permits the agent to obtain unemployment tax rate information, and that the agent shall provide the department with a copy of the employer’s power of attorney upon request.

Section 2. Section 443.031, Florida Statutes, is amended to read:

443.031 Rule of liberal construction.—This chapter shall be liberally construed to accomplish its purpose to promote employment security by increasing opportunities for reemployment and to provide, through the accumulation of reserves, for the payment of compensation to individuals with respect to their unemployment. The Legislature hereby declares its intention to provide for carrying out the purposes of this chapter in co-

operation with the appropriate agencies of other states and of the Federal Government as part of a nationwide employment security program, and particularly to provide for meeting the requirements of Title III, the requirements of the Federal Unemployment Tax Act, and the Wagner-Peyser Act of June 6, 1933, entitled "An Act to provide for the establishment of a national employment system and for cooperation with the states in the promotion of such system, and for other purposes," each as amended, in order to secure for this state and its citizens the grants and privileges available under such acts. All doubts in favor of a claimant of unemployment benefits who is unemployed through no fault of his or her own. Any doubt as to the proper construction of any provision of this chapter shall be resolved in favor of conformity with such requirements federal law, including, but not limited to, the Federal Unemployment Tax Act, the Social Security Act, the Wagner-Peyser Act, and the Workforce Investment Act.

Section 3. Present subsections (26) through (45) of section 443.036, Florida Statutes, are renumbered as subsections (27) through (46), respectively, new subsection (26) is added to that section, and present subsections (6), (9), (29), and (43) of that section are amended, to read:

443.036 Definitions.—As used in this chapter, the term:

(6) "Available for work" means actively seeking and being ready and willing to accept suitable work employment.

(9) "Benefit year" means, for an individual, the 1-year period beginning with the first day of the first week for which the individual first files a valid claim for benefits and, thereafter, the 1-year period beginning with the first day of the first week for which the individual next files a valid claim for benefits after the termination of his or her last preceding benefit year. Each claim for benefits made in accordance with s. 443.151(2) is a valid claim under this subsection if the individual was paid wages for insured work in accordance with s. 443.091(1)(g) and is unemployed as defined in subsection (43) at the time of filing the claim. However, the Agency for Workforce Innovation may adopt rules providing for the establishment of a uniform benefit year for all workers in one or more groups or classes of service or within a particular industry if the agency determines, after notice to the industry and to the workers in the industry and an opportunity to be heard in the matter, that those groups or classes of workers in a particular industry periodically experience unemployment resulting from layoffs or shutdowns for limited periods of time.

(26) "Initial skills review" means an online education or training program, such as that established under s. 1004.99, that is approved by the Agency for Workforce Innovation and designed to measure an individual's mastery level of workplace skills.

(31)(29) "Misconduct," irrespective of whether the misconduct occurs at the workplace or during working hours, includes, but is not limited to, the following, which may not be construed in pari materia with each other:

(a) Conduct demonstrating conscious willful or wanton disregard of an employer's interests and found to be a deliberate violation or disregard of the reasonable standards of behavior which the employer expects has a right to expect of his or her employee; or

(b) Carelessness or negligence to a degree or recurrence that manifests culpability, or wrongful intent, or evil design or shows an intentional and substantial disregard of the employer's interests or of the employee's duties and obligations to his or her employer.

(c) Chronic absenteeism or tardiness in deliberate violation of a known policy of the employer or one or more unapproved absences following a written reprimand or warning relating to more than one unapproved absence.

(d) A willful and deliberate violation of a standard or regulation of this state by an employee of an employer licensed or certified by this state, which violation would cause the employer to be sanctioned or have its license or certification suspended by this state.

(e) A violation of an employer's rule, unless the claimant can demonstrate that:

1. He or she did not know, and could not reasonably know, of the rule's requirements;

2. The rule is not lawful or not reasonably related to the job environment and performance; or

3. The rule is not fairly or consistently enforced.

(45)(43) "Unemployment" or "unemployed" means:

(a) An individual is "totally unemployed" in any week during which he or she does not perform any services and for which earned income is not payable to him or her. An individual is "partially unemployed" in any week of less than full-time work if the earned income payable to him or her for that week is less than his or her weekly benefit amount. The Agency for Workforce Innovation may adopt rules prescribing distinctions in the procedures for unemployed individuals based on total unemployment, part-time unemployment, partial unemployment of individuals attached to their regular jobs, and other forms of short-time work.

(b) An individual's week of unemployment commences only after his or her registration with the Agency for Workforce Innovation as required in s. 443.091, except as the agency may otherwise prescribe by rule.

Section 4. Effective August 1, 2011, paragraphs (b), (c), (d), and (f) of subsection (1) of section 443.091, Florida Statutes, are amended to read:

443.091 Benefit eligibility conditions.—

(1) An unemployed individual is eligible to receive benefits for any week only if the Agency for Workforce Innovation finds that:

(b) She or he has registered with the agency for work and subsequently reports to the one-stop career center as directed by the regional workforce board for reemployment services. This requirement does not apply to persons who are:

1. Non-Florida residents;

2. On a temporary layoff, as defined in s. 443.036(42);

3. Union members who customarily obtain employment through a union hiring hall; or

4. Claiming benefits under an approved short-time compensation plan as provided in s. 443.1116.

(c) To make continued claims for benefits, she or he is reporting to the Agency for Workforce Innovation in accordance with this paragraph and agency its rules, and participating in an initial skills review as directed by the agency. Agency These rules may not conflict with s. 443.111(1)(b), which requires including the requirement that each claimant continue to report regardless of any pending appeal relating to her or his eligibility or disqualification for benefits.

1. For each week of unemployment claimed, each report must, at a minimum, include the name, address, and telephone number of each prospective employer contacted, or the date the claimant reported to a one-stop career center, pursuant to paragraph (d).

2. The administrator or operator of the initial skills review shall notify the agency when the individual completes the initial skills review and report the results of the review to the regional workforce board or the one-stop career center as directed by the workforce board. The workforce board shall use the initial skills review to develop a plan for referring individuals to training and employment opportunities. The failure of the individual to comply with this requirement will result in the individual being determined ineligible for benefits for the week in which the non-compliance occurred and for any subsequent week of unemployment until the requirement is satisfied. However, this requirement does not apply if the individual is able to affirmatively attest to being unable to complete such review due to illiteracy or a language impediment.

(d) She or he is able to work and is available for work. In order to assess eligibility for a claimed week of unemployment, the agency shall develop criteria to determine a claimant's ability to work and availability for work. A claimant must be actively seeking work in order to be considered available for work. This means engaging in systematic and sustained efforts to find work, including contacting at least five prospective employers for each week of unemployment claimed. The agency may require the claimant to provide proof of such efforts to the one-stop career

center as part of reemployment services. The agency shall conduct random reviews of work search information provided by claimants. As an alternative to contacting at least five prospective employers for any week of unemployment claimed, a claimant may, for that same week, report in person to a one-stop career center to meet with a representative of the center and access reemployment services of the center. The center shall keep a record of the services or information provided to the claimant and shall provide the records to the agency upon request by the agency. However:

1. Notwithstanding any other provision of this paragraph or paragraphs (b) and (e), an otherwise eligible individual may not be denied benefits for any week because she or he is in training with the approval of the agency, or by reason of s. 443.101(2) relating to failure to apply for, or refusal to accept, suitable work. Training may be approved by the agency in accordance with criteria prescribed by rule. A claimant's eligibility during approved training is contingent upon satisfying eligibility conditions prescribed by rule.

2. Notwithstanding any other provision of this chapter, an otherwise eligible individual who is in training approved under s. 236(a)(1) of the Trade Act of 1974, as amended, may not be determined ineligible or disqualified for benefits due to her or his enrollment in such training or because of leaving work that is not suitable employment to enter such training. As used in this subparagraph, the term "suitable employment" means work of a substantially equal or higher skill level than the worker's past adversely affected employment, as defined for purposes of the Trade Act of 1974, as amended, the wages for which are at least 80 percent of the worker's average weekly wage as determined for purposes of the Trade Act of 1974, as amended.

3. Notwithstanding any other provision of this section, an otherwise eligible individual may not be denied benefits for any week because she or he is before any state or federal court pursuant to a lawfully issued summons to appear for jury duty.

(f) She or he has been unemployed for a waiting period of 1 week. A week may not be counted as a week of unemployment under this subsection unless:

1. ~~Unless~~ It occurs within the benefit year that includes the week for which she or he claims payment of benefits.

2. ~~If~~ Benefits have been paid for that week.

3. ~~Unless~~ The individual was eligible for benefits for that week as provided in this section and s. 443.101, except for the requirements of this subsection and ~~of~~ s. 443.101(5).

Section 5. Effective August 1, 2011, paragraph (a) of subsection (1) and subsections (2), (3), and (9) of section 443.101, Florida Statutes, are amended, and subsection (12) is added to that section, to read:

443.101 Disqualification for benefits.—An individual shall be disqualified for benefits:

(1)(a) For the week in which he or she has voluntarily left work without good cause attributable to his or her employing unit or ~~in which the individual~~ has been discharged by the employing unit for misconduct connected with his or her work, based on a finding by the Agency for Workforce Innovation. As used in this paragraph, the term "work" means any work, whether full-time, part-time, or temporary.

1. Disqualification for voluntarily quitting continues for the full period of unemployment next ensuing after the individual has left his or her full-time, part-time, or temporary work voluntarily without good cause and until the individual has earned income equal to or *greater than in excess of* 17 times his or her weekly benefit amount. As used in this subsection, the term "good cause" includes only that cause attributable to the employing unit *which would compel a reasonable employee to cease working or attributable to which consists of* the individual's illness or disability requiring separation from his or her work. Any other disqualification may not be imposed. An individual is not disqualified under this subsection for voluntarily leaving temporary work to return immediately when called to work by the permanent employing unit that temporarily terminated his or her work within the previous 6 calendar months, ~~or. An individual is not disqualified under this subsection for voluntarily leaving work to relocate as a result of his or her military-~~

connected spouse's permanent change of station orders, activation orders, or unit deployment orders.

2. Disqualification for being discharged for misconduct connected with his or her work continues for the full period of unemployment next ensuing after having been discharged and until the individual is re-employed and has earned income of at least 17 times his or her weekly benefit amount and for not more than 52 weeks ~~that~~ immediately following ~~follow~~ that week, as determined by the agency in each case according to the circumstances ~~in each case~~ or the seriousness of the misconduct, under the agency's rules adopted for determinations of disqualification for benefits for misconduct.

3. If an individual has provided notification to the employing unit of his or her intent to voluntarily leave work and the employing unit discharges the individual for reasons other than misconduct before the date the voluntary quit was to take effect, the individual, if otherwise entitled, shall receive benefits from the date of the employer's discharge until the effective date of his or her voluntary quit.

4. If an individual is notified by the employing unit of the employer's intent to discharge the individual for reasons other than misconduct and the individual quits without good cause, ~~as defined in this section~~, before the date the discharge was to take effect, the claimant is ineligible for benefits pursuant to s. 443.091(1)(d) for failing to be available for work for the week or weeks of unemployment occurring before the effective date of the discharge.

(2) If the Agency for Workforce Innovation finds that the individual has failed without good cause to apply for available suitable work ~~when directed by the agency or the one-stop career center, to~~ accept suitable work when offered to him or her, or ~~to~~ return to the individual's customary self-employment when directed by the agency, the disqualification continues for the full period of unemployment next ensuing after he or she failed without good cause to apply for available suitable work, ~~to~~ accept suitable work, or ~~to~~ return to his or her customary self-employment, ~~under this subsection~~, and until the individual has earned income of at least 17 times his or her weekly benefit amount. The Agency for Workforce Innovation shall by rule adopt criteria for determining the "suitability of work," as used in this section. ~~The Agency for Workforce Innovation~~ In developing these rules, ~~the agency~~ shall consider the duration of a claimant's unemployment in determining the suitability of work and the suitability of proposed rates of compensation for available work. Further, after an individual has received 25 weeks of benefits in a single year, suitable work is a job that pays the minimum wage and is 120 percent or more of the weekly benefit amount the individual is drawing.

(a) In determining whether or not any work is suitable for an individual, the Agency for Workforce Innovation shall consider the degree of risk ~~involved to the individual's his or her~~ health, safety, and morals; ~~the individual's his or her~~ physical fitness, and prior training; ~~the individual's~~ experience, and prior earnings; ~~his or her~~ length of unemployment, and prospects for securing local work in his or her customary occupation; and the distance of the available work from his or her residence.

(b) Notwithstanding any other provisions of this chapter, work is not deemed suitable and benefits may not be denied ~~under this chapter~~ to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

1. ~~If~~ The position offered is vacant due directly to a strike, lockout, or other labor dispute.

2. ~~If~~ The wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality.

3. ~~If~~ As a condition of being employed, the individual ~~is would be~~ required to join a company union or to resign from or refrain from joining any bona fide labor organization.

(c) If the Agency for Workforce Innovation finds that an individual was rejected for offered employment as the direct result of a positive, confirmed drug test required as a condition of employment, the individual is disqualified for refusing to accept an offer of suitable work.

(3) For any week with respect to which he or she is receiving or has received remuneration in the form of:

(a) Wages in lieu of notice.

(b) *Severance pay.* The number of weeks that an individual's severance pay disqualifies the individual is equal to the amount of the severance pay divided by that individual's average weekly wage received from the employer that paid the severance pay, rounded down to the nearest whole number, beginning with the week the individual is separated from employment.

(c) ~~(b) 1.~~ Compensation for temporary total disability or permanent total disability under the workers' compensation law of any state or under a similar law of the United States.

~~2. However, If the remuneration referred to in this subsection paragraphs (a) and (b) is less than the benefits that would otherwise be due under this chapter, an individual who is otherwise eligible he or she is entitled to receive for that week, if otherwise eligible, benefits reduced by the amount of the remuneration.~~

(9) If the individual was terminated from his or her work ~~for violation of any criminal law punishable by imprisonment, or for any dishonest act, in connection with his or her work,~~ as follows:

(a) If the Agency for Workforce Innovation or the Unemployment Appeals Commission finds that the individual was terminated from his or her work for violation of any criminal law, *under any jurisdiction, which was punishable by imprisonment* in connection with his or her work, and the individual was *convicted found guilty of the offense, made an admission of guilt in a court of law, or entered a plea of guilty or nolo contendere* ~~no contest~~, the individual is not entitled to unemployment benefits for up to 52 weeks, *pursuant to under* rules adopted by the agency for Workforce Innovation, and until he or she has earned income of at least 17 times his or her weekly benefit amount. If, before an adjudication of guilt, an admission of guilt, or a plea of *nolo contendere* ~~no contest~~, the employer *proves by competent substantial evidence to shows* the agency for Workforce Innovation that the arrest was due to a crime against the employer or the employer's business, customers, or invitees and, after considering all the evidence, the Agency for Workforce Innovation finds misconduct in connection with the individual's work, the individual is not entitled to unemployment benefits.

(b) If the Agency for Workforce Innovation or the Unemployment Appeals Commission finds that the individual was terminated from work for any dishonest act in connection with his or her work, the individual is not entitled to unemployment benefits for up to 52 weeks, *pursuant to under* rules adopted by the Agency for Workforce Innovation, and until he or she has earned income of at least 17 times his or her weekly benefit amount. ~~In addition, If the employer terminates an individual as a result of a dishonest act in connection with his or her work and the Agency for Workforce Innovation finds misconduct in connection with his or her work, the individual is not entitled to unemployment benefits.~~

~~If With respect to an individual is disqualified for benefits, the account of the terminating employer, if the employer is in the base period, is non-charged at the time the disqualification is imposed.~~

(12) For any week in which the individual is unavailable for work due to incarceration or imprisonment.

Section 6. Effective August 1, 2011, subsection (1) of section 443.111, Florida Statutes, is amended to read:

443.111 Payment of benefits.—

(1) MANNER OF PAYMENT.—Benefits are payable from the fund in accordance with rules adopted by the Agency for Workforce Innovation, subject to the following requirements:

(a) Benefits are payable by mail or electronically, *except that an individual being paid by paper warrant on July 1, 2011, may continue to be paid in that manner until the expiration of the claim.* Notwithstanding s. 409.942(4), the agency may develop a system for the payment of benefits by electronic funds transfer, including, but not limited to, debit cards, electronic payment cards, or any other means of electronic payment that the agency deems to be commercially viable or cost-effective. Commod-

ities or services related to the development of such a system shall be procured by competitive solicitation, unless they are purchased from a state term contract pursuant to s. 287.056. The agency shall adopt rules necessary to administer ~~this paragraph the system.~~

(b) As required under s. 443.091(1), each claimant must report ~~in the manner prescribed by the agency for Workforce Innovation to certify for benefits that are paid and must continue to report~~ at least biweekly to receive unemployment benefits and to attest to the fact that she or he is able and available for work, has not refused suitable work, is seeking work and has contacted at least five prospective employers or reported in person to a one-stop career center for reemployment services for each week of unemployment claimed, and, if she or he has worked, to report earnings from that work. Each claimant must continue to report regardless of any appeal or pending appeal relating to her or his eligibility or disqualification for benefits.

Section 7. Effective July 1, 2011, paragraph (a) of subsection (1) and paragraph (f) of subsection (13) of section 443.1216, Florida Statutes, are amended to read:

443.1216 Employment.—Employment, as defined in s. 443.036, is subject to this chapter under the following conditions:

(1)(a) The employment ~~subject to this chapter~~ includes a service performed, including a service performed in interstate commerce, by:

1. An officer of a corporation.

2. An individual who, under the usual common-law rules applicable in determining the employer-employee relationship, is an employee. However, ~~if whenever~~ a client, as defined in s. 443.036(19), which would otherwise be designated as an employing unit, has contracted with an employee leasing company to supply it with workers, those workers are considered employees of the employee leasing company *and must be reported under the leasing company's tax identification number and contribution rate for work performed for the leasing company.*

a. However, except for the internal employees of an employee leasing company, a leasing company may make a one-time election to report and pay contributions under the client method. Under the client method, a leasing company must assign leased employees to the client company that is leasing the employees. The client method is solely a method to report and pay unemployment contributions. For all other purposes, the leased employees are considered employees of the employee leasing company. A leasing company that elects the client method shall pay contributions at the rates assigned to each client company.

(I) The election applies to all of the leasing company's current and future clients.

(II) The leasing company must notify the Agency for Workforce Innovation or the tax collection service provider of its election by August 1 of the calendar year prior to the year the election will go into effect, and such election applies to reports and contributions beginning the first quarter of the calendar year following the election. The notification must include:

(A) A list of each client company and its unemployment account number;

(B) A list of each client company's current and previous employees and their respective social security numbers for the prior 3 state fiscal years; and

(C) All wage data and benefit charges for the prior 3 state fiscal years.

(III) Subsequent to such election, the employee leasing company may not change its reporting method.

(IV) The employee leasing company must, by approved electronic means, file a Florida Department of Revenue Employer's Quarterly Report (UCT-6) for each client company and pay all contributions.

(V) For the purposes of calculating experience rates, the election is treated like a total or partial succession, depending on the percentage of employees leased. If the client company leases only a portion of its employees from the leasing company, the client company shall continue to report the nonleased employees under its tax rate based on the experience of the nonleased employees.

(VI) A leasing company that elects to report and pay contributions under the client method is not required to submit quarterly Multiple Worksite Reports required by sub-subparagraphs c. and d.

(VII) This sub-subparagraph applies to all employee leasing companies, including each leasing company that is a group member or group leader of an employee leasing company group licensed pursuant to chapter 468. The election is binding on all employee leasing companies and their related enterprises, subsidiaries, or other entities that share common ownership, management, or control with the leasing company. The election is also binding on all clients of the leasing company for as long as a written agreement is in effect between the client and the leasing company pursuant to s. 468.525(3)(a). If the relationship between the leasing company and the client terminates, the client retains the wage and benefit history experienced under the leasing company.

b. An employee leasing company may lease corporate officers of the client to the client and other workers to the client, except as prohibited by regulations of the Internal Revenue Service. ~~Employees of an employee leasing company must be reported under the employee leasing company's tax identification number and contribution rate for work performed for the employee leasing company.~~

c. In addition to any other report required to be filed by law, an employee leasing company shall submit a report to the Labor Market Statistics Center within the Agency for Workforce Innovation which includes each client establishment and each establishment of the employee leasing company, or as otherwise directed by the agency. The report must include the following information for each establishment:

- (I) The trade or establishment name;
- (II) The former unemployment compensation account number, if available;
- (III) The former federal employer's identification number (FEIN), if available;
- (IV) The industry code recognized and published by the United States Office of Management and Budget, if available;
- (V) A description of the client's primary business activity in order to verify or assign an industry code;
- (VI) The address of the physical location;
- (VII) The number of full-time and part-time employees who worked during, or received pay that was subject to unemployment compensation taxes for, the pay period including the 12th of the month for each month of the quarter;
- (VIII) The total wages subject to unemployment compensation taxes paid during the calendar quarter;
- (IX) An internal identification code to uniquely identify each establishment of each client;
- (X) The month and year that the client entered into the contract for services; and
- (XI) The month and year that the client terminated the contract for services.

d. The report shall be submitted electronically or in a manner otherwise prescribed by the Agency for Workforce Innovation in the format specified by the Bureau of Labor Statistics of the United States Department of Labor for its Multiple Worksite Report for Professional Employer Organizations. The report must be provided quarterly to the Labor Market Statistics Center within the agency for Workforce Innovation, or as otherwise directed by the agency, and must be filed by the last day of the month immediately following the end of the calendar quarter. The information required in sub-sub-subparagraphs c.(X) and (XI) ~~a.(X) and (XI)~~ need be provided only in the quarter in which the contract to which it relates was entered into or terminated. The sum of the employment data and the sum of the wage data in this report must match the employment and wages reported in the unemployment compensation quarterly tax and wage report. A report is not required for any calendar quarter preceding the third calendar quarter of 2010.

e. The Agency for Workforce Innovation shall adopt rules as necessary to administer this subparagraph, and may administer, collect, enforce, and waive the penalty imposed by s. 443.141(1)(b) for the report required by this subparagraph.

f. For the purposes of this subparagraph, the term "establishment" means any location where business is conducted or where services or industrial operations are performed.

3. An individual other than an individual who is an employee under subparagraph 1. or subparagraph 2., who performs services for remuneration for any person:

a. As an agent-driver or commission-driver engaged in distributing meat products, vegetable products, fruit products, bakery products, beverages other than milk, or laundry or drycleaning services for his or her principal.

b. As a traveling or city salesperson engaged on a full-time basis in the solicitation on behalf of, and the transmission to, his or her principal of orders from wholesalers, retailers, contractors, or operators of hotels, restaurants, or other similar establishments for merchandise for resale or supplies for use in their business operations. This sub-subparagraph does not apply to an agent-driver or a commission-driver and does not apply to sideline sales activities performed on behalf of a person other than the salesperson's principal.

4. The services described in subparagraph 3. are employment subject to this chapter only if:

- a. The contract of service contemplates that substantially all of the services are to be performed personally by the individual;
- b. The individual does not have a substantial investment in facilities used in connection with the services, other than facilities used for transportation; and
- c. The services are not in the nature of a single transaction that is not part of a continuing relationship with the person for whom the services are performed.

(13) The following are exempt from coverage under this chapter:

(f) Service performed in the employ of a public employer as defined in s. 443.036, except as provided in subsection (2), and service performed in the employ of an instrumentality of a public employer as described in s. 443.036(37)(b)(35)(b) or (c), to the extent that the instrumentality is immune under the United States Constitution from the tax imposed by s. 3301 of the Internal Revenue Code for that service.

Section 8. Effective January 1, 2012, subsection (5) of section 443.111, Florida Statutes, is amended to read:

443.111 Payment of benefits.—

(5) DURATION OF BENEFITS.—

(a) As used in this section, the term "Florida average unemployment rate" means the average of the 3 months for the most recent third calendar year quarter of the seasonally adjusted statewide unemployment rates as published by the Agency for Workforce Innovation.

(b) Each otherwise eligible individual is entitled during any benefit year to a total amount of benefits equal to 25 percent of the total wages in his or her base period, not to exceed \$7,150 or the product arrived at by multiplying the weekly benefit amount with the number of weeks determined in paragraph (c), whichever is less. However, the total amount of benefits, if not a multiple of \$1, is rounded downward to the nearest full dollar amount. These benefits are payable at a weekly rate no greater than the weekly benefit amount.

(c) For claims submitted during a calendar year, the duration of benefits is limited to:

1. Twelve weeks if this state's average unemployment rate is at or below 5 percent.
2. An additional week in addition to the 12 weeks for each 0.5 percent increment in this state's average unemployment rate above 5 percent.

3. *Up to a maximum of 26 weeks if this state's average unemployment rate equals or exceeds 12 percent.*

(d)~~2~~ For the purposes of this subsection, wages are counted as "wages for insured work" for benefit purposes with respect to any benefit year only if the benefit year begins after the date the employing unit by whom the wages were paid has satisfied the conditions of this chapter for becoming an employer.

(e)~~3~~ If the remuneration of an individual is not based upon a fixed period or duration of time or if the individual's wages are paid at irregular intervals or in a manner that does not extend regularly over the period of employment, the wages for any week or for any calendar quarter for the purpose of computing an individual's right to employment benefits only are determined in the manner prescribed by rule. These rules, to the extent practicable, must secure results reasonably similar to those that would prevail if the individual were paid her or his wages at regular intervals.

Section 9. Effective January 1, 2012, paragraph (b) of subsection (2) of section 443.041, Florida Statutes, is amended to read:

443.041 Waiver of rights; fees; privileged communications.—

(2) FEES.—

(b) An attorney at law representing a claimant for benefits in any district court of appeal of this state or in the Supreme Court of Florida is entitled to counsel fees payable by the Agency for Workforce Innovation as set by the court if the petition for review or appeal is initiated by the claimant and results in a decision awarding more benefits than provided in the decision from which appeal was taken. The amount of the fee may not exceed 50 percent of the total amount of regular benefits permitted under s. 443.111(5)(b)~~(a)~~ during the benefit year.

Section 10. Effective upon this act becoming a law, for tax rates effective on or after January 1, 2012, paragraphs (b) and (e) of subsection (3) of section 443.131, Florida Statutes, are amended to read:

443.131 Contributions.—

(3) VARIATION OF CONTRIBUTION RATES BASED ON BENEFIT EXPERIENCE.—

(b) *Benefit ratio.*—

1. As used in this paragraph, the term "annual payroll" means the calendar quarter taxable payroll reported to the tax collection service provider for the quarters used in computing the benefit ratio. The term does not include a penalty resulting from the untimely filing of required wage and tax reports. All of the taxable payroll reported to the tax collection service provider by the end of the quarter preceding the quarter for which the contribution rate is to be computed must be used in the computation.

2. *As used in this paragraph, the term "benefits charged to the employer's employment record" means the amount of benefits paid to individuals multiplied by:*

a. *For benefits paid prior to July 1, 2007, 1.*

b. *For benefits paid during the period beginning on July 1, 2007, and ending March 31, 2011, 0.90.*

c. *For benefits paid after March 31, 2011, 1.*

3.~~2~~ For each calendar year, the tax collection service provider shall compute a benefit ratio for each employer whose employment record was chargeable for benefits during the 12 consecutive quarters ending June 30 of the calendar year preceding the calendar year for which the benefit ratio is computed. An employer's benefit ratio is the quotient obtained by dividing the total benefits charged to the employer's employment record during the 3-year period ending June 30 of the preceding calendar year by the total of the employer's annual payroll for the 3-year period ending June 30 of the preceding calendar year. The benefit ratio shall be computed to the fifth decimal place and rounded to the fourth decimal place.

4.~~3~~ The tax collection service provider shall compute a benefit ratio for each employer who was not previously eligible under subparagraph

3. ~~2~~, whose contribution rate is set at the initial contribution rate in paragraph (2)(a), and whose employment record was chargeable for benefits during at least 8 calendar quarters immediately preceding the calendar quarter for which the benefit ratio is computed. The employer's benefit ratio is the quotient obtained by dividing the total benefits charged to the employer's employment record during the first 6 of the 8 completed calendar quarters immediately preceding the calendar quarter for which the benefit ratio is computed by the total of the employer's annual payroll during the first 7 of the 9 completed calendar quarters immediately preceding the calendar quarter for which the benefit ratio is computed. The benefit ratio shall be computed to the fifth decimal place and rounded to the fourth decimal place and applies for the remainder of the calendar year. The employer must subsequently be rated on an annual basis using up to 12 calendar quarters of benefits charged and up to 12 calendar quarters of annual payroll. That employer's benefit ratio is the quotient obtained by dividing the total benefits charged to the employer's employment record by the total of the employer's annual payroll during the quarters used in his or her first computation plus the subsequent quarters reported through June 30 of the preceding calendar year. Each subsequent calendar year, the rate shall be computed under subparagraph 3. ~~2~~. The tax collection service provider shall assign a variation from the standard rate of contributions in paragraph (c) on a quarterly basis to each eligible employer in the same manner as an assignment for a calendar year under paragraph (e).

(e) *Assignment of variations from the standard rate.*—

1. *As used in this paragraph, the terms "total benefit payments," "benefits paid to an individual," and "benefits charged to the employment record of an employer" mean the amount of benefits paid to individuals multiplied by:*

a. *For benefits paid prior to July 1, 2007, 1.*

b. *For benefits paid during the period beginning on July 1, 2007, and ending March 31, 2011, 0.90.*

c. *For benefits paid after March 31, 2011, 1.*

2. For the calculation of contribution rates effective January 1, 2010, and thereafter:

a.~~1~~ The tax collection service provider shall assign a variation from the standard rate of contributions for each calendar year to each eligible employer. In determining the contribution rate, varying from the standard rate to be assigned each employer, adjustment factors computed under *sub-sub-subparagraphs (I)-(IV) sub-subparagraphs a-d* are added to the benefit ratio. This addition shall be accomplished in two steps by adding a variable adjustment factor and a final adjustment factor. The sum of these adjustment factors computed under *sub-sub-subparagraphs (I)-(IV) sub-subparagraphs a-d* shall first be algebraically summed. The sum of these adjustment factors shall next be divided by a gross benefit ratio determined as follows: Total benefit payments for the 3-year period described in subparagraph (b)3. ~~(b)2~~ are charged to employers eligible for a variation from the standard rate, minus excess payments for the same period, divided by taxable payroll entering into the computation of individual benefit ratios for the calendar year for which the contribution rate is being computed. The ratio of the sum of the adjustment factors computed under *sub-sub-subparagraphs (I)-(IV) sub-subparagraphs a-d* to the gross benefit ratio is multiplied by each individual benefit ratio that is less than the maximum contribution rate to obtain variable adjustment factors; except that if the sum of an employer's individual benefit ratio and variable adjustment factor exceeds the maximum contribution rate, the variable adjustment factor is reduced in order for the sum to equal the maximum contribution rate. The variable adjustment factor for each of these employers is multiplied by his or her taxable payroll entering into the computation of his or her benefit ratio. The sum of these products is divided by the taxable payroll of the employers who entered into the computation of their benefit ratios. The resulting ratio is subtracted from the sum of the adjustment factors computed under *sub-sub-subparagraphs (I)-(IV) sub-subparagraphs a-d* to obtain the final adjustment factor. The variable adjustment factors and the final adjustment factor must be computed to five decimal places and rounded to the fourth decimal place. This final adjustment factor is added to the variable adjustment factor and benefit ratio of each employer to obtain each employer's contribution rate. An employer's contribution rate may not, however, be rounded to less than 0.1 percent.

(I)~~a~~. An adjustment factor for noncharge benefits is computed to the fifth decimal place and rounded to the fourth decimal place by dividing the amount of noncharge benefits during the 3-year period described in subparagraph (b)3. ~~(b)2~~, by the taxable payroll of employers eligible for a variation from the standard rate who have a benefit ratio for the current year which is less than the maximum contribution rate. For purposes of computing this adjustment factor, the taxable payroll of these employers is the taxable payrolls for the 3 years ending June 30 of the current calendar year as reported to the tax collection service provider by September 30 of the same calendar year. As used in this *sub-sub-subparagraph* ~~sub-subparagraph~~, the term “noncharge benefits” means benefits paid to an individual from the Unemployment Compensation Trust Fund, but which were not charged to the employment record of any employer.

(II)~~b~~. An adjustment factor for excess payments is computed to the fifth decimal place, and rounded to the fourth decimal place by dividing the total excess payments during the 3-year period described in subparagraph (b)3. ~~(b)2~~, by the taxable payroll of employers eligible for a variation from the standard rate who have a benefit ratio for the current year which is less than the maximum contribution rate. For purposes of computing this adjustment factor, the taxable payroll of these employers is the same figure used to compute the adjustment factor for noncharge benefits under *sub-sub-subparagraph (I)* ~~sub-subparagraph a~~. As used in this sub-subparagraph, the term “excess payments” means the amount of benefits charged to the employment record of an employer during the 3-year period described in subparagraph (b)3. ~~(b)2~~, less the product of the maximum contribution rate and the employer’s taxable payroll for the 3 years ending June 30 of the current calendar year as reported to the tax collection service provider by September 30 of the same calendar year. As used in this *sub-sub-subparagraph* ~~sub-subparagraph~~, the term “total excess payments” means the sum of the individual employer excess payments for those employers that were eligible for assignment of a contribution rate different from the standard rate.

(III)~~e~~. With respect to computing a positive adjustment factor:

(A)~~(I)~~ Beginning January 1, 2012, if the balance of the Unemployment Compensation Trust Fund on September 30 of the calendar year immediately preceding the calendar year for which the contribution rate is being computed is less than 4 percent of the taxable payrolls for the year ending June 30 as reported to the tax collection service provider by September 30 of that calendar year, a positive adjustment factor shall be computed. The positive adjustment factor is computed annually to the fifth decimal place and rounded to the fourth decimal place by dividing the sum of the total taxable payrolls for the year ending June 30 of the current calendar year as reported to the tax collection service provider by September 30 of that calendar year into a sum equal to one-third of the difference between the balance of the fund as of September 30 of that calendar year and the sum of 5 percent of the total taxable payrolls for that year. The positive adjustment factor remains in effect for subsequent years until the balance of the Unemployment Compensation Trust Fund as of September 30 of the year immediately preceding the effective date of the contribution rate equals or exceeds 5 percent of the taxable payrolls for the year ending June 30 of the current calendar year as reported to the tax collection service provider by September 30 of that calendar year.

(B)~~(II)~~ Beginning January 1, 2015, and for each year thereafter, the positive adjustment shall be computed by dividing the sum of the total taxable payrolls for the year ending June 30 of the current calendar year as reported to the tax collection service provider by September 30 of that calendar year into a sum equal to one-fourth of the difference between the balance of the fund as of September 30 of that calendar year and the sum of 5 percent of the total taxable payrolls for that year. The positive adjustment factor remains in effect for subsequent years until the balance of the Unemployment Compensation Trust Fund as of September 30 of the year immediately preceding the effective date of the contribution rate equals or exceeds 4 percent of the taxable payrolls for the year ending June 30 of the current calendar year as reported to the tax collection service provider by September 30 of that calendar year.

(IV)~~d~~. If, beginning January 1, 2015, and each year thereafter, the balance of the Unemployment Compensation Trust Fund as of September 30 of the year immediately preceding the calendar year for which the contribution rate is being computed exceeds 5 percent of the taxable payrolls for the year ending June 30 of the current calendar year as reported to the tax collection service provider by September 30 of that

calendar year, a negative adjustment factor must be computed. The negative adjustment factor shall be computed annually beginning on January 1, 2015, and each year thereafter, to the fifth decimal place and rounded to the fourth decimal place by dividing the sum of the total taxable payrolls for the year ending June 30 of the current calendar year as reported to the tax collection service provider by September 30 of the calendar year into a sum equal to one-fourth of the difference between the balance of the fund as of September 30 of the current calendar year and 5 percent of the total taxable payrolls of that year. The negative adjustment factor remains in effect for subsequent years until the balance of the Unemployment Compensation Trust Fund as of September 30 of the year immediately preceding the effective date of the contribution rate is less than 5 percent, but more than 4 percent of the taxable payrolls for the year ending June 30 of the current calendar year as reported to the tax collection service provider by September 30 of that calendar year. The negative adjustment authorized by this section is suspended in any calendar year in which repayment of the principal amount of an advance received from the federal Unemployment Compensation Trust Fund under 42 U.S.C. s. 1321 is due to the Federal Government.

(V)~~e~~. The maximum contribution rate that may be assigned to an employer is 5.4 percent, except employers participating in an approved short-time compensation plan may be assigned a maximum contribution rate that is 1 percent greater than the maximum contribution rate for other employers in any calendar year in which short-time compensation benefits are charged to the employer’s employment record.

(VI)~~f~~. As used in this subsection, “taxable payroll” shall be determined by excluding any part of the remuneration paid to an individual by an employer for employment during a calendar year in excess of the first \$7,000. Beginning January 1, 2012, “taxable payroll” shall be determined by excluding any part of the remuneration paid to an individual by an employer for employment during a calendar year as described in s. 443.1217(2). For the purposes of the employer rate calculation that will take effect in January 1, 2012, and in January 1, 2013, the tax collection service provider shall use the data available for taxable payroll from 2009 based on excluding any part of the remuneration paid to an individual by an employer for employment during a calendar year in excess of the first \$7,000, and from 2010 and 2011, the data available for taxable payroll based on excluding any part of the remuneration paid to an individual by an employer for employment during a calendar year in excess of the first \$8,500.

b.2. If the transfer of an employer’s employment record to an employing unit under paragraph (f) which, before the transfer, was an employer, the tax collection service provider shall recompute a benefit ratio for the successor employer based on the combined employment records and reassign an appropriate contribution rate to the successor employer effective on the first day of the calendar quarter immediately after the effective date of the transfer.

Section 11. Present paragraph (f) of subsection (1) of section 443.141, Florida Statutes, is redesignated as paragraph (g), and new paragraph (f) is added to that subsection to read:

443.141 Collection of contributions and reimbursements.—

(1) PAST DUE CONTRIBUTIONS AND REIMBURSEMENTS; DELINQUENT, ERRONEOUS, INCOMPLETE, OR INSUFFICIENT REPORTS.—

(f) *Payments for 2012, 2013, and 2014 Contributions.*—For an annual administrative fee not to exceed \$5, a contributing employer may pay its quarterly contributions due for wages paid in the first three quarters of 2012, 2013, and 2014 in equal installments if those contributions are paid as follows:

1. For contributions due for wages paid in the first quarter of each year, one-fourth of the contributions due must be paid on or before April 30, one-fourth must be paid on or before July 31, one-fourth must be paid on or before October 31, and one-fourth must be paid on or before December 31.

2. In addition to the payments specified in subparagraph 1., for contributions due for wages paid in the second quarter of each year, one-third of the contributions due must be paid on or before July 31, one-third

must be paid on or before October 31, and one-third must be paid on or before December 31.

3. In addition to the payments specified in subparagraphs 1. and 2., for contributions due for wages paid in the third quarter of each year, one-half of the contributions due must be paid on or before October 31, and one-half must be paid on or before December 31.

4. The annual administrative fee assessed for electing to pay under the installment method shall be collected at the time the employer makes the first installment payment each year. The fee shall be segregated from the payment and deposited into the Operating Trust Fund of the Department of Revenue.

5. Interest does not accrue on any contribution that becomes due for wages paid in the first three quarters of each year if the employer pays the contribution in accordance with subparagraphs 1.-4. Interest and fees continue to accrue on prior delinquent contributions and commence accruing on all contributions due for wages paid in the first three quarters of each year which are not paid in accordance with subparagraphs 1.-3. Penalties may be assessed in accordance with this chapter. The contributions due for wages paid in the fourth quarter of 2012, 2013, and 2014 are not affected by this paragraph and are due and payable in accordance with this chapter.

Section 12. Effective August 1, 2011, paragraph (a) of subsection (2) and paragraphs (b) and (e) of subsection (4) of section 443.151, Florida Statutes, are amended to read:

443.151 Procedure concerning claims.—

(2) FILING OF CLAIM INVESTIGATIONS; NOTIFICATION OF CLAIMANTS AND EMPLOYERS.—

(a) *In general.*—Initial and continued claims for benefits must be made by approved electronic means and in accordance with the rules adopted by the Agency for Workforce Innovation. The agency must notify claimants and employers regarding monetary and nonmonetary determinations of eligibility. Investigations of issues raised in connection with a claimant which may affect a claimant's eligibility for benefits or charges to an employer's employment record shall be conducted by the agency through written, telephonic, or electronic means as prescribed by rule.

(4) APPEALS.—

(b) *Filing and hearing.*—

1. The claimant or any other party entitled to notice of a determination may appeal an adverse determination to an appeals referee within 20 days after the date of mailing of the notice to her or his last known address or, if the notice is not mailed, within 20 days after the date of ~~delivering~~ ~~delivery~~ of the notice.

2. Unless the appeal is untimely or withdrawn or review is initiated by the commission, the appeals referee, after mailing all parties and attorneys of record a notice of hearing at least 10 days before the date of hearing, notwithstanding the 14-day notice requirement in s. 120.569(2)(b), may only affirm, modify, or reverse the determination. An appeal may not be withdrawn without the permission of the appeals referee.

3. However, ~~if when~~ an appeal appears to have been filed after the permissible time limit, the Office of Appeals may issue an order to show cause to the appellant ~~which requires, requiring~~ the appellant to show why the appeal should not be dismissed as untimely. ~~If the appellant does not,~~ within 15 days after the mailing date of the order to show cause, ~~the appellant does not~~ provide written evidence of timely filing or good cause for failure to appeal timely, the appeal shall be dismissed.

4. ~~If when~~ an appeal involves a question of whether services were performed by a claimant in employment or for an employer, the referee must give special notice of the question and of the pendency of the appeal to the employing unit and to the Agency for Workforce Innovation, both of which become parties to the proceeding.

5.a. Any part of the evidence may be received in written form, and all testimony of parties and witnesses shall be made under oath.

b. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded, but all other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs is admissible, whether or not such evidence would be admissible in a trial in state court.

c. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, or to support a finding if it would be admissible over objection in civil actions. Notwithstanding s. 120.57(1)(c), hearsay evidence may support a finding of fact if:

(I) The party against whom it is offered has a reasonable opportunity to review such evidence prior to the hearing; and

(II) The appeals referee or special deputy determines, after considering all relevant facts and circumstances, that the evidence is trustworthy and probative and that the interests of justice are best served by its admission into evidence.

6.5. The parties must be notified promptly of the referee's decision. The referee's decision is final unless further review is initiated under paragraph (c) within 20 days after the date of mailing notice of the decision to the party's last known address or, in lieu of mailing, within 20 days after the delivery of the notice.

(e) *Judicial review.*—Orders of the commission entered under paragraph (c) are subject to review only by notice of appeal in the district court of appeal in the appellate district in which a claimant resides or the job separation arose or in the appellate district where the order was issued ~~the issues involved were decided by an appeals referee.~~ However, if the notice of appeal is filed solely with the commission, the appeal shall be filed in the district court of appeal in the appellate district in which the order was issued. Notwithstanding chapter 120, the commission is a party respondent to every such proceeding. The Agency for Workforce Innovation may initiate judicial review of orders in the same manner and to the same extent as any other party.

Section 13. Section (10) is added to section 443.171, Florida Statutes, to read:

443.171 Agency for Workforce Innovation and commission; powers and duties; records and reports; proceedings; state-federal cooperation.—

(10) *EVIDENCE OF MAILING.*—A mailing date on any notice, determination, decision, order, or other document mailed by the Agency for Workforce Innovation or its tax collection service provider pursuant to this chapter creates a rebuttable presumption that such notice, determination, order, or other document was mailed on the date indicated.

Section 14. Notwithstanding the expiration date contained in section 1 of chapter 2010-90, Laws of Florida, operating retroactive to June 2, 2010, and expiring January 4, 2012, section 443.1117, Florida Statutes, is revived, readopted, and amended to read:

443.1117 Temporary extended benefits.—

(1) *APPLICABILITY OF EXTENDED BENEFITS STATUTE.*—Except if the result is inconsistent with other provisions of this section, s. 443.1115(2), (3), (4), (6), and (7) apply to all claims covered by this section.

(2) *DEFINITIONS.*—As used in ~~For the purposes of~~ this section, the term:

(a) "Regular benefits" and "extended benefits" have the same meaning as in s. 443.1115.

(b) "Eligibility period" means the weeks in an individual's benefit year or emergency benefit period which begin in an extended benefit period and, if the benefit year or emergency benefit period ends within that extended benefit period, any subsequent weeks beginning in that period.

(c) "Emergency benefits" means Emergency Unemployment Compensation paid pursuant to Pub. L. No. 110-252, Pub. L. No. 110-449, Pub. L. No. 111-5, Pub. L. No. 111-92, Pub. L. No. 111-118, Pub. L. No. 111-144, ~~and~~ Pub. L. No. 111-157, Pub. L. No. 111-205, and Pub. L. No. 111-312.

(d) “Extended benefit period” means a period that:

1. Begins with the third week after a week for which there is a state “on” indicator; and
2. Ends with any of the following weeks, whichever occurs later:
 - a. The third week after the first week for which there is a state “off” indicator; *or*
 - b. The 13th consecutive week of that period.

However, an extended benefit period may not begin by reason of a state “on” indicator before the 14th week after the end of a prior extended benefit period that was in effect for this state.

(e) “Emergency benefit period” means the period during which an individual receives emergency benefits ~~as defined in paragraph (c).~~

(f) “Exhaustee” means an individual who, for any week of unemployment in her or his eligibility period:

1. Has received, before that week, all of the regular benefits and emergency benefits, if any, available under this chapter or any other law, including dependents’ allowances and benefits payable to federal civilian employees and ex-servicemembers under 5 U.S.C. ss. 8501-8525, in the current benefit year or emergency benefit period that includes that week. For the purposes of this subparagraph, an individual has received all of the regular benefits and emergency benefits, if any, available *even if although*, as a result of a pending appeal for wages paid for insured work which were not considered in the original monetary determination in the benefit year, she or he may subsequently be determined to be entitled to added regular benefits;

2. Had a benefit year *that which* expired before that week, and was paid no, or insufficient, wages for insured work on the basis of which she or he could establish a new benefit year that includes that week; and

- 3.a. Has no right to unemployment benefits or allowances under the Railroad Unemployment Insurance Act or other federal laws as specified in regulations issued by the United States Secretary of Labor; and

- b. Has not received and is not seeking unemployment benefits under the unemployment compensation law of Canada; but if an individual is seeking those benefits and the appropriate agency finally determines that she or he is not entitled to benefits under that law, she or he is considered an exhaustee.

(g) “State ‘on’ indicator” means, with respect to weeks of unemployment ~~beginning on or after February 1, 2009, and~~ ending on or before ~~December 10, 2011~~ ~~May 8, 2010~~, the occurrence of a week in which the average total unemployment rate, seasonally adjusted, as determined by the United States Secretary of Labor, for the most recent 3 months for which data for all states are published by the United States Department of Labor:

1. Equals or exceeds 110 percent of the average of those rates for the corresponding 3-month period ending in *any or all each* of the preceding 3 2 calendar years; and
2. Equals or exceeds 6.5 percent.

(h) “High unemployment period” means, with respect to weeks of unemployment ~~beginning on or after February 1, 2009, and~~ ending on or before ~~December 10, 2011~~ ~~May 8, 2010~~, any week in which the average total unemployment rate, seasonally adjusted, as determined by the United States Secretary of Labor, for the most recent 3 months for which data for all states are published by the United States Department of Labor:

1. Equals or exceeds 110 percent of the average of those rates for the corresponding 3-month period ending in *any or all each* of the preceding 3 2 calendar years; and
2. Equals or exceeds 8 percent.

(i) “State ‘off’ indicator” means the occurrence of a week in which there is no state “on” indicator or which does not constitute a high unemployment period.

(3) TOTAL EXTENDED BENEFIT AMOUNT.—Except as provided in subsection (4):

(a) For any week for which there is an “on” indicator pursuant to paragraph (2)(g), the total extended benefit amount payable to an eligible individual for her or his applicable benefit year is the lesser of:

1. Fifty percent of the total regular benefits payable under this chapter in the applicable benefit year; or
2. Thirteen times the weekly benefit amount payable under this chapter for a week of total unemployment in the applicable benefit year.

(b) For any high unemployment period, the total extended benefit amount payable to an eligible individual for her or his applicable benefit year is the lesser of:

1. Eighty percent of the total regular benefits payable under this chapter in the applicable benefit year; or
2. Twenty times the weekly benefit amount payable under this chapter for a week of total unemployment in the applicable benefit year.

(4) EFFECT ON TRADE READJUSTMENT.—Notwithstanding any other provision of this chapter, if the benefit year of an individual ends within an extended benefit period, the number of weeks of extended benefits the individual is entitled to receive in that extended benefit period for weeks of unemployment beginning after the end of the benefit year, except as provided in this section, is reduced, but not to below zero, by the number of weeks for which the individual received, within that benefit year, trade readjustment allowances under the Trade Act of 1974, as amended.

Section 15. *The provisions of s. 443.1117, Florida Statutes, as revised, readopted, and amended by this act, apply only to claims for weeks of unemployment in which an exhaustee establishes entitlement to extended benefits pursuant to that section which are established for the period between June 2, 2010, and January 4, 2012.*

Section 16. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 17. Section 443.17161, Florida Statutes, is created to read:

443.17161 Authorized electronic access to employer information.—

(1) Notwithstanding any other provision of this chapter, the Agency for Workforce Innovation shall contract with one or more consumer-reporting agencies to provide users with secured electronic access to employer-provided information relating to the quarterly wages report submitted in accordance with the state’s unemployment compensation law. The access is limited to the wage reports for the appropriate amount of time for the purpose the information is requested.

(2) Users must obtain consent in writing or by electronic signature from an applicant for credit, employment, or other permitted purposes. Any written or electronic signature consent from an applicant must be signed and must include the following:

(a) Specific notice that information concerning the applicant’s wage and employment history will be released to a consumer-reporting agency;

(b) Notice that the release is made for the sole purpose of reviewing the specific application for credit, employment, or other permitted purpose made by the applicant;

(c) Notice that the files of the Agency for Workforce Innovation or its tax collection service provider containing information concerning wage and employment history which is submitted by the applicant or his or her employers may be accessed; and

(d) A listing of the parties authorized to receive the released information.

(3) Consumer-reporting agencies and users accessing information under this section must safeguard the confidentiality of the information.

A consumer-reporting agency or user may use the information only to support a single transaction for the user to satisfy its standard underwriting or eligibility requirements or for those requirements imposed upon the user, and to satisfy the user's obligations under applicable state or federal laws, rules, or regulations.

(4) If a consumer-reporting agency or user violates this section, the Agency for Workforce Innovation shall, upon 30 days written notice to the consumer-reporting agency, terminate the contract established between the Agency for Workforce Innovation and the consumer-reporting agency or require the consumer-reporting agency to terminate the contract established between the consumer-reporting agency and the user under this section.

(5) The Agency for Workforce Innovation shall establish minimum audit, security, net-worth, and liability-insurance standards, technical requirements, and any other terms and conditions considered necessary in the discretion of the state agency to safeguard the confidentiality of the information released under this section and to otherwise serve the public interest. The Agency for Workforce Innovation shall also include, in coordination with any necessary state agencies, necessary audit procedures to ensure that these rules are followed.

(6) In contracting with one or more consumer-reporting agencies under this section, any revenues generated by the contract must be used to pay the entire cost of providing access to the information. Further, in accordance with federal regulations, any additional revenues generated by the Agency for Workforce Innovation or the state under this section must be paid into the Administrative Trust Fund of the Agency for Workforce Innovation for the administration of the unemployment compensation system or be used as program income.

(7) The Agency for Workforce Innovation may not provide wage and employment history information to any consumer-reporting agency before the consumer-reporting agency or agencies under contract with the Agency for Workforce Innovation pay all development and other startup costs incurred by the state in connection with the design, installation, and administration of technological systems and procedures for the electronic-access program.

(8) The release of any information under this section must be for a purpose authorized by and in the manner permitted by the United States Department of Labor and any subsequent rules or regulations adopted by that department.

(9) As used in this section, the term:

(a) "Consumer-reporting agency" has the same meaning as that set forth in the Federal Fair Credit Reporting Act, 15 U.S.C. s. 1681a.

(b) "Creditor" has the same meaning as that set forth in the Federal Fair Debt Collection Practices Act, 15 U.S.C. ss. 1692 et seq.

(c) "User" means a creditor, employer, or other entity with a permissible purpose that is allowed under the Federal Fair Credit Reporting Act, 15 U.S.C. ss. 1681 et seq. to access the data contained in the wage reports through a consumer-reporting agency.

Section 18. There is appropriated to the Department of Revenue \$236,940 of nonrecurring funds from the Federal Grants Trust Fund and four full-time equivalent positions for Fiscal Year 2010-2011, and \$198,676 of recurring funds from the Federal Grants Trust Fund for Fiscal Year 2011-2012 to implement the provisions of this act. There is appropriated to the Agency for Workforce Innovation \$236,940 of non-recurring funds from Employment Security Trust Fund for Fiscal Year 2010-2011, and \$198,676 of recurring funds from the Employment Security Trust Fund for Fiscal Year 2011-2012 to be used to contract with the Department of Revenue for services as required to implement this act.

Section 19. The Legislature finds that this act fulfills an important state interest.

Section 20. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to unemployment compensation; amending s.

213.053, F.S.; increasing the number of employer payroll service providers who qualify for access to unemployment tax information by filing a memorandum of understanding; amending s. 443.031, F.S.; revising provisions relating to statutory construction; amending s. 443.036, F.S.; revising the definitions for "available for work," "misconduct," and "unemployment"; adding definitions for "individual in continued reporting status" and "initial skills review"; amending s. 443.091, F.S.; revising requirements for making continued claims for benefits; requiring that an individual claiming benefits report certain information and participate in an initial skills review; providing an exception; specifying criteria for determining an applicant's availability for work; amending s. 443.101, F.S.; clarifying "good cause" for voluntarily leaving employment; disqualifying a person for benefits due to the receipt of severance pay; revising provisions relating to the effects of criminal acts on eligibility for benefits; amending s. 443.111, F.S.; taking effect August 1, 2011; revising the manner in which benefits are payable; eliminating payment by mail; providing an exception; conforming provisions to changes made by the act; amending s. 443.1216, F.S.; providing that employee leasing companies may make a one-time election to report leased employees under the respective unemployment account of each leasing company client; providing procedures and application for such election; conforming a cross-reference; amending s. 443.111, F.S.; taking effect January 1, 2012; defining the term "Florida average unemployment rate"; revising the number of available weeks of unemployment benefits available; amending s. 443.041, F.S.; conforming a cross-reference; amending s. 443.141, F.S.; providing an employer payment schedule for 2012, 2013, and 2014 contributions; requiring an employer to pay a fee for paying contributions on a quarterly schedule; providing penalties, interest, and fees on delinquent contributions; amending s. 443.151, F.S.; requiring claims to be submitted by electronic means; revising allowable forms of evidence in benefit appeals; revising the judicial venue for reviewing commission orders; amending s. 443.171, F.S.; specifying that evidence of mailing an agency document is based on the date stated on the document; reviving, readopting, and amending s. 443.1117, F.S., relating to temporary extended benefits; providing for retroactive application; establishing temporary state extended benefits for weeks of unemployment; revising definitions; providing for state extended benefits for certain weeks and for periods of high unemployment; providing severability; providing applicability; creating s. 443.17161, F.S.; requiring the Agency for Workforce Innovation to contract with one or more consumer-reporting agencies to provide creditors, employers, and other entities with a permissible purpose with secured electronic access to employer-provided information relating to the quarterly wages reports; providing conditions; requiring consent from the applicant for credit, employment, or other permitted purpose; prescribing information that must be included in the written consent; providing for confidentiality; limiting use of the information released; providing for termination of contracts under certain circumstances; requiring the agency to establish minimum audit, security, net worth, and liability insurance standards and other requirements it considers necessary; providing that any revenues generated from a contract with a consumer reporting agency must be used to pay the entire cost of providing access to the information; providing that any additional revenues generated must be paid into the Administrative Trust Fund of the Agency for Workforce Innovation or used for program purposes; providing restrictions on the release of information under the act; defining the terms "consumer-reporting agency," "creditor," and "user"; providing appropriations for purposes of implementation; providing that the act fulfills an important state interest; providing effective dates.

On motion by Senator Detert, by two-thirds vote **CS for CS for HB 7005** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Evers	Margolis
Alexander	Fasano	Negron
Altman	Flores	Norman
Benacquisto	Gaetz	Oelrich
Bennett	Garcia	Richter
Bogdanoff	Gardiner	Simmons
Dean	Hays	Storms
Detert	Jones	Thrasher
Diaz de la Portilla	Latvala	Wise
Dockery	Lynn	

Nays—10

Braynon	Rich	Smith
Hill	Ring	Sobel
Joyner	Sachs	
Montford	Siplin	

Vote after roll call:

Yea to Nay—Margolis

MOTIONS RELATING TO COMMITTEE REFERENCE

SENATOR BENNETT PRESIDING

On motion by Senator Thrasher, by two-thirds vote **CS for CS for HB 1043** was withdrawn from the Committee on Rules.

LOCAL BILL CALENDAR

CS for CS for HB 1043—A bill to be entitled An act relating to Citrus County; providing for codification of special laws relating to the Citrus County Hospital Board, an independent special district in Citrus County; codifying, amending, reenacting, and repealing chapters 99-442 and 2001-308, Laws of Florida, as the “Citrus County Hospital and Medical Nursing and Convalescent Home Act”; deleting obsolete provisions; making technical revisions; providing definitions; authorizing the board to enter into a lease or contract with a not-for-profit corporation for the purpose of operating and managing the hospital and its facilities; declaring a need for governance authority to fulfill the hospital board’s public responsibilities; providing for a board of directors; providing for membership; requiring that the not-for-profit corporation conform all governance documents to certain requirements, if necessary; authorizing ad valorem taxation; requiring that the not-for-profit corporation separately account for the expenditure of all ad valorem tax moneys provided by the hospital board; requiring that the expenditure of all public tax funds be approved in a public meeting and maintained in a separate account; providing for the hospital board’s approval or rejection of the not-for-profit corporation’s articles of incorporation or bylaws, selection of a chief executive officer or renewal of his or her employment contract, the annual operating and capital budgets, additional loan indebtedness or leases in excess of a specified amount, and the not-for-profit corporation’s policies for travel reimbursements and contract bid procedures; providing that all records of the not-for-profit corporation are public records unless exempt; providing that any dispute between the hospital board and the not-for-profit corporation is subject to court action; providing for a future operational audit of the hospital board; providing application; repealing chapters 99-442 and 2001-308, Laws of Florida, relating to the Citrus County Hospital Board; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Dean, by two-thirds vote **CS for CS for HB 1043** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—1

Oelrich

Vote after roll call:

Nay to Yea—Oelrich

SPECIAL ORDER CALENDAR

CS for SB 1388—A bill to be entitled An act relating to the Department of Revenue; amending s. 213.053, F.S.; authorizing the department to release certain taxpayers’ names and addresses to certain scholarship-funding organizations; amending ss. 220.1875 and 624.51055, F.S.; deleting a limitation on the amount of tax credit allowable for contributions made to certain scholarship-funding organizations; amending s. 1002.395, F.S.; extending the carry-forward period for the use of certain tax credits resulting from contributions to the Florida Tax Credit Scholarship Program; deleting a restriction on a taxpayer’s ability to rescind certain tax credits resulting from contributions to the program; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 1388** to **CS for CS for HB 965**.

Pending further consideration of **CS for SB 1388** as amended, on motion by Senator Flores, by two-thirds vote **CS for CS for HB 965** was withdrawn from the Committees on Education Pre-K - 12; Budget; and Rules.

On motion by Senator Flores, by two-thirds vote—

CS for CS for HB 965—A bill to be entitled An act relating to the Florida Tax Credit Scholarship Program; amending ss. 220.1875 and 624.51055, F.S.; revising provisions relating to the amount of a tax credit allowed for a contribution made to an eligible nonprofit scholarship-funding organization; amending s. 1002.395, F.S.; revising provisions relating to the carryforward of an unused amount of a tax credit and the rescindment of all or part of a tax credit under the Florida Tax Credit Scholarship Program; providing an effective date.

—a companion measure, was substituted for **CS for SB 1388** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 965** was placed on the calendar of Bills on Third Reading.

CS for CS for SJR 658—A joint resolution proposing amendments to Sections 4 and 6 of Article VII and Section 27 of Article XII and the creation of Sections 32 and 33 of Article XII of the State Constitution to allow the Legislature by general law to prohibit increases in the assessed value of homestead and specified nonhomestead property if the just value of the property decreases, reduce the limitation on annual assessment increases applicable to nonhomestead real property, provide an additional homestead exemption for owners of homestead property who have not owned homestead property for a specified time before purchase of the current homestead property, and application and limitations with respect thereto, delete a future repeal of provisions limiting annual assessment increases for specified nonhomestead real property, and provide effective dates.

Be It Resolved by the Legislature of the State of Florida:

That the following amendments to Sections 4 and 6 of Article VII and Section 27 of Article XII and the creation of Sections 32 and 33 of Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 4. Taxation; assessments.—By general law regulations shall be prescribed which shall secure a just valuation of all property for ad valorem taxation, provided:

(a) Agricultural land, land producing high water recharge to Florida's aquifers, or land used exclusively for noncommercial recreational purposes may be classified by general law and assessed solely on the basis of character or use.

(b) As provided by general law and subject to conditions, limitations, and reasonable definitions specified therein, land used for conservation purposes shall be classified by general law and assessed solely on the basis of character or use.

(c) Pursuant to general law tangible personal property held for sale as stock in trade and livestock may be valued for taxation at a specified percentage of its value, may be classified for tax purposes, or may be exempted from taxation.

(d) All persons entitled to a homestead exemption under Section 6 of this Article shall have their homestead assessed at just value as of January 1 of the year following the effective date of this amendment. This assessment shall change only as provided in this subsection.

(1) Assessments subject to this subsection shall ~~change~~ be changed annually on January 1~~st~~ of each year; ~~but those changes in assessments~~

a. A change in an assessment may ~~shall~~ not exceed the lower of the following:

1.a. Three percent (~~3%~~) of the assessment for the prior year.

2.b. The percent change in the Consumer Price Index for all urban consumers, U.S. City Average, all items 1967=100, or a successor index reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of Labor Statistics.

b. The legislature may provide by general law that except for changes, additions, reductions, or improvements to homestead property assessed as provided in paragraph (d)(5), an assessment may not increase if the just value of the property is less than the just value of the property on the preceding January 1.

(2) An ~~No~~ assessment may not ~~shall~~ exceed just value.

(3) After a ~~any~~ change of ownership, as provided by general law, homestead property shall be assessed at just value as of January 1 of the following year, unless the provisions of paragraph (8) apply. Thereafter, the homestead shall be assessed as provided in this subsection.

(4) New homestead property shall be assessed at just value as of January 1~~st~~ of the year following the establishment of the homestead, unless the provisions of paragraph (8) apply. That assessment shall ~~only~~ change ~~only~~ as provided in this subsection.

(5) Changes, additions, reductions, or improvements to homestead property shall be assessed as provided for by general law; ~~provided~~. However, after the adjustment for any change, addition, reduction, or improvement, the property shall be assessed as provided in this subsection.

(6) In the event of a termination of homestead status, the property shall be assessed as provided by general law.

(7) The provisions of this subsection ~~amendment~~ are severable. If a provision ~~any of the provisions~~ of this subsection is ~~amendment~~ ~~shall~~ be held unconstitutional by a ~~any~~ court of competent jurisdiction, the decision of the ~~such~~ court does ~~shall~~ not affect or impair any remaining provisions of this subsection ~~amendment~~.

(8)a. A person who ~~establishes a new homestead as of January 1, 2009, or January 1 of any subsequent year and who~~ has received a homestead exemption pursuant to Section 6 of this Article as of January 1 of either of the ~~two~~ years immediately preceding the establishment of

~~a the~~ new homestead is entitled to have the new homestead assessed at less than just value. ~~If this revision is approved in January of 2008, a person who establishes a new homestead as of January 1, 2008, is entitled to have the new homestead assessed at less than just value only if that person received a homestead exemption on January 1, 2007.~~ The assessed value of the newly established homestead shall be determined as follows:

1. If the just value of the new homestead is greater than or equal to the just value of the prior homestead as of January 1 of the year in which the prior homestead was abandoned, the assessed value of the new homestead shall be the just value of the new homestead minus an amount equal to the lesser of \$500,000 or the difference between the just value and the assessed value of the prior homestead as of January 1 of the year in which the prior homestead was abandoned. Thereafter, the homestead shall be assessed as provided in this subsection.

2. If the just value of the new homestead is less than the just value of the prior homestead as of January 1 of the year in which the prior homestead was abandoned, the assessed value of the new homestead shall be equal to the just value of the new homestead divided by the just value of the prior homestead and multiplied by the assessed value of the prior homestead. However, if the difference between the just value of the new homestead and the assessed value of the new homestead calculated pursuant to this sub-subparagraph is greater than \$500,000, the assessed value of the new homestead shall be increased so that the difference between the just value and the assessed value equals \$500,000. Thereafter, the homestead shall be assessed as provided in this subsection.

b. By general law and subject to conditions specified therein, the legislature shall provide for application of this paragraph to property owned by more than one person.

(e) The legislature may, by general law, for assessment purposes and subject to the provisions of this subsection, allow counties and municipalities to authorize by ordinance that historic property may be assessed solely on the basis of character or use. Such character or use assessment shall apply only to the jurisdiction adopting the ordinance. The requirements for eligible properties must be specified by general law.

(f) A county may, in the manner prescribed by general law, provide for a reduction in the assessed value of homestead property to the extent of any increase in the assessed value of that property which results from the construction or reconstruction of the property for the purpose of providing living quarters for one or more natural or adoptive grandparents or parents of the owner of the property or of the owner's spouse if at least one of the grandparents or parents for whom the living quarters are provided is 62 years of age or older. Such a reduction may not exceed the lesser of the following:

(1) The increase in assessed value resulting from construction or reconstruction of the property.

(2) Twenty percent of the total assessed value of the property as improved.

(g) For all levies other than school district levies, assessments of residential real property, as defined by general law, which contains nine units or fewer and which is not subject to the assessment limitations set forth in subsections (a) through (d) shall change only as provided in this subsection.

(1) Assessments subject to this subsection shall be changed annually on the date of assessment provided by law. ~~However;~~ ~~but~~ those changes in assessments may ~~shall~~ not exceed ~~5 ten~~ percent (~~10%~~) of the assessment for the prior year. ~~The legislature may provide by general law that an assessment may not increase if the just value of the property is less than the just value of the property on the preceding date of assessment provided by law.~~

(2) An ~~No~~ assessment may not ~~shall~~ exceed just value.

(3) After a change of ownership or control, as defined by general law, including any change of ownership of a legal entity that owns the property, such property shall be assessed at just value as of the next assessment date. Thereafter, such property shall be assessed as provided in this subsection.

(4) Changes, additions, reductions, or improvements to such property shall be assessed as provided for by general law; However, after the adjustment for any change, addition, reduction, or improvement, the property shall be assessed as provided in this subsection.

(h) For all levies other than school district levies, assessments of real property that is not subject to the assessment limitations set forth in subsections (a) through (d) and (g) shall change only as provided in this subsection.

(1) Assessments subject to this subsection shall be changed annually on the date of assessment provided by law. *However, but* those changes in assessments *may shall* not exceed ~~5 ten~~ percent (~~10%~~) of the assessment for the prior year. *The legislature may provide by general law that an assessment may not increase if the just value of the property is less than the just value of the property on the preceding date of assessment provided by law.*

(2) ~~An No~~ assessment may not ~~shall~~ exceed just value.

(3) The legislature must provide that such property shall be assessed at just value as of the next assessment date after a qualifying improvement, as defined by general law, is made to such property. Thereafter, such property shall be assessed as provided in this subsection.

(4) The legislature may provide that such property shall be assessed at just value as of the next assessment date after a change of ownership or control, as defined by general law, including any change of ownership of the legal entity that owns the property. Thereafter, such property shall be assessed as provided in this subsection.

(5) Changes, additions, reductions, or improvements to such property shall be assessed as provided for by general law; However, after the adjustment for any change, addition, reduction, or improvement, the property shall be assessed as provided in this subsection.

(i) The legislature, by general law and subject to conditions specified therein, may prohibit the consideration of the following in the determination of the assessed value of real property used for residential purposes:

(1) Any change or improvement made for the purpose of improving the property's resistance to wind damage.

(2) The installation of a renewable energy source device.

(j)(1) The assessment of the following working waterfront properties shall be based upon the current use of the property:

a. Land used predominantly for commercial fishing purposes.

b. Land that is accessible to the public and used for vessel launches into waters that are navigable.

c. Marinas and drystacks that are open to the public.

d. Water-dependent marine manufacturing facilities, commercial fishing facilities, and marine vessel construction and repair facilities and their support activities.

(2) The assessment benefit provided by this subsection is subject to conditions and limitations and reasonable definitions as specified by the legislature by general law.

SECTION 6. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of ~~\$25,000 twenty-five thousand dollars~~ and, for all levies other than school district levies, on the assessed valuation greater than ~~\$50,000 fifty thousand dollars~~ and up to ~~\$75,000 seventy-five thousand dollars~~, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially

in excess of ~~98 ninety-eight~~ years. The exemption shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of Section 4 by a state agency designated by general law. This exemption is repealed on the effective date of any amendment to this Article which provides for the assessment of homestead property at less than just value.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax levies. Such ad valorem tax relief shall be in the form and amount established by general law.

(d) The legislature may, by general law, allow counties or municipalities, for the purpose of their respective tax levies and subject to the provisions of general law, to grant an additional homestead tax exemption not exceeding ~~\$50,000 fifty thousand dollars~~ to any person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner and who has attained age ~~65 sixty-five~~ and whose household income, as defined by general law, does not exceed ~~\$20,000 twenty thousand dollars~~. The general law must allow counties and municipalities to grant this additional exemption, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

(e) Each veteran who is age 65 or older who is partially or totally permanently disabled shall receive a discount from the amount of the ad valorem tax otherwise owed on homestead property the veteran owns and resides in if the disability was combat related, the veteran was a resident of this state at the time of entering the military service of the United States, and the veteran was honorably discharged upon separation from military service. The discount shall be in a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veterans Affairs. To qualify for the discount granted by this subsection, an applicant must submit to the county property appraiser, by March 1, proof of residency at the time of entering military service, an official letter from the United States Department of Veterans Affairs stating the percentage of the veteran's service-connected disability and such evidence that reasonably identifies the disability as combat related, and a copy of the veteran's honorable discharge. If the property appraiser denies the request for a discount, the appraiser must notify the applicant in writing of the reasons for the denial, and the veteran may reapply. The legislature may, by general law, waive the annual application requirement in subsequent years. This subsection shall take effect December 7, 2006, is self-executing, and does not require implementing legislation.

(f) *As provided by general law and subject to conditions specified therein, every person who establishes the right to receive the homestead exemption provided in subsection (a) within 1 year after purchasing the homestead property and who has not owned property in the previous 3 calendar years to which the homestead exemption provided in subsection (a) applied is entitled to an additional homestead exemption in an amount equal to 50 percent of the homestead property's just value on January 1 of the year the homestead is established for all levies other than school district levies. The additional exemption shall apply for a period of 5 years or until the year the property is sold, whichever occurs first. The amount of the additional exemption shall not exceed \$200,000 and shall be reduced in each subsequent year by an amount equal to 20 percent of the amount of the additional exemption received in the year the homestead was established or by an amount equal to the difference between the just value of the property and the assessed value of the property determined under Section 4(d), whichever is greater. Not more than one exemption provided under this subsection shall be allowed per homestead property. The additional exemption shall apply to property purchased on or after January 1, 2011, if this amendment is approved at a special election held on the date of the 2012 presidential preference primary, or on or after January 1, 2012, if approved at the 2012 general election, but shall not be available in the sixth and subsequent years after the additional exemption is first received.*

ARTICLE XII

SCHEDULE

SECTION 27. Property tax exemptions and limitations on property tax assessments.—The amendments to Sections 3, 4, and 6 of Article VII, providing a \$25,000 exemption for tangible personal property, providing an additional \$25,000 homestead exemption, authorizing transfer of the accrued benefit from the limitations on the assessment of homestead property, and this section, if submitted to the electors of this state for approval or rejection at a special election authorized by law to be held on January 29, 2008, shall take effect upon approval by the electors and shall operate retroactively to January 1, 2008, or, if submitted to the electors of this state for approval or rejection at the next general election, shall take effect January 1 of the year following such general election. The amendments to Section 4 of Article VII creating subsections (f) and (g) of that section, creating a limitation on annual assessment increases for specified real property, shall take effect upon approval of the electors and shall first limit assessments beginning January 1, 2009, if approved at a special election held on January 29, 2008, or shall first limit assessments beginning January 1, 2010, if approved at the general election held in November of 2008. ~~Subsections (f) and (g) of Section 4 of Article VII are repealed effective January 1, 2019; however, the legislature shall by joint resolution propose an amendment abrogating the repeal of subsections (f) and (g), which shall be submitted to the electors of this state for approval or rejection at the general election of 2018 and, if approved, shall take effect January 1, 2019.~~

SECTION 32. Property assessments.—*This section and the amendment to Section 4 of Article VII protecting homestead property having a declining just value and reducing the limit on the maximum annual increase in the assessed value of nonhomestead property from 10 percent to 5 percent, if submitted to the electors of this state for approval or rejection at a special election authorized by law to be held on the date of the 2012 presidential preference primary, shall take effect upon approval by the electors and shall operate retroactively to January 1, 2012, or, if submitted to the electors of this state for approval or rejection at the 2012 general election, shall take effect January 1, 2013.*

SECTION 33. Additional homestead exemption for owners of homestead property who recently have not owned homestead property.—*This section and the amendment to Section 6 of Article VII providing for an additional homestead exemption for owners of homestead property who have not owned homestead property during the 3 calendar years immediately preceding purchase of the current homestead property, if submitted to the electors of this state for approval or rejection at a special election authorized by law to be held on the date of the 2012 presidential preference primary, shall take effect upon approval by the electors and operate retroactively to January 1, 2012, and the additional homestead exemption shall be available for properties purchased on or after January 1, 2011, or if submitted to the electors of this state for approval or rejection at the 2012 general election, shall take effect January 1, 2013, and the additional homestead exemption shall be available for properties purchased on or after January 1, 2012.*

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTIONS 4, 6

ARTICLE XII, SECTIONS 27, 32, 33

PROPERTY TAX LIMITATIONS; ADDITIONAL HOMESTEAD EXEMPTION.—

(1) In certain circumstances, the law requires the assessed value of real property to increase when the just value of the property decreases. This amendment authorizes the Legislature, by general law, to prohibit such increases in the assessment of property whose just value has declined below its just value on the preceding assessment date. This amendment takes effect upon approval by the voters, if approved at a special election held on the date of the 2012 presidential preference primary and operates retroactively to January 1, 2012, or, if approved by the voters at the general election, takes effect January 1, 2013.

(2) This amendment reduces from 10 percent to 5 percent the limitation on annual increases in assessments of nonhomestead real property. This amendment takes effect upon approval of the voters, if approved at a special election held on the date of the 2012 presidential preference primary and operates retroactively to January 1, 2012, or, if approved by the voters at the general election, takes effect January 1, 2013.

(3) This amendment also provides owners of homestead property who have not owned homestead property during the 3 calendar years immediately preceding purchase of the current homestead property with an additional homestead exemption equal to 50 percent of the property's just value in the first year for all levies other than school district levies, limited to \$200,000; applies the additional exemption for the shorter of 5 years or the year of sale of the property; reduces the amount of the additional exemption in each succeeding year for 5 years by the greater of 20 percent of the amount of the initial additional exemption or the difference between the just value and the assessed value of the property; limits the additional exemption to one per homestead property; limits the additional exemption to properties purchased on or after January 1, 2011, if approved by the voters at a special election held on the date of the 2012 presidential preference primary, or on or after January 1, 2012, if approved by the voters at the 2012 general election; prohibits availability of the additional exemption in the sixth and subsequent years after the additional exemption is granted; and provides for the amendment to take effect upon approval of the voters and operate retroactively to January 1, 2012, if approved at the special election held on the date of the 2012 presidential preference primary, or on January 1, 2013, if approved by the voters at the 2012 general election.

(4) This amendment also removes from the State Constitution a repeal, scheduled to take effect in 2019, of constitutional amendments adopted in 2008 that limit annual assessment increases for specified nonhomestead real property.

—was read the second time in full.

An amendment was considered and adopted to conform **CS for CS for SJR 658** to **CS for CS for CS for CS for CS for HJR 381**.

Pending further consideration of **CS for CS for SJR 658** as amended, on motion by Senator Fasano, by two-thirds vote **CS for CS for CS for CS for HJR 381** was withdrawn from the Committees on Community Affairs; Judiciary; Budget; and Rules.

On motion by Senator Fasano—

CS for CS for CS for CS for CS for HJR 381—A joint resolution proposing amendments to Sections 4 and 6 of Article VII and Section 27 of Article XII and the creation of Sections 32 and 33 of Article XII of the State Constitution to allow the Legislature by general law to prohibit increases in the assessed value of homestead and specified nonhomestead property if the just value of the property decreases, reduce the limitation on annual assessment increases applicable to nonhomestead real property, provide an additional homestead exemption for owners of homestead property who have not owned homestead property for a specified time before purchase of the current homestead property, and application and limitations with respect thereto, delay the future repeal of provisions limiting annual assessment increases for specified nonhomestead real property, and provide effective dates.

—a companion measure, was substituted for **CS for CS for SJR 658** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for CS for CS for HJR 381** was placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator Thrasher, the rules were waived and time of recess was extended until 7:00 p.m.

CS for SB 1722—A bill to be entitled An act relating to ad valorem taxation; amending ss. 193.1554 and 193.1555, F.S.; reducing the amount that any change in the value of certain real property resulting from an annual reassessment may exceed the assessed value of the

property for the prior year under specified circumstances; providing exceptions; creating s. 196.078, F.S.; providing a definition; providing a first-time Florida homesteader with an additional homestead exemption; providing for calculation of the exemption; providing for the applicability period of the exemption; providing for an annual reduction in the exemption during the applicability period; providing application procedures; providing for applicability of specified provisions; providing for contingent effect of provisions and varying dates of application depending on the adoption and adoption date of specified joint resolutions; authorizing the Department of Revenue to adopt emergency rules; providing for application and renewal of emergency rules; amending s. 218.12, F.S.; requiring the Legislature to appropriate funds to fiscally constrained counties to offset reductions in ad valorem tax revenue as the result of the implementation of certain proposed revisions to the State Constitution; providing for certain contingent effect and retroactive application; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 1722 to CS for CS for CS for HB 1163**.

Pending further consideration of **CS for SB 1722** as amended, on motion by Senator Fasano, by two-thirds vote **CS for CS for CS for HB 1163** was withdrawn from the Committees on Community Affairs; Judiciary; and Rules.

On motion by Senator Fasano—

CS for CS for CS for HB 1163—A bill to be entitled An act relating to ad valorem taxation; amending s. 193.1554, F.S.; reducing the amount by which any change in the value of nonhomestead residential property resulting from an annual reassessment may exceed the assessed value of the property for the prior year; amending s. 193.1555, F.S.; reducing the amount by which any change in the value of certain residential and nonresidential real property resulting from an annual reassessment may exceed the assessed value of the property for the prior year; creating s. 196.078, F.S.; providing a definition; providing a first-time Florida homesteader with an additional homestead exemption; providing for calculation of the exemption; providing for the applicability period of the exemption; providing for an annual reduction in the exemption during the applicability period; providing application procedures; providing for applicability of specified provisions; providing for contingent effect of provisions and varying dates of application depending on the adoption and adoption date of specified joint resolutions; authorizing the Department of Revenue to adopt emergency rules; providing for application and renewal of emergency rules; amending s. 218.12, F.S.; requiring the Legislature to consider appropriating funds to fiscally constrained counties to offset reductions in ad valorem tax revenue as the result of the implementation of certain revisions to the State Constitution; requiring application to the department to participate in the distribution of such an appropriation; providing for certain contingent effect and retroactive application; providing an effective date.

—a companion measure, was substituted for **CS for SB 1722** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 1163** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1732—A bill to be entitled An act relating to postsecondary education; amending s. 1004.015, F.S.; requiring the Higher Education Coordinating Council to recommend plans and submit a report to the Governor and the Legislature relating to core responsibilities of postsecondary education institutions, performance outputs and outcomes, articulation policies, workforce development education, and baccalaureate degree authorization; requiring the council to submit a report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the State Board of Education, and the Board of Governors of the State University System by a date certain which includes certain recommendations; amending s. 1007.27, F.S.; requiring the Department of Education to use student performance data to determine appropriate credit-by-examination scores and courses; requiring the Department of Education to review performance data for students who take Advanced Placement Examinations and to set minimum scores based on the review; deleting an exemption from summer-term enrollment in a public postsecondary education institution for students earn-

ing accelerated credit; amending s. 1007.33, F.S.; deleting an exemption from provisions governing the approval process for baccalaureate degrees; amending s. 1001.64, F.S.; requiring a community college board of trustees to ask the Commissioner of Education to authorize an investigation of a college president by the Department of Education's inspector general in specified circumstances; requiring the inspector general to report on the investigation and make recommendations; requiring the inspector general to refer any potential legal violation to the Commission on Ethics, the Department of Law Enforcement, the Attorney General, or other appropriate authority; repealing s. 1000.07, F.S., relating to the Florida Business and Education Collaborative; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 1732 to CS for HB 7151**.

Pending further consideration of **CS for CS for SB 1732** as amended, on motion by Senator Lynn, by two-thirds vote **CS for HB 7151** was withdrawn from the Committees on Higher Education; Budget Subcommittee on Higher Education Appropriations; and Budget.

On motion by Senator Lynn, the rules were waived and—

CS for HB 7151—A bill to be entitled An act relating to postsecondary education; amending s. 467.009, F.S.; deleting a reference to the College-Level Academic Skills Test (CLAST); amending s. 705.18, F.S.; revising provisions relating to the disposal of personal property lost or abandoned on public postsecondary institution campuses; providing requirements for notification, disposal, and use or disposition of proceeds from the sale of lost or abandoned bicycles and bicycle safety equipment; repealing s. 1007.07, F.S., relating to the Florida Business and Education Collaborative; amending s. 1001.64, F.S.; requiring a Florida College System institution board of trustees to ask the Commissioner of Education to authorize an investigation of the college president by the Department of Education's inspector general in specified circumstances; requiring a report and recommendations; requiring the inspector general to refer potential legal violations to the Commission on Ethics, the Department of Law Enforcement, the Attorney General, or another appropriate authority; amending s. 1004.015, F.S.; requiring the Higher Education Coordinating Council to make recommendations and submit a report relating to core missions of postsecondary education institutions, performance outputs and outcomes, articulation policies, and workforce development education; amending s. 1004.04, F.S.; deleting a reference to the CLAST; amending s. 1004.68, F.S.; deleting provisions relating to the use of test scores for assessment of college-level communication and computation skills; amending s. 1007.01, F.S.; providing legislative intent and requirements relating to articulation; requiring the establishment of the Articulation Coordinating Committee and providing its responsibilities; amending s. 1007.25, F.S.; deleting provisions that require an examination or demonstration of remediation of academic deficiencies to obtain a postsecondary degree; amending ss. 1007.264 and 1007.265, F.S.; deleting provisions that exclude students with intellectual disabilities from eligibility for substitute requirements for admission to or graduation from a public postsecondary education institution; amending s. 1007.27, F.S.; requiring the Department of Education to use student performance data to determine appropriate credit-by-examination scores and courses; deleting an exemption from summer-term enrollment in a public postsecondary education institution for students earning accelerated credit; amending s. 1007.33, F.S.; providing for State Board of Education rules relating to approval and exemption from approval for baccalaureate degree programs at Florida College System institutions; amending s. 1008.30, F.S., relating to common placement testing for public postsecondary education; deleting a reference to the CLAST; requiring rules for remediation opportunities, retesting policies, and academic competencies; requiring that students be advised of academic requirements, financial aid eligibility, and certain costs; amending s. 1008.345, F.S.; deleting Department of Education duties relating to tests and assessment procedures that measure student achievement of college-level communication and computation skills; amending s. 1008.38, F.S.; revising and conforming provisions relating to the articulation accountability process; amending s. 1009.534, F.S.; revising provisions relating to approval of community service work for eligibility for the Florida Academic Scholars award; amending ss. 267.062, 1004.23, 1010.03, 1010.04, 1010.07, and 1013.171, F.S.; replacing references to university rules with university regulations; conforming provisions; amending s. 1013.33, F.S.; conforming provisions;

repealing s. 1013.63, F.S., relating to the University Concurrency Trust Fund; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1732** as amended and read the second time by title.

MOTION

On motion by Senator Oelrich, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Oelrich moved the following amendment:

Amendment 1 (561840) (with title amendment)—Delete lines 85-439 and insert:

Section 2. Section 705.18, Florida Statutes, is amended to read:

705.18 Disposal of personal property lost or abandoned on university or Florida College System institution ~~community college~~ campuses; disposition of proceeds from sale.—

(1) Whenever any lost or abandoned personal property ~~is shall be~~ found on a campus of an institution in the State University System or a campus of a Florida College System institution ~~state-supported community college~~, the president of the institution or the president's designee shall take charge of the property and make a record of the date such property was found. If the property is not claimed by the owner, within 30 days after ~~it such property~~ is found, or a longer period of time as may be deemed appropriate by the president ~~under the circumstances, the property is not claimed by the owner~~, the president or his or her designee shall dispose of or make use of the property in accordance with established policies and procedures that best meet the needs of the university or the Florida College System institution and its students ~~shall order it sold at public outcry after giving notice of the time and place of sale in a publication of general circulation on the campus of such institution and written notice to the owner if known~~. The rightful owner of the such property may reclaim the property ~~the same~~ at any time prior to the disposition, sale, or use of the property in accordance with this section and the established policies and procedures of the university or the Florida College System institution.

(2) ~~All moneys realized from such institution's sale shall be placed in an appropriate fund and used solely for student scholarship and loan purposes.~~

Section 3. *Section 1000.07, Florida Statutes, is repealed.*

Section 4. Subsection (3) of section 1001.64, Florida Statutes, is amended to read:

1001.64 Community college boards of trustees; powers and duties.—

(3) A board of trustees shall have the power to take action without a recommendation from the president and shall have the power to require the president to deliver to the board of trustees all data and information required by the board of trustees in the performance of its duties. *A board of trustees shall ask the Commissioner of Education to authorize an investigation of the president's actions by the department's inspector general if the board considers such investigation necessary. The inspector general shall provide a report detailing each issue under investigation and shall recommend corrective action. If the inspector general identifies potential legal violations, he or she shall refer the potential legal violations to the Commission on Ethics, the Department of Law Enforcement, the Attorney General, or another appropriate authority.*

Section 5. Subsection (4) of section 1004.015, Florida Statutes, is renumbered as subsection (6) and amended, and new subsections (4) and (5) are added to that section, to read:

1004.015 Higher Education Coordinating Council.—

(4) *The council shall make detailed recommendations relating to:*

(a) *The primary core mission of public and nonpublic postsecondary education institutions in the context of state access demands and economic development goals.*

(b) *Performance outputs and outcomes designed to meet annual and long-term state goals, including, but not limited to, increased student access, preparedness, retention, transfer, and completion. Performance measures must be consistent across sectors and allow for a comparison of the state's performance to that of other states.*

(c) *The state's articulation policies and practices to ensure that cost benefits to the state are maximized without jeopardizing quality. The recommendation shall consider return on investment for both the state and students and propose systems to facilitate and ensure institutional compliance with state articulation policies.*

(d) *A plan for workforce development education that addresses:*

1. *The alignment of school district and Florida College System workforce development education programs to ensure cost efficiency and mission delineation, including an examination of the need for both college credit and noncollege credit certificate programs, an evaluation of the merit of retaining the associate in applied science degree, and the consolidation of adult general education programs within school districts.*

2. *The consistency of workforce education data collected and reported by Florida College System institutions and school districts, including the establishment of common elements and definitions for any data that is used for state and federal funding and program accountability.*

(5) *The council shall submit a report outlining its detailed recommendations to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Board of Governors, and the State Board of Education by December 31, 2011, which specifically includes recommendations for consideration by the Legislature for implementation in the 2012-2013 fiscal year.*

(6)(4) *The Board of Governors and the Department of Education shall provide administrative support for the council.*

Section 6. Section 1004.68, Florida Statutes, is amended to read:

1004.68 Community college; degrees and certificates; ~~tests for certain skills.~~—

(1) ~~Each community college board of trustees shall adopt rules establishing student performance standards for the award of degrees and certificates.~~

(2) ~~Each community college board of trustees shall require the use of scores on tests for college level communication and computation skills provided in s. 1008.345(7) as a condition for graduation with an associate in arts degree.~~

Section 7. Section 1007.01, Florida Statutes, is amended to read:

1007.01 Articulation; legislative intent; purpose; role of the State Board of Education and the Board of Governors; *Articulation Coordinating Committee.*—

(1) It is the intent of the Legislature to facilitate articulation and seamless integration of the K-20 education system by building, ~~and~~ sustaining, and strengthening relationships among K-20 public organizations, between public and private organizations, and between the education system as a whole and Florida's communities. The purpose of building, ~~and~~ sustaining, and strengthening these relationships is to provide for the efficient and effective progression and transfer of students within the education system and to allow students to proceed toward their educational objectives as rapidly as their circumstances permit. *The Legislature further intends that articulation policies and budget actions be implemented consistently in the practices of the Department of Education and postsecondary educational institutions and expressed in the collaborative policy efforts of the State Board of Education and the Board of Governors.*

(2) To improve and facilitate articulation systemwide, the State Board of Education and the Board of Governors shall collaboratively establish and adopt ~~recommend~~ policies and guidelines to the Legislature with input from statewide K-20 advisory groups established by the Commissioner of Education and the Chancellor of the State University System and shall recommend the policies to the Legislature. *The policies shall relate relating to:*

(a) The alignment between the exit requirements of one *education* system and the admissions requirements of another *education* system into which students typically transfer.

(b) The identification of common courses, the level of courses, institutional participation in a statewide course numbering system, and the transferability of credits among such institutions.

(c) Identification of courses that meet general education or common degree program prerequisite requirements at public postsecondary educational institutions.

(d) Dual enrollment course equivalencies.

(e) Articulation agreements.

(3) *The Commissioner of Education, in consultation with the Chancellor of the State University System, shall establish the Articulation Coordinating Committee which shall make recommendations related to statewide articulation policies to the Higher Education Coordination Council, the State Board of Education, and the Board of Governors. The committee shall consist of two members each representing the State University System, the Florida College System, public career and technical education, public K-12 education, and nonpublic education and one member representing students. The chair shall be elected from the membership. The committee shall:*

(a) *Monitor the alignment between the exit requirements of one education system and the admissions requirements of another education system into which students typically transfer and make recommendations for improvement.*

(b) *Propose guidelines for interinstitutional agreements between and among public schools, career and technical education centers, Florida College System institutions, state universities, and nonpublic postsecondary institutions.*

(c) *Annually recommend dual enrollment course and high school subject area equivalencies for approval by the State Board of Education and the Board of Governors.*

(d) *Annually review the statewide articulation agreement pursuant to s. 1007.23 and make recommendations for revisions.*

(e) *Annually review the statewide course numbering system, the levels of courses, and the application of transfer credit requirements among public and nonpublic institutions participating in the statewide course numbering system and identify instances of student transfer and admissions difficulties.*

(f) *Annually publish a list of courses that meet common general education and common degree program prerequisite requirements at public postsecondary institutions identified pursuant to s. 1007.25.*

(g) *Examine statewide data regarding articulation to identify issues and make recommendations to improve articulation throughout the K-20 education system.*

(h) *Recommend roles and responsibilities of public education entities in interfacing with the single, statewide computer-assisted student advising system established pursuant to s. 1007.28.*

Section 8. Subsection (12) of section 1007.25, Florida Statutes, is amended to read:

1007.25 General education courses; common prerequisites; and other degree requirements.—

~~(12)(a) A public postsecondary educational institution may not confer an associate in arts or baccalaureate degree upon any student who fails to successfully complete one of the following requirements:~~

~~1. Achieve a score that meets or exceeds a minimum score on a nationally standardized examination, as established by the State Board of Education in conjunction with the Board of Governors; or~~

~~2. Demonstrate successful remediation of any academic deficiencies and achieve a cumulative grade point average of 2.5 or above, on a 4.0 scale, in postsecondary level coursework identified by the State Board of~~

~~Education in conjunction with the Board of Governors. The Department of Education shall specify the means by which a student may demonstrate successful remediation.~~

~~(b) Any student who, in the best professional opinion of the postsecondary educational institution, has a specific learning disability such that the student cannot demonstrate successful mastery of one or more of the authorized examinations but is achieving at the college level in every area despite his or her disability, and whose diagnosis indicates that further remediation will not succeed in overcoming the disability, may appeal through the appropriate dean to a committee appointed by the president or the chief academic officer for special consideration. The committee shall examine the evidence of the student's academic and medical records and may hear testimony relevant to the case. The committee may grant a waiver for one or more of the authorized examinations based on the results of its review.~~

~~(c) Each public postsecondary educational institution president shall establish a committee to consider requests for waivers from the requirements in paragraph (a). The committee shall be chaired by the chief academic officer of the institution and shall have four additional members appointed by the president as follows:~~

~~1. One faculty member from the mathematics department;~~

~~2. One faculty member from the English department;~~

~~3. The institutional test administrator; and~~

~~4. One faculty member from a department other than English or mathematics.~~

~~(d) Any student who has taken the authorized examinations and has not achieved a passing score, but has otherwise demonstrated proficiency in coursework in the same subject area, may request a waiver from the examination requirement. Waivers shall be considered only after students have been provided test accommodations or other administrative adjustments to permit the accurate measurement of the student's proficiency in the subject areas measured by the authorized examinations. The committee shall consider the student's educational records and other evidence as to whether the student should be able to pass the authorized examinations. A waiver may be recommended to the president upon a majority vote of the committee. The president may approve or disapprove the recommendation. The president may not approve a request that the committee has disapproved. If a waiver is approved, the student's transcript shall include a statement that the student did not meet the requirements of this subsection and that a waiver was granted.~~

Section 9. Subsection (1) of section 1007.264, Florida Statutes, is amended to read:

1007.264 Persons with disabilities; admission to postsecondary educational institutions; substitute requirements; rules and regulations.—

(1) Any student with a disability, as defined in s. 1007.02(2), ~~who is otherwise eligible except those students who have been documented as having intellectual disabilities,~~ shall be eligible for reasonable substitution for any requirement for admission into a public postsecondary educational institution where documentation can be provided that the person's failure to meet the admission requirement is related to the disability.

Section 10. Subsection (1) of section 1007.265, Florida Statutes, is amended to read:

1007.265 Persons with disabilities; graduation, study program admission, and upper-division entry; substitute requirements; rules and regulations.—

(1) Any student with a disability, as defined in s. 1007.02(2), in a public postsecondary educational institution, ~~except those students who have been documented as having intellectual disabilities,~~ shall be eligible for reasonable substitution for any requirement for graduation, for admission into a program of study, or for entry into the upper division where documentation can be provided that the person's failure to meet the requirement is related to the disability and where failure to meet the

graduation requirement or program admission requirement does not constitute a fundamental alteration in the nature of the program.

Section 11. Subsections (2) and (10) of section 1007.27, Florida Statutes, are amended to read:

1007.27 Articulated acceleration mechanisms.—

(2) The Department of Education shall *annually identify and publish* the minimum scores, maximum credit, and course or courses for which credit is to be awarded for each College Level Examination Program (CLEP) ~~general examination, CLEP subject examination, College Board Advanced Placement Program examination, *Advanced International Certificate of Education examination, and International Baccalaureate examination.*~~ *The department shall use student performance data in subsequent postsecondary courses to determine the appropriate examination scores and courses for which credit is to be granted. Minimum scores may vary by subject area based on available performance data.* In addition, the department shall identify such courses in the general education core curriculum of each state university and community college.

~~(10) Any student who earns 9 or more credits from one or more of the acceleration mechanisms provided for in this section is exempt from any requirement of a public postsecondary educational institution mandating enrollment during a summer term.~~

Section 12. Subsection (11) of section 1001.64, Florida Statutes, is amended to read

1001.64 Community college boards of trustees; powers and duties.—

(11) Each board of trustees shall submit an institutional budget request, including a request for fixed capital outlay, and an operating budget to the State Board of Education for ~~review and approval~~ in accordance with guidelines established by the State Board of Education.

Section 13. Section 1011.30, Florida Statutes, is amended to read:

1011.30 Budgets for community colleges.—Each community college president shall recommend to the community college board of trustees a budget of income and expenditures at such time and in such form as the State Board of Education may prescribe. Upon approval of a budget by the community college board of trustees, such budget shall be transmitted to the Department of Education for ~~review and approval~~. Rules of the State Board of Education shall prescribe procedures for effecting budget amendments subsequent to the final approval of a budget for a given year.

Section 14. *Section 6 of chapter 2006-58, Laws of Florida, is repealed.*

And the title is amended as follows:

Delete lines 4-49 and insert: Academic Skills Test (CLAST); amending s. 705.18, F.S.; revising provisions relating to the disposal of personal property lost or abandoned on a university or Florida College System institution campus and the disposition of proceeds from the sale of such property; requiring that the university or Florida College System institution president, or his or her designee, dispose of or make use of unclaimed property in accordance with university or Florida College System institution policies and procedures; repealing s. 1007.07, F.S., relating to the Florida Business and Education Collaborative; amending s. 1001.64, F.S.; requiring a Florida College System institution board of trustees to ask the Commissioner of Education to authorize an investigation of the college president by the Department of Education’s inspector general in specified circumstances; requiring a report and recommendations; requiring the inspector general to refer potential legal violations to the Commission on Ethics, the Department of Law Enforcement, the Attorney General, or another appropriate authority; amending s. 1004.015, F.S.; requiring the Higher Education Coordinating Council to make recommendations and submit a report relating to core missions of postsecondary education institutions, performance outputs and outcomes, articulation policies, and workforce development education; amending s. 1004.68, F.S.; deleting provisions relating to the use of test scores for assessment of college-level communication and computation skills; amending s. 1007.01, F.S.; providing legislative intent and requirements relating to articulation; requiring the establishment of the Articulation Coordinating Committee and providing its responsibilities; amending s. 1007.25, F.S.; deleting provisions that require

an examination or demonstration of remediation of academic deficiencies to obtain a postsecondary degree; amending ss. 1007.264 and 1007.265, F.S.; deleting provisions that exclude students with intellectual disabilities from eligibility for substitute requirements for admission to or graduation from a public postsecondary education institution; amending s. 1007.27, F.S.; requiring the Department of Education to use student performance data to determine appropriate credit-by-examination scores and courses; deleting an exemption from summer-term enrollment in a public postsecondary education institution for students earning accelerated credit; amending ss. 1001.64 and 1011.30, F.S.; removing provisions requiring that a budget of a community college be transmitted to the Department of Education for approval; repealing s. 6 of chapter 2006-58, Laws of Florida; abrogating the repeal of s. 1004.226, F.S., which created the 21st Century World Class Scholars Program; amending s. 1008.30, F.S.,

MOTION

On motion by Senator Oelrich, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Oelrich moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (966450) (with title amendment)—Delete lines 323 and 324.

And the title is amended as follows:

Delete lines 380-383 and insert: for approval; amending s. 1008.30, F.S.,

Amendment 1 as amended was adopted.

On motion by Senator Lynn, by two-thirds vote **CS for HB 7151** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richtert
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—1

Joyner

THE PRESIDENT PRESIDING

CS for SB 1620—A bill to be entitled An act relating to digital learning; creating s. 1002.321, F.S.; creating the Digital Learning Now Act; providing legislative findings related to the elements to be included in high-quality digital learning; providing digital preparation requirements; providing for customized and accelerated learning; amending s. 1002.33, F.S.; authorizing the establishment of virtual charter schools; providing application requirements for establishment of a virtual charter school; authorizing a charter school to implement blended learning courses; requiring each charter school governing board to appoint a representative and specifying duties; requiring each governing board to hold two public meetings per school year; providing funding for a virtual charter school; establishing administrative fees for a virtual charter school; amending s. 1002.37, F.S.; redefining the term “full-time equivalent student” as it applies to the Florida Virtual School; providing instruction, eligibility, funding, assessment, and accountability re-

quirements; amending s. 1002.45, F.S.; revising the definition of the term “virtual instruction program”; revising school district requirements for providing virtual instruction programs; requiring full-time and part-time virtual instruction program options; authorizing a school district to enter into an agreement with a virtual charter school to provide virtual instruction to district students; authorizing virtual charter school contracts; providing additional provider qualifications relating to curriculum, student performance accountability, and disclosure; revising student eligibility requirements; providing funding and accountability requirements; creating s. 1002.455, F.S.; establishing student eligibility requirements for K-12 virtual instruction; amending s. 1003.428, F.S.; requiring at least one course required for high school graduation to be completed through online learning; creating s. 1003.498, F.S.; authorizing school districts to offer virtual courses and blended learning courses; amending s. 1008.22, F.S.; requiring all statewide end-of-course assessments to be administrated online beginning with the 2014-2015 school year; amending s. 1011.61, F.S.; redefining the term “full-time equivalent student” for purposes of virtual instruction; amending s. 1012.57, F.S.; authorizing school districts to issue adjunct teaching certificates to qualified applicants to provide online instruction; revising requirements for adjunct teaching certificateholders; providing for annual contracts; amending ss. 1000.04, 1002.20, and 1003.03, F.S.; conforming provisions to changes made by the act; requiring the Department of Education to submit a report to the Governor and the Legislature relating to school district offering of, and student access to, digital learning; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1620**, on motion by Senator Flores, by two-thirds vote **CS for CS for HB 7197** was withdrawn from the Committees on Education Pre-K - 12; Budget; and Rules.

On motion by Senator Flores—

CS for CS for HB 7197—A bill to be entitled An act relating to digital learning; creating s. 1002.321, F.S.; creating the Digital Learning Now Act; providing legislative findings related to the elements to be included in high-quality digital learning; providing digital preparation requirements; providing for customized and accelerated learning; amending s. 1002.33, F.S.; authorizing the establishment of virtual charter schools; providing application requirements for establishment of a virtual charter school; authorizing a charter school to implement blended learning courses; requiring each charter school governing board to appoint a representative and specifying duties; requiring each governing board to hold two public meetings per school year; providing funding for a virtual charter school; establishing administrative fees for a virtual charter school; amending s. 1002.37, F.S.; redefining the term “full-time equivalent student” as it applies to the Florida Virtual School; providing instruction, eligibility, funding, assessment, and accountability requirements; amending s. 1002.45, F.S.; revising the definition of the term “virtual instruction program”; revising school district requirements for providing virtual instruction programs; requiring full-time and part-time virtual instruction program options; authorizing a school district to enter into an agreement with a virtual charter school to provide virtual instruction to district students; authorizing virtual charter school contracts; providing additional provider qualifications relating to curriculum, student performance accountability, and disclosure; revising student eligibility requirements; providing funding and accountability requirements; creating s. 1002.455, F.S.; establishing student eligibility requirements for K-12 virtual instruction; amending s. 1003.428, F.S.; requiring at least one course required for high school graduation to be completed through online learning; creating s. 1003.498, F.S.; authorizing school districts to offer virtual courses and blended learning courses; amending s. 1008.22, F.S.; requiring all statewide end-of-course assessments to be administrated online beginning with the 2014-2015 school year; amending s. 1011.61, F.S.; redefining the term “full-time equivalent student” for purposes of virtual instruction; amending s. 1012.57, F.S.; authorizing school districts to issue adjunct teaching certificates to qualified applicants to provide online instruction; revising requirements for adjunct teaching certificateholders; providing for annual contracts; amending ss. 1000.04, 1002.20, and 1003.03, F.S.; conforming provisions to changes made by the act; requiring the Department of Education to submit a report to the Governor and the Legislature relating to school district offering of, and student access to, digital learning; providing an effective date.

—a companion measure, was substituted for **CS for SB 1620** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 7197** was placed on the calendar of Bills on Third Reading.

SB 912—A bill to be entitled An act relating to affordable housing; amending s. 20.055, F.S.; revising the definition of “state agency” to include the Florida Housing Finance Corporation; revising the definition of “agency head” to include the board of directors of the corporation; requiring the inspector general to prepare an annual report; amending s. 159.608, F.S.; providing a housing finance authority with an additional purpose for which it may exercise its power to borrow; amending s. 163.3177, F.S.; revising provisions relating to the elements of local comprehensive plans to authorize the inclusion of an element for affordable housing for certain seniors; providing for the disposition of real property by a local government for the development of affordable housing; amending s. 201.15, F.S.; revising the allocation of certain proceeds distributed from the excise tax on documents that are paid into the State Treasury to the credit of the State Housing Trust Fund; providing for retroactive repeal of s. 8, ch. 2009-131, Laws of Florida, to eliminate a conflicting version of s. 201.15, F.S.; amending s. 420.0003, F.S.; including the needs of persons with special needs in the state housing strategy’s periodic review and report; amending s. 420.0004, F.S.; defining the terms “disabling condition” and “person with special needs”; conforming cross-references; amending s. 420.0006, F.S.; removing an obsolete reference; deleting provisions requiring the inspector general of the Department of Community Affairs to perform functions for the corporation to conform to changes made by the act; amending s. 420.504, F.S.; authorizing the Secretary of Community Affairs to designate a senior-level agency employee to serve on the board of directors of the Florida Housing Finance Corporation; amending s. 420.506, F.S.; providing for the appointment of an inspector general of the Florida Housing Finance Corporation; providing appointing authority thereof; providing duties and responsibilities of the inspector general; amending s. 420.507, F.S.; requiring certain rates of interest to be made available to sponsors of projects for persons with special needs; providing additional powers of the corporation relating to receipt of federal funds; revising powers of the corporation relating to criteria establishing a preference for eligible developers and general contractors; conforming a cross-reference; amending s. 420.5087, F.S.; limiting the reservation of funds within each notice of fund availability to the persons with special needs tenant group; including persons with special needs as a tenant group for specified purposes of the State Apartment Incentive Loan Program; revising and providing criteria to be used by a specified review committee for the competitive ranking of applications for such program; conforming a cross-reference; amending ss. 163.31771, 212.08, 215.5586, and 420.503, F.S.; conforming cross-references; providing legislative intent; prohibiting funds from the State Housing Trust Fund or the Local Government Housing Trust Fund that are appropriated for specified programs from being used for certain purposes; providing for future repeal; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 912**, on motion by Senator Bennett, by two-thirds vote **HB 639** was withdrawn from the Committees on Community Affairs; and Children, Families, and Elder Affairs.

On motion by Senator Bennett—

HB 639—A bill to be entitled An act relating to affordable housing; amending s. 20.055, F.S.; revising the definition of “state agency” to include the Florida Housing Finance Corporation; revising the definition of “agency head” to include the board of directors of the corporation; requiring the inspector general to prepare an annual report; amending s. 159.608, F.S.; providing a housing finance authority with an additional purpose for which it may exercise its power to borrow; amending s. 163.3177, F.S.; revising provisions relating to the elements of local comprehensive plans to authorize the inclusion of an element for affordable housing for certain seniors; providing for the disposition of real property by a local government for the development of affordable housing; amending s. 201.15, F.S.; revising the allocation of certain proceeds distributed from the excise tax on documents that are paid into the State Treasury to the credit of the State Housing Trust Fund; providing for retroactive repeal of s. 8, ch. 2009-131, Laws of Florida, to eliminate a conflicting version of s. 201.15, F.S.; amending s. 420.0003, F.S.; in-

cluding the needs of persons with special needs in the state housing strategy's periodic review and report; amending s. 420.0004, F.S.; defining the terms "disabling condition" and "person with special needs"; conforming cross-references; amending s. 420.0006, F.S.; removing an obsolete reference; deleting provisions requiring the inspector general of the Department of Community Affairs to perform functions for the corporation to conform to changes made by the act; amending s. 420.504, F.S.; authorizing the Secretary of Community Affairs to designate a senior-level agency employee to serve on the board of directors of the Florida Housing Finance Corporation; amending s. 420.506, F.S.; providing for the appointment of an inspector general of the Florida Housing Finance Corporation; providing appointing authority thereof; providing duties and responsibilities of the inspector general; amending s. 420.507, F.S.; requiring certain rates of interest to be made available to sponsors of projects for persons with special needs; providing additional powers of the corporation relating to receipt of federal funds; revising powers of the corporation relating to criteria establishing a preference for eligible developers and general contractors; conforming a cross-reference; amending s. 420.5087, F.S.; limiting the reservation of funds within each notice of fund availability to the persons with special needs tenant group; including persons with special needs as a tenant group for specified purposes of the State Apartment Incentive Loan Program; revising and providing criteria to be used by a specified review committee for the competitive ranking of applications for such program; conforming a cross-reference; amending ss. 163.31771, 212.08, 215.5586, and 420.503, F.S.; conforming cross-references; providing legislative intent; prohibiting funds from the State Housing Trust Fund or the Local Government Housing Trust Fund that are appropriated for specified programs from being used for certain purposes; providing for future repeal; providing an effective date.

—a companion measure, was substituted for **SB 912** and read the second time by title.

On motion by Senator Bennett, by two-thirds vote **HB 639** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hays	Simmons
Bogdanoff	Hill	Siplin
Braynon	Jones	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—2

Joyner	Rich
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CS for CS for SB 1998—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2011 version of the Internal Revenue Code; amending s. 220.13, F.S.; specifying the treatment by this state of certain depreciation and expensing of assets that are allowed for federal income tax purposes; authorizing the executive director of the Department of Revenue to adopt emergency rules; providing an appropriation; providing for the reversion of funds and reappropriation; providing for retroactive application; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1998**, on motion by Senator Bogdanoff, by two-thirds vote **CS for HB 7185** was withdrawn from the Committees on Budget Subcommittee on Finance and Tax; and Budget.

On motion by Senator Bogdanoff—

CS for HB 7185—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2011 version of the Internal Revenue Code; amending s. 220.13, F.S.; specifying the treatment by this state of certain depreciation and expensing of assets that are allowed for federal income tax purposes; authorizing the executive director of the Department of Revenue to adopt emergency rules; providing an appropriation; providing for reversion and reappropriation; providing for retroactive application; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1998** and read the second time by title.

MOTION

On motion by Senator Bogdanoff, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bogdanoff moved the following amendment which was adopted:

Amendment 1 (211262) (with title amendment)—Delete lines 124 and 125 and insert:

Section 5. Effective January 1, 2012, and applying to tax years beginning on or after January 1, 2012, subsection (1) of section 220.14, Florida Statutes, is amended to read

220.14 Exemption.—

(1) In computing a taxpayer's liability for tax under this code, there shall be exempt from the tax ~~\$25,000~~ ~~\$5,000~~ of net income as defined in s. 220.12 or such lesser amount as will, without increasing the taxpayer's federal income tax liability, provide the state with an amount under this code which is equal to the maximum federal income tax credit which may be available from time to time under federal law.

Section 6. Effective January 1, 2012, and applying to tax years beginning on or after January 1, 2012, subsection (3) of section 220.63, Florida Statutes, is amended to read:

220.63 Franchise tax imposed on banks and savings associations.—

(3) For purposes of this part, the franchise tax base shall be adjusted federal income, as defined in s. 220.13, apportioned to this state, plus nonbusiness income allocated to this state pursuant to s. 220.16, less the deduction allowed in subsection (5) and less ~~\$25,000~~ ~~\$5,000~~.

Section 7. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law and shall operate retroactively to January 1, 2011.

And the title is amended as follows:

Delete line 11 and insert: application; amending s. 220.14, F.S.; increasing the amount of income that is exempt from taxation; amending s. 220.63, F.S.; amending the amount of income that is exempt from the franchise tax imposed on banks and savings associations; providing effective dates.

On motion by Senator Bogdanoff, by two-thirds vote **CS for HB 7185** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Joyner
Alexander	Evers	Latvala
Altman	Fasano	Lynn
Benacquisto	Flores	Margolis
Bennett	Gaetz	Montford
Bogdanoff	Garcia	Negron
Braynon	Gardiner	Norman
Dean	Hays	Oelrich
Detert	Hill	Rich
Diaz de la Portilla	Jones	Richter

Ring	Siplin	Storms
Sachs	Smith	Thrasher
Simmons	Sobel	Wise

Nays—None

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for SB 606, SB 1052, CS for CS for SB 1460, CS for SB 1736, CS for SB 506, CS for CS for SB 476, CS for CS for SB 1174, and CS for SB 1748** were withdrawn from the Committee on Budget; and **CS for SB 730** was withdrawn from Committee on Rules.

By two-thirds vote, Senator Thrasher moved that **CS for SB 822** be withdrawn from the Committee on Budget. The motion was not adopted.

POINT OF ORDER

Senator Fasano raised a point of order that **CS for SB 822** should not be withdrawn from the Committee on Budget as it contains a substantial fiscal impact and pursuant to Rule 4.8, all bills authorizing or substantially affecting appropriations or tax revenue shall be reviewed by the appropriate revenue or appropriations committee.

The President referred the point of order to Senator Thrasher, Chair of the Committee on Rules.

MOTIONS

On motion by Senator Thrasher, the rules were waived and by two-thirds vote **CS for CS for SB 488, CS for SB 1902, CS for SB 1246, CS for CS for SB 476, CS for CS for SB 1174, CS for SB 1622, CS for CS for SB 1316, CS for SB 730, CS for SB 584, and CS for CS for SB 1318** were established as the Special Order Calendar for Wednesday, May 4.

On motion by Senator Thrasher, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Wednesday, May 4.

On motion by Senator Thrasher, a deadline of 8:00 a.m., Wednesday, May 4, was set for filing amendments to Bills on Third Reading and the bills added to the Special Order Calendar to be considered that day.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Tuesday, May 3, 2011: **CS for SB 90, SB 118, SB 238, CS for CS for SB 450, CS for SB 480, SB 548, CS for CS for SB 632, SB 688, SB 690, CS for SB 746, SB 788, SB 870, CS for SB 880, CS for SB 886, CS for CS for SB 888, CS for CS for SB 1180, CS for SB 1182, CS for CS for SB 1194, CS for SB 1226, SB 1584, SB 1624, CS for SB 1626, CS for SB 1650, CS for SB 1676, CS for CS for SB 1732, SM 1762, SB 1788, CS for CS for CS for SB 1816, CS for SB 1886, CS for SB 1974, CS for CS for SB 1998, SB 2064, CS for CS for SB 2086.**

Respectfully submitted,
John Thrasher, Chair

Pursuant to Rule 4.17(4) the Chair of the Committee on Rules submits the following bills to be placed on the Consent Calendar for Tuesday, May 3, 2011: **CS for SB 242, CS for SB 328, CS for CS for SB 364, SB 418, SB 464, CS for CS for SB 490, CS for CS for SB 520, CS for CS for CS for SB 530, CS for CS for SB 582, CS for CS for SB 666, SB 722, SB 850, SB 874, CS for CS for SB 890, SB 904, CS for SB 920, CS for CS for SB 952, CS for SB 1092, CS for SB 1158, CS for SB 1176, CS for CS for SB 1228, CS for CS for SB 1286, CS for CS for CS for SB 1290, CS for CS for SB 1318, CS for SB 1332, SM 1344, CS for SB 1372, CS for CS for SB 1382, CS for SB 1390, CS for CS for SB 1430, CS for CS for SB 1456, CS for CS for SB 1522, CS for SB 1574, SB 1586, CS for SB 1620, SB 1792, SB 1942.**

Respectfully submitted,
John Thrasher, Chair

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of Daytona State College	
Appointees: Brosemer, Donna, Daytona Beach	05/31/2013
Holness, Betty Jean, Ormond Beach	05/31/2011
Board of Trustees, Florida International University	
Appointee: Armas, Jose, Coral Gables	01/06/2016

Referred to the Rules Subcommittee on Ethics and Elections.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed **CS for HB 621, CS for CS for HB 831, CS for CS for CS for HB 993 and HB 7239, HB 4159, HB 7155; has passed as amended CS for HB 63, CS for CS for CS for HB 251, CS for CS for HB 301, CS for CS for HB 421, CS for CS for HB 879, CS for CS for CS for HB 883, CS for CS for HB 965, CS for CS for CS for HB 1111, CS for CS for CS for HB 1195, CS for CS for HB 7005; has adopted HM 1047 and requests the concurrence of the Senate.**

Robert L. "Bob" Ward, Clerk

By Civil Justice Subcommittee and Representative(s) Renuart—

CS for HB 621—A bill to be entitled An act relating to child custody; amending s. 61.13002, F.S.; providing that a parent's activation, deployment, or temporary assignment to military service and the resultant temporary disruption to the child may not be the sole factor in granting a petition for or modification of permanent time-sharing and parental responsibility; providing an effective date.

—was referred to the Committees on Judiciary; Military Affairs, Space, and Domestic Security; Children, Families, and Elder Affairs; and Budget.

By Education Committee, Health & Human Services Quality Subcommittee and Representative(s) Rooney, Corcoran—

CS for CS for HB 831—A bill to be entitled An act relating to high school athletic trainers; requiring the Florida High School Athletic Association to conduct a study related to the need for athletic trainers in certain high schools and to submit the study's findings to the Governor and Legislature by a specified date; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Judiciary; and Budget.

By Rules & Calendar Committee, Government Operations Subcommittee, Rulemaking & Regulation Subcommittee and Representative(s) Roberson, K., Gaetz—

CS for CS for CS for HB 993 and HB 7239—A bill to be entitled An act relating to rulemaking; amending s. 120.54, F.S.; requiring that an agency include in its notice of intended rulemaking a statement as to whether the proposed rule will require legislative ratification; providing for withdrawal of an adopted rule that is not ratified by the Legislature; clarifying that certain proposed rules are effective only when ratified by

the Legislature; amending s. 120.541, F.S.; reducing the time before an agency files a rule for adoption within which the agency must notify the person who submitted a lower cost alternative and the Administrative Procedures Committee; excluding rules adopting federal standards and emergency rulemaking from certain provisions; amending s. 120.56, F.S.; reducing the time in which a substantially affected person may seek an administrative determination of the invalidity of a rule after the statement or revised statement of estimated regulatory costs is available; amending s. 120.74, F.S.; providing for agency reporting of certain annual regulatory plans; providing for certain omissions and suspensions of reports; creating s. 120.745, F.S.; providing for legislative review of agency rules in effect on or before November 16, 2010; providing definitions; requiring that each agency complete an enhanced biennial review of its existing rules; requiring a report of the enhanced biennial review; providing specifications for the report; providing for objections and the agency's response; requiring the performance of a compliance economic review and report under certain circumstances; providing specifications for the review; providing specifications for publishing the final report of the agency's review; requiring that an agency publish notices, determinations, and reports in a specified format; requiring the Department of State to publish certain notices in the Florida Administrative Weekly; providing specifications; providing for future review and repeal; providing for suspension of rulemaking authority for failure to comply with the certification requirements of the section; providing for an exemption from certain requirements; creating s. 120.7455, F.S.; providing that the Legislature may establish and maintain an Internet-based public survey of regulatory impacts; providing input details; providing that legislative leaders may certify in writing to certain individuals the establishment and identity of any such Internet-based survey; providing immunities from enforcement action or prosecution involving information solicited through the survey; providing protections from retaliatory enforcement actions; clarifying that the legal status of a rule that has been determined to be invalid is not changed by the amendment or creation of specified provisions by the act; amending s. 120.80, F.S.; exempting the adoption of certain amendments and the triennial updates to the Florida Building Code from required legislative ratification; exempting the adoption of certain amendments and the triennial updates to the Florida Fire Prevention Code from required legislative ratification; exempting the adoption of rules adjusting rates of certain transportation and expressway tolls from the preparation of a statement of estimated regulatory costs and from submission for legislative ratification; amending s. 120.81, F.S.; excluding the adoption of rules under chapter 2011-1, Laws of Florida, the Student Success Act, from the preparation of a statement of estimated regulatory costs and from submission for legislative ratification; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

By Representative(s) Ray—

HB 4159—A bill to be entitled An act relating to state attorneys; amending s. 775.082, F.S.; deleting provisions requiring each state attorney to submit certain deviation memoranda to the president of the association and requiring the association to maintain such information for a specified period; repealing s. 775.08401, F.S., relating to criteria to be used when state attorneys decide to pursue habitual felony offenders, habitual violent felony offenders, or violent career criminals; amending s. 775.087, F.S.; deleting provisions requiring each state attorney to report why a case-qualified defendant did not receive the mandatory minimum prison sentence in cases involving certain offenses; transferring, renumbering, and amending s. 27.366, F.S.; deleting a provision requiring each state attorney to submit certain deviation memoranda to the President of the Florida Prosecuting Attorneys Association, Inc., and to report annually to the Governor and Legislature; deleting a provision requiring the association to maintain such information for a specified period; transferring provisions relating to the intent of s. 775.087, F.S., to that section; amending s. 938.27, F.S.; providing that convicted persons are liable for certain costs of prosecution; deleting provisions regarding the burden of establishing financial resources of the defendant and demonstrating other matters; amending s. 985.557, F.S.; deleting provisions relating to direct-file policies and guidelines for juveniles; amending s. 775.0843, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Government Operations Subcommittee and Representative(s) Patronis—

HB 7155—A bill to be entitled An act relating to state financial matters; amending s. 215.44, F.S.; revising provisions which authorize the State Board of Administration to invest specified funds pursuant to the enrollment requirements of a local government investment authority; authorizing the board to invest specified funds in the Local Government Surplus Funds Trust Fund without a trust agreement upon completion of enrollment materials provided by the board; providing that investments made by the board under a trust agreement are subject only to the restrictions and limitations contained in the trust agreement; amending s. 215.4755, F.S.; correcting a cross-reference; clarifying provisions with respect to an investment adviser's or manager's code of ethics; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

By Business & Consumer Affairs Subcommittee and Representative(s) Crisafulli, Baxley, Horner, Nelson, Randolph, Van Zant—

CS for HB 63—A bill to be entitled An act relating to public lodging and food service establishments; providing a short title; amending s. 509.144, F.S.; revising definitions; providing additional penalties for the offense of unlawfully distributing handbills in a public lodging establishment; specifying that certain items used in committing such offense are subject to seizure and forfeiture under the Florida Contraband Forfeiture Act; creating s. 901.1503, F.S.; authorizing a law enforcement officer to give a notice to appear to a person without a warrant when there is probable cause to believe the person violated s. 509.144, F.S., and the owner or manager of the public lodging establishment and one additional affiant sign an affidavit containing information supporting the determination of probable cause; amending s. 932.701, F.S.; revising the definition of the term "contraband article"; amending s. 509.013, F.S.; excluding nonprofit organizations operating facilities providing certain housing from the definition of the term "public lodging establishment"; amending s. 509.032, F.S.; conforming provisions to changes made by the act; revising authority preempted to the state with regard to regulation of public lodging establishments and public food service establishments; prohibiting local governments from regulating, restricting, or prohibiting vacation rentals based solely on their classification, use, or occupancy; providing exceptions; amending ss. 509.221 and 509.241, F.S.; conforming provisions to changes made by the act; amending s. 509.242, F.S.; providing that public lodging establishments formerly classified as resort condominiums and resort dwellings are classified as vacation rentals; defining the term "vacation rental"; amending s. 509.251, F.S.; conforming provisions to changes made by the act; amending s. 509.261, F.S.; revising penalties for operating a public lodging establishment or public food service establishment without a valid license; amending s. 509.291, F.S.; revising membership of the advisory council of the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; requiring the Florida Vacation Rental Managers Association to designate a member to serve on the advisory council; amending ss. 381.008 and 386.203, F.S.; conforming provisions to changes made by the act; providing that specified portions of this act do not affect or impede specified statutory provisions or any protection or right guaranteed by the Second Amendment to the United States Constitution; providing effective dates.

—was referred to the Committees on Regulated Industries; Judiciary; and Budget.

By Judiciary Committee, Appropriations Committee, Criminal Justice Subcommittee and Representative(s) Dorworth, Eisnagle, Julien, Kiar, Pafford, Porth—

CS for CS for CS for HB 251—A bill to be entitled An act relating to sexual offenses; providing a short title; amending s. 90.404, F.S.; revising offenses that are considered "child molestation" for purposes of admitting evidence of other crimes, wrongs, or acts in a criminal case involving child molestation; providing for admission of evidence of other crimes,

wrongs, or acts in cases involving a sexual offense; defining the term “sexual offense”; amending s. 92.55, F.S.; authorizing the use of service or therapy animals in courts hearing sexual offense cases under certain circumstances; requiring certain property or material that is used in a criminal proceeding to remain in the care, custody, and control of the law enforcement agency, the state attorney, or the court; prohibiting the reproduction of such property or material by the defendant when specified criteria are met by the state attorney; permitting access to the materials by the defendant; amending s. 395.1021, F.S.; requiring a licensed facility that provides emergency room services to arrange for the gathering of forensic medical evidence required for investigation and prosecution from a victim who has reported a sexual battery to a law enforcement agency or who requests that such evidence be gathered for a possible future report; amending s. 775.15, F.S.; providing that a prosecution for video voyeurism in violation of specified provisions may, in addition to existing time periods, be commenced within 1 year after the victim of video voyeurism obtains actual knowledge of the existence of such a recording or the recording is confiscated by a law enforcement agency, whichever occurs first; providing that dissemination of a recording before such knowledge or confiscation does not affect such a time period; amending s. 794.052, F.S.; requiring a law enforcement officer to provide or arrange for transportation of a victim of sexual battery to an appropriate facility for medical treatment or forensic examination; providing for a review of a police officer’s final report by a victim and an opportunity for a statement by a victim; amending ss. 794.056 and 938.085, F.S.; requiring that an additional court cost or surcharge be assessed against a defendant who pleads guilty or nolo contendere to, or is found guilty of, regardless of adjudication, certain criminal offenses; providing for proceeds of the additional court cost or surcharge to be deposited into the Rape Crisis Program Trust Fund; reenacting s. 20.435(21)(a), F.S., relating to the Rape Crisis Program Trust Fund, to incorporate the amendment made to s. 794.056, F.S., in a reference thereto; reenacting s. 794.055(3)(b), F.S., relating to access to services for victims of sexual battery, to incorporate the amendment made to s. 938.085, F.S., in a reference thereto; amending s. 960.003, F.S.; providing for hepatitis testing of persons charged with certain offenses; amending s. 1003.42, F.S.; requiring that public schools provide comprehensive health education that addresses concepts of Internet safety; amending s. 827.071, F.S.; defining the term “intentionally view”; prohibiting controlling or intentionally viewing any photograph, motion picture, exhibition, show, image, data, computer depiction, representation, or other presentation that includes sexual conduct by a child; providing an exception; providing penalties; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart of the Criminal Punishment Code to changes made to s. 827.071, F.S., by the act; providing effective dates.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Education Committee, K-20 Innovation Subcommittee and Representative(s) Renuart, Abruzzo, Ahern, Dorworth, Drake, Hooper, Ingram, McBurney, Passidomo, Steinberg—

CS for CS for HB 301—A bill to be entitled An act relating to youth athletes; amending ss. 943.0438 and 1006.20, F.S.; requiring an independent sanctioning authority for youth athletic teams and the Florida High School Athletic Association to adopt guidelines, bylaws, and policies relating to the nature and risk of concussion and head injury in youth athletes; requiring informed consent for participation in practice or competition; requiring removal from practice or competition under certain circumstances and written clearance to return; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; and Rules.

By State Affairs Committee, Agriculture & Natural Resources Appropriations Subcommittee and Representative(s) Bemby, Nelson, Perry, Van Zant, Williams, T., Wood—

CS for CS for HB 421—A bill to be entitled An act relating to agricultural-related exemptions to water management requirements; amending s. 373.406, F.S.; revising an exemption for agricultural-related activities to include certain impacts to surface waters and wetlands;

clarifying the purposes of such activities; limiting applicability of the exemption; providing for retroactive application of the exemption; amending s. 373.407, F.S.; providing exclusive authority to the Department of Agriculture and Consumer Services to determine whether certain activities qualify for an agricultural-related exemption under specified conditions; requiring a specified memorandum of agreement between the department and each water management district; authorizing the department to adopt rules; amending s. 403.927, F.S.; providing an exemption from mitigation requirements for converted agricultural lands under certain conditions; revising the definition of the term “agricultural activities” to include cultivating, fallowing, leveling, and implementation of specified practices and standards and to provide for certain impacts to surface waters and wetlands; providing an effective date.

—was referred to the Committees on Agriculture; Environmental Preservation and Conservation; and Budget.

By Economic Affairs Committee, Finance & Tax Committee and Representative(s) Eisnaugle, Van Zant—

CS for CS for HB 879—A bill to be entitled An act relating to targeted economic development; amending s. 220.191, F.S.; providing that a capital investment tax credit may be carried forward for use against the corporate income tax in specified years after the commencement of operations of a project; amending s. 288.106, F.S.; redefining the term “target industry business” to revise the eligibility criteria for the tax refund program for target industry businesses; requiring certain local governing boards to notify the Office of Tourism, Trade, and Economic Development and Enterprise Florida, Inc., of the average private-sector wage calculation to be used for purposes of a business’s wage commitment under the tax refund program; authorizing a reduction in the local financial support requirements for qualified target industry businesses located in specified counties under certain circumstances; providing for future expiration; amending s. 377.809, F.S.; deleting an obsolete provision; revising the date by which the Department of Community Affairs must submit a report to the Governor and Legislature which evaluates the success of the Energy Economic Zone Pilot Program; requiring that all incentives and benefits provided for enterprise zones be made available to energy economic zones by a specified date; assigning duties for the administration of energy economic zones to the local governing bodies that have jurisdiction over such zones; providing for boundaries of the zones, eligibility criteria for the incentives, and benefits provided in the zones; specifying the incentives and benefits available in the zones; requiring that the applicable requirements for employee residency for higher refund or credit thresholds be based on employee residency in the energy economic zone or an enterprise zone; establishing priorities for funding certain projects; limiting the annual amount of such incentives; authorizing the carryforward of any unused amount of incentives for a specified period; providing for the issuance of certificates to eligible businesses; requiring the local governing body to certify to the Department of Revenue or the Office of Tourism, Trade, and Economic Development which businesses or properties are eligible for the incentives; requiring the Department of Revenue to send written instructions to eligible businesses on claiming the credit on a sales and use tax return initiated through an electronic data interchange; authorizing the Office of Tourism, Trade, and Economic Development and the Department of Revenue to adopt emergency rules; providing for renewal of the rules; amending s. 380.06, F.S.; exempting certain developments in an energy economic zone from review as a development of regional impact; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Budget.

By Economic Affairs Committee, Government Operations Appropriations Subcommittee, Business & Consumer Affairs Subcommittee and Representative(s) Horner—

CS for CS for CS for HB 883—A bill to be entitled An act relating to public lodging establishments and public food service establishments; amending s. 509.013, F.S.; excluding nonprofit organizations providing certain housing from the definition of “public lodging establishment”; amending s. 509.032, F.S.; conforming provisions to changes made by the act; prohibiting local governments from regulating, restricting, or prohibiting vacation rentals based solely on their classification, use, or occupancy; providing exceptions; revising authority preempted to the state with regard to regulation of public lodging establishments and public food service establishments; amending ss. 509.221 and 509.241, F.S.; conforming provisions to changes made by the act; amending s. 509.242, F.S.; providing that public lodging establishments formerly classified as resort condominiums and resort dwellings are classified as vacation rentals; defining the term “vacation rental”; amending s. 509.251, F.S.; conforming provisions to changes made by the act; amending s. 509.261, F.S.; revising penalties for public lodging establishments and public food service establishments operating without a valid license; amending s. 509.291, F.S.; revising membership of the advisory council of the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; requiring the Florida Vacation Rental Managers Association to designate a member to serve on the advisory council; amending ss. 381.008 and 386.203, F.S.; conforming provisions to changes made by the act; providing a short title; amending s. 509.144, F.S.; revising definitions; providing additional penalties for the offense of unlawfully distributing handbills in a public lodging establishment; specifying that certain items used in committing such offense are subject to seizure and forfeiture under the Florida Contraband Forfeiture Act; creating s. 901.1503, F.S.; authorizing a law enforcement officer to give a notice to appear to a person without a warrant when there is probable cause to believe the person violated s. 509.144, F.S., and the owner or manager of the public lodging establishment and one additional affiant sign an affidavit containing information supporting the determination of probable cause; amending s. 932.701, F.S.; revising the definition of the term “contraband article”; providing that specified portions of the act do not affect or impede specified statutory provisions or any protection or right guaranteed by the Second Amendment to the United States Constitution; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Budget.

By Appropriations Committee, Finance & Tax Committee and Representative(s) Horner, Ahern, Campbell, Costello, McKeel, Moraitis—

CS for CS for HB 965—A bill to be entitled An act relating to the Florida Tax Credit Scholarship Program; amending ss. 220.1875 and 624.51055, F.S.; revising provisions relating to the amount of a tax credit allowed for a contribution made to an eligible nonprofit scholarship-funding organization; amending s. 1002.395, F.S.; revising provisions relating to the carryforward of an unused amount of a tax credit and the rescindment of all or part of a tax credit under the Florida Tax Credit Scholarship Program; providing an effective date.

—was referred to the Committee on Education Pre-K - 12; and Budget.

By Judiciary Committee, Health & Human Services Committee, Civil Justice Subcommittee and Representative(s) Mayfield—

CS for CS for CS for HB 1111—A bill to be entitled An act relating to family law; amending s. 88.1011, F.S.; revising and providing definitions; amending s. 88.1021, F.S.; designating the Department of Revenue as the support enforcement agency of this state; amending s. 88.1031, F.S.; revising provisions relating to remedies provided by the act; creating s. 88.1041, F.S.; providing for applicability of provisions to residents of foreign counties and foreign support proceedings; amending s. 88.2011, F.S.; providing that specified bases of personal jurisdiction may not be used to acquire personal jurisdiction for certain purposes unless specified requirements are met; amending s. 88.2021, F.S.; providing for duration of personal jurisdiction; deleting provisions relating to procedure when exercising jurisdiction over nonresident; amending ss. 88.2031 and 88.2041, F.S.; conforming provisions to changes made by the

act; amending s. 88.2051, F.S.; revising provisions relating to continuation of exclusive jurisdiction; amending s. 88.2061, F.S.; providing for continuing jurisdiction to enforce child support orders; amending s. 88.2071, F.S.; revising provisions relating to determination of a controlling child support order; amending s. 88.2081, F.S.; revising language relating to child support orders for two or more obligees; amending s. 88.2091, F.S.; revising language relating to credit for child support payments; creating s. 88.2101, F.S.; providing for application of the act to a nonresident subject to personal jurisdiction; creating s. 88.2111, F.S.; providing for continuing, exclusive jurisdiction to modify a spousal support order; amending s. 88.3011, F.S.; revising provisions relating to applicability of the act; amending ss. 88.3021 and 88.3031, F.S.; revising terminology; amending s. 88.3041, F.S.; revising provisions relating to duties of an initiating tribunal; amending s. 88.3051, F.S.; revising provisions relating to duties and powers of a responding tribunal; amending s. 88.3061, F.S.; revising terminology; amending s. 88.3071, F.S.; revising provisions relating to the duties of a support enforcement agency; amending s. 88.3081, F.S.; providing that the Governor and Cabinet may determine that a foreign country has established a reciprocal arrangement for child support with this state and take appropriate action for notification of the determination; amending s. 88.3101, F.S.; revising terminology; amending s. 88.3111, F.S.; revising provisions relating to pleadings and accompanying documents; amending s. 88.3121, F.S.; revising requirements for nondisclosure of certain information; amending ss. 88.3131 and 88.3141, F.S.; revising terminology; amending s. 88.3161, F.S.; revising provisions relating to special rules of evidence and procedure; amending ss. 88.3171 and 88.3181, F.S.; revising terminology; amending s. 88.3191, F.S.; revising provisions relating to receipt and disbursement of payments; amending s. 88.4011, F.S.; revising provisions relating to establishment of a support order; creating s. 88.4021, F.S.; providing that certain tribunals of this state may serve as responding tribunals in proceedings to determine parentage of a child under certain provisions; providing a directive to the Division of Statutory Revision; amending s. 88.5011, F.S.; revising provisions relating to an employer's receipt of an income-withholding order from another state; amending ss. 88.50211, 88.5031, 88.5041, and 88.5051, F.S.; revising terminology; amending s. 88.5061, F.S.; revising provisions relating to a contest by obligor; amending s. 88.5071, F.S.; revising terminology; providing a directive to the Division of Statutory Revision; amending s. 88.6011, F.S.; revising terminology; amending s. 88.6021, F.S.; revising provisions relating to the procedure to register order for enforcement; amending s. 88.6031, F.S.; revising terminology; amending s. 88.6041, F.S.; revising provisions relating to choice of law; amending s. 88.6051, F.S.; revising provisions relating to notice of registration of order; amending s. 88.6061, F.S.; revising provisions relating to the procedure to contest the validity or enforcement of a registered order; amending s. 88.6071, F.S.; revising provisions relating to the contesting of registration or enforcement; amending s. 88.6081, F.S.; revising terminology; amending s. 88.6091, F.S.; correcting a cross-reference; amending s. 88.6111, F.S.; revising provisions relating to modification of a child support order of another state; amending s. 88.6121, F.S.; revising provisions relating to recognition of a child support order modified in another state; creating s. 88.6151, F.S.; providing for jurisdiction to modify a child support order of a foreign country; creating s. 88.6161, F.S.; providing procedures for registration of a child support order of a foreign country for modification; providing a directive to the Division of Statutory Revision; repealing s. 88.7011, F.S., relating to a proceeding to determine parentage of a child; creating s. 88.70111, F.S.; providing definitions relating to a support proceeding under the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance; creating s. 88.7021, F.S.; providing for applicability; creating s. 88.7031, F.S.; specifying the relationship of the Department of Revenue to the United States central authority; creating s. 88.7041, F.S.; providing for initiation by the Department of Revenue of support proceedings under the convention; creating s. 88.7051, F.S.; providing for direct requests to tribunals; creating s. 88.7061, F.S.; providing for registration of convention support orders; creating s. 88.7071, F.S.; providing for contest of registered convention support orders; creating s. 88.7081, F.S.; providing for recognition and enforcement of registered convention support orders; creating s. 88.7091, F.S.; providing for partial

enforcement of convention support orders; creating s. 88.7101, F.S.; providing requirements for a foreign support agreement; creating s. 88.7111, F.S.; providing for modification of convention child support orders; creating s. 88.7121, F.S.; providing limits on the personal use of certain information; creating s. 88.7131, F.S.; requiring a record filed with a tribunal of this state under specified provisions to be in the original language and, if not in English, to be accompanied by an English translation; amending s. 88.8011, F.S.; revising terminology; amending s. 88.9011, F.S.; revising provisions relating to the uniformity of application and construction of the act; creating s. 88.9021, F.S.; providing applicability; amending s. 88.9031, F.S.; revising terminology; amending ss. 61.13 and 827.06, F.S.; correcting cross-references; directing the Department of Revenue to apply for a waiver; amending s. 61.08, F.S.; revising provisions relating to factors to be considered for alimony awards; revising provisions relating to awards of durational alimony; revising provisions relating to awards of permanent alimony; providing that the award of alimony may not leave the payor with significantly less net income than the net income of the recipient unless there are written findings of exceptional circumstances; providing for applicability of specified provisions; providing effective dates.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; Budget Subcommittee on General Government Appropriations; and Budget.

By Judiciary Committee, Economic Affairs Committee, Civil Justice Subcommittee and Representative(s) Moraitis, Grant—

CS for CS for CS for HB 1195—A bill to be entitled An act relating to condominium, cooperative, and homeowners' associations; amending s. 633.0215, F.S.; exempting certain residential buildings from a requirement to install a manual fire alarm system; providing intent; amending s. 718.111, F.S.; revising provisions relating to the official records of condominium associations; providing for disclosure of certain employment agreements with and compensation paid to association employees; amending s. 718.112, F.S.; revising provisions relating to bylaws; providing that board of administration meetings discussing personnel matters are not open to unit owners; revising requirements for electing the board of directors; providing a definition; providing for continued office and for filling vacancies under certain circumstances; specifying unit owner eligibility for board membership; requiring that certain educational curriculum be completed within a specified time before or after the election or appointment of a board director; providing application; amending s. 718.113, F.S.; authorizing the board of a condominium association to install impact glass or other code-compliant windows under certain circumstances; amending s. 718.114, F.S.; requiring the vote or written consent of a majority of the total voting interests before a condominium association may enter into certain agreements to acquire leaseholds, memberships, or other possessory or use interests; amending s. 718.116, F.S.; revising liability of an association, or its successor or assignee, that acquires title to a unit through the foreclosure of its lien for assessments; revising provisions relating to condominium assessments; providing association notice requirements regarding tenants delinquent in paying any monetary obligation due to the association; conforming a cross-reference; amending s. 718.117, F.S.; providing procedures and requirements for termination of a condominium property that has been totally destroyed or demolished; providing procedures and requirements for partial termination of a condominium property; requiring that a lien against a condominium unit being terminated be transferred to the proceeds of sale for certain portions of that property; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner or a unit owner's tenant, guest, or invitee; providing for the suspension of certain rights of use; revising provisions relating to the suspension of a member's voting rights; requiring that the suspension of certain rights of use and voting rights be approved at a noticed board meeting; amending s. 718.703, F.S.; redefining the term "bulk assignee" and revising the definition of the term "bulk buyer" for purposes of the Distressed Condominium Relief Act; amending s. 718.704, F.S.; revising provisions relating to the assignment and assumption of developer rights by a bulk

assignee; amending s. 718.705, F.S.; revising provisions relating to the transfer of control of a condominium board of administration to unit owners; amending s. 718.706, F.S.; revising provisions relating to the offering of units by a bulk assignee or bulk buyer; amending s. 718.707, F.S.; revising the time limitation for classification as a bulk assignee or bulk buyer; amending s. 719.108, F.S.; providing association notice requirements regarding tenants delinquent in paying any monetary obligation due to the association; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a delinquent unit owner or a unit owner's tenant, guest, or invitee; providing for the suspension of certain rights of use and voting rights; requiring that the suspension of certain rights of use and voting rights be approved at a noticed board meeting; amending s. 720.301, F.S.; revising the definition of the term "declaration of covenants"; amending s. 720.303, F.S.; revising provisions relating to the rights of a member of a homeowners' association to speak at meetings of the board; revising provisions relating to records that are not accessible to members of a homeowners' association; providing for disclosure of employment agreements with and compensation paid to association employees; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a delinquent member of a homeowners' association or any member's tenant, guest, or invitee; providing for the suspension of certain rights of use; revising provisions relating to the suspension of a member's voting rights; requiring that the suspension of certain rights of use and voting rights be approved at a noticed board meeting; amending s. 720.306, F.S.; specifying additional requirements for candidates to be a member of the board of a homeowners' association; amending s. 720.3085, F.S.; revising liability of an association, or its successor or assignee, that acquires title to a unit through the foreclosure of its lien for assessments; providing association notice requirements regarding tenants delinquent in paying any monetary obligation due to the association; amending s. 720.309, F.S.; providing for the allocation of communications services by a homeowners' association; providing for the cancellation of communication contracts; providing that hearing-impaired or legally blind parcel owners and parcel owners receiving certain supplemental security income or food assistance may discontinue the service without incurring certain costs; providing that parcel residents may not be denied access to available franchised, licensed, or certificated cable or video service providers under certain circumstances; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; Judiciary; and Rules.

By Economic Affairs Committee, Finance & Tax Committee, Economic Development & Tourism Subcommittee and Representative(s) Holder—

CS for CS for HB 7005—A bill to be entitled An act relating to unemployment compensation; amending s. 213.053, F.S.; increasing the number of employer payroll service providers who qualify for access to unemployment tax information by filing a memorandum of understanding; amending s. 443.031, F.S.; revising provisions relating to statutory construction; amending s. 443.036, F.S.; revising and providing definitions; revising the term "misconduct" to include conduct outside of the workplace and additional lapses in behavior; amending s. 443.041, F.S.; conforming a cross-reference; amending s. 443.091, F.S.; conforming provisions to changes made by the act; requiring that an applicant for benefits participate in an initial skills review; providing exceptions; requiring the administrator or operator of the initial skills review to notify specified entities regarding review completion and results; amending s. 443.101, F.S.; clarifying "good cause" for voluntarily leaving employment; disqualifying a person for benefits due to the receipt of severance pay; revising provisions relating to the effects of criminal acts on eligibility for benefits; amending s. 443.111, F.S.; providing a definition; reducing the amount and revising the calculation of the number of weeks of a claimant's benefit eligibility; amending s. 443.1216, F.S.; conforming provisions to changes made by the act; amending s. 443.131, F.S.; providing definitions; revising an employer's unemployment compensation contribution rate by certain factors; amending s. 443.141, F.S.; providing an employer payment schedule for 2012, 2013, and 2014 contributions; amending s. 443.151, F.S.; revising allowable forms of

evidence in benefit appeals; revising the judicial venue for reviewing commission orders; amending s. 443.171, F.S.; specifying that evidence of mailing an agency document is based on the date stated on the document; reviving, readopting, and amending s. 443.1117, F.S., relating to temporary extended benefits; providing for retroactive application; establishing temporary state extended benefits for weeks of unemployment; revising definitions; providing for state extended benefits for certain weeks and for periods of high unemployment; providing severability; providing applicability; providing appropriations for purposes of implementation; providing that the act fulfills an important state interest; providing effective dates.

—was referred to the Committees on Commerce and Tourism; Judiciary; and Budget.

By Representative(s) Diaz, Moraitis—

HM 1047—A memorial urging the United States Department of the Treasury to withdraw a proposed rule on nonresident alien accounts and Congress to hold certain hearings on the proposed rule.

—was referred to the Committees on Banking and Insurance; and Judiciary.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 2 was corrected and approved.

CO-INTRODUCERS

Senators Bogdanoff—SR 2196; Negron—SCR 1558; Oelrich—CS for CS for SB 1546; Smith—SB 912; Thrasher—SR 2216

RECESS

On motion by Senator Thrasher, the Senate recessed at 6:22 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Wednesday, May 4 or upon call of the President.



Journal of the Senate

Number 21—Regular Session

Wednesday, May 4, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 10:00 a.m. A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Excused: Senator Bullard

PRAYER

The following prayer was offered by Rev. David C. Killeen, Priest-in-Charge, St. John's Episcopal Church, Tallahassee:

Accept, O Lord, our thanks and praise for all that you have done for us. We thank you for the splendor of the whole creation, for the beauty of this world, for the wonder of life, and for the mystery of love.

We thank you for the blessing of family and friends, and for the loving care which surrounds us on every side.

In our capitol, districts and hometowns, we thank you for setting us at tasks which demand our best efforts, and for leading us to accomplishments which satisfy and delight us. We thank you also for those disappointments and failures that lead us to acknowledge our dependence on you alone.

Bless and guide the leaders of our land, that we may be a people at peace among ourselves and a blessing to other nations of the earth.

To the Florida Senate, and those who make our laws in cities and towns, give courage, wisdom, and foresight to provide for the needs of all our people.

As we begin this day, we remember before you with grateful hearts the men and women of our country who in the day of decision ventured much for the liberties we now enjoy, remembering especially the men and women of our Armed Forces wounded by war.

Grant that we may not rest until all the people of this land share the benefits of true freedom and gladly accept its disciplines. For yours is the kingdom, O Lord, and you are exalted as head above all. Amen.

PLEDGE

Senate Pages Micheal West of Tallahassee; Daniel Klumpp of Davie; and Miranda Wilson of Panama City, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Al McCully, of Tallahassee, father of Bill McCully with the Secretary's Office, sponsored by Senator Montford, as doctor of the day. Dr. McCully specializes in Urology.

ADOPTION OF RESOLUTIONS

On motion by Senator Haridopolos—

By Senator Haridopolos—

SR 2220—A resolution recognizing May 2011 as “Brain Tumor Awareness Month” in Florida.

WHEREAS, 62,000 Americans are diagnosed with a primary brain tumor each year and 150,000 more are diagnosed with a metastatic brain tumor that results from cancer spreading from another part of the body to the brain, and

WHEREAS, brain tumors are the leading cause of death from solid tumors in children under the age of 20 and are the third leading cause of death from cancer in young adults between the ages of 20 and 39, and

WHEREAS, brain tumors may be malignant or benign, but can be life-threatening in either case, and

WHEREAS, 612,000 Americans have been diagnosed and are living with a brain tumor, and

WHEREAS, the treatment of brain tumors is complicated by the fact that more than 120 different types of brain tumors exist, and

WHEREAS, the treatment of brain tumors presents significant challenges because of their location, the difficulty of delivering treatment across the blood-brain barrier and the serious edema that results when the blood-brain barrier is disrupted, and the obstacles to complete surgical removal of tumors, and

WHEREAS, brain tumors have been described as a disease that affects the essence of “self,” and

WHEREAS, brain tumor research is supported by a number of private nonprofit research foundations and by institutes at the National Institutes of Health, including the National Cancer Institute and the National Institute for Neurological Disorders and Stroke, and

WHEREAS, important advances have been made in understanding brain tumors, including the genetic characterization of glioblastoma multiforme, one of the deadliest forms of brain tumor, and

WHEREAS, advances in basic research may fuel the research and development of new treatments, and

WHEREAS, daunting obstacles still remain to the development of new treatments and no strategies for the screening or early detection of brain tumors exist, and

WHEREAS, there is a need for greater public awareness of brain tumors, including awareness of the difficulties associated with research and the opportunities for advances in brain tumor research and treatment, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That May 2011 is recognized as “Brain Tumor Awareness Month” in Florida.

—was introduced out of order and read by title. On motion by Senator Haridopolos, **SR 2220** was read the second time in full and adopted.

On motion by Senator Sobel—

By Senator Sobel—

SR 2224—A resolution encouraging the disclosure of records relating to the transportation of persons to extermination camps, work camps, concentration camps, prisoner-of-war camps, or similar camps in Europe during World War II.

WHEREAS, the Legislature finds that during World War II, many thousands of persons, including current residents of this state, were transported by rail companies to extermination camps, work camps, concentration camps, prisoner-of-war camps, or similar camps in Europe, and

WHEREAS, the Legislature finds that rail companies and related entities have not completely disclosed their activities and relationships relating to the transportation of persons by rail to the various camps in Europe during World War II, and

WHEREAS, the Legislature finds that rail companies and related entities have not provided restitution to all identifiable victims of their activities relating to the transportation of persons to the various camps during World War II, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That rail companies and related entities are encouraged to search for and publicly release all records in their possession, custody, or control relating to the transportation of persons to extermination camps, work camps, concentration camps, prisoner-of-war camps, or similar camps in Europe during World War II, and to compensate all identifiable victims of those activities.

—was introduced out of order and read by title. On motion by Senator Sobel, **SR 2224** was read the second time in full and adopted.

On motion by Senator Latvala—

By Senator Latvala—

SR 2226—A resolution commending the Hillsborough Area Transit Authority for its invaluable customer service and dedication to meeting the transportation needs of the Tampa Bay Area and demonstrating a superior quality of service.

WHEREAS, the Hillsborough Area Regional Transit Authority (HART) recently celebrated its 30th year of service to the Tampa Bay Area, and

WHEREAS, HART’s growth is reflective of the growth of the Tampa Bay region, which is one of the nation’s most desirable places to live because of its natural beauty and low cost of living, and

WHEREAS, HART has played an important role in maintaining a balance between protecting a fragile environment and fostering economic growth in the Tampa Bay Region and its surrounding communities, and

WHEREAS, HART provided more than 13 million rides in 2009, which was a new agency record, and

WHEREAS, HART has replaced 38 percent of its fleet to include the latest EPA-certified, low-emission engines, improving the average age of the fleet and making the customer experience more enjoyable, and

WHEREAS, HART serves as a shining example of how a medium-size transportation agency can effectively and efficiently meet the transportation needs of a growing region, and

WHEREAS, HART provides vital transportation services for persons who otherwise would have no way to travel to and from their places of employment in the Tampa Bay Region, and

WHEREAS, HART has demonstrated exceptional dedication to providing excellent customer service while building solutions to support Hillsborough County’s current and future transportation needs, and

WHEREAS, HART was recently recognized as one of the best mid-size public transportation systems in North America, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Hillsborough Area Transit Authority is commended for its invaluable customer service and dedication to meeting the transportation needs of the Tampa Bay Area.

—was introduced out of order and read by title. On motion by Senator Latvala, **SR 2226** was read the second time in full and adopted.

On motion by Senator Hill—

By Senator Hill—

SR 1076—A resolution recognizing the lifetime achievement of educator Alvin George White, Ed.D., and celebrating his ongoing contribution to public education in this state.

WHEREAS, Alvin George White was born in Jacksonville, the oldest of four children born to George and Victoria White, and

WHEREAS, Alvin George White attended St. Pius V Catholic School where, at 4 years of age, he was placed in the first grade, and

WHEREAS, Alvin George White enrolled in the local public school system, graduating from Stanton High School, and went on to receive a Bachelor of Science degree from Florida A&M University, a Master of Arts degree from Columbia University, and a Doctor of Education degree from NOVA Southeastern University, and

WHEREAS, Alvin George White began his teaching career in Okechobee but, after his first year in the classroom, was drafted into the United States Navy, where he served as a Personnelman Second Class, and played basketball and baseball for the United States Naval Sixth Fleet, and

WHEREAS, after being honorably discharged from the Navy in 1959, Alvin George White returned to the classroom, teaching sixth grade at Oakland Elementary School and coaching at Matthew W. Gilbert Junior-Senior High School in Duval County, and later, serving as head football coach and athletic director at two area high schools, and

WHEREAS, during the turbulent early years of desegregation of the public schools in Duval County, Alvin George White became the first black vice principal of the predominately white Robert E. Lee High School and the first black principal of the predominately white Jean Ribault Senior High School, and

WHEREAS, Alvin George White went on to become one of the first black area assistant superintendents and in 1997, retired from the Duval County Public Schools as Chief Operating Officer, responsible for 12,000 employees and more than 126,000 students, and

WHEREAS, Alvin George White's retirement was short-lived, as he was appointed director of the College of Education at Jacksonville University, where he helped prepare future school principals and administrators, and

WHEREAS, in 2001, Alvin George White was named coordinator of Nova Southeastern University's graduate programs in Jacksonville and served as a consultant to the Duval County Public Schools, working with the Southern Association of Colleges and Schools to provide professional consultant services as the district pursued accreditation status, and

WHEREAS, in 2008, Alvin George White once again left retirement, returning to the Duval County Public School System as chief of staff and partnerships, and

WHEREAS, Alvin George White is active in community service, serving in a leadership capacity on NAACP committees and on the board of the James Weldon Johnson Branch YMCA, and is the recipient of more than 100 honors and awards, and

WHEREAS, Alvin George White was instrumental in the founding of the youth choir at St. Gabriel's Episcopal Church, has served as senior warden for St. Phillip's and St. Gabriel's Episcopal churches, and is a licensed lay reader and chalice bearer for the Episcopal Diocese of Florida, and

WHEREAS, Alvin George White is a published author, recently completing his first book, *Education is Not a Four-Letter Word*, and

WHEREAS, Alvin George White is married to the former Brenda Lundy and is the father of two children, Marcel and Altoria, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That Alvin George White, Ed.D., is recognized for his lifetime achievements as an educator and for his ongoing contributions to public education in this state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Alvin George White, Ed.D., as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Hill, **SR 1076** was read the second time in full and adopted.

SPECIAL RECOGNITION

Senator Thrasher recognized his Legislative Assistant, Kay Rousseau, who was present in the chamber and will be retiring this year.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Diaz de la Portilla, by two-thirds vote **CS for SB 778** was withdrawn from the committee of reference and further consideration.

BILLS ON THIRD READING

Consideration of **CS for CS for SB 818**, **CS for CS for HB 1255**, **SB 788**, and **CS for CS for HB 965** was deferred.

CS for CS for CS for CS for CS for HJR 381—A joint resolution proposing amendments to Sections 4 and 6 of Article VII and Section 27 of Article XII and the creation of Sections 32 and 33 of Article XII of the State Constitution to allow the Legislature by general law to prohibit increases in the assessed value of homestead and specified non-homestead property if the just value of the property decreases, reduce the limitation on annual assessment increases applicable to non-homestead real property, provide an additional homestead exemption for owners of homestead property who have not owned homestead property for a specified time before purchase of the current homestead property, and application and limitations with respect thereto, delay the future

repeal of provisions limiting annual assessment increases for specified nonhomestead real property, and provide effective dates.

Be It Resolved by the Legislature of the State of Florida:

That the following amendments to Sections 4 and 6 of Article VII and Section 27 of Article XII and the creation of Sections 32 and 33 of Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 4. Taxation; assessments.—By general law regulations shall be prescribed which shall secure a just valuation of all property for ad valorem taxation, provided:

(a) Agricultural land, land producing high water recharge to Florida's aquifers, or land used exclusively for noncommercial recreational purposes may be classified by general law and assessed solely on the basis of character or use.

(b) As provided by general law and subject to conditions, limitations, and reasonable definitions specified therein, land used for conservation purposes shall be classified by general law and assessed solely on the basis of character or use.

(c) Pursuant to general law tangible personal property held for sale as stock in trade and livestock may be valued for taxation at a specified percentage of its value, may be classified for tax purposes, or may be exempted from taxation.

(d) All persons entitled to a homestead exemption under Section 6 of this Article shall have their homestead assessed at just value as of January 1 of the year following the effective date of this amendment. This assessment shall change only as provided in this subsection.

(1) Assessments subject to this subsection shall ~~change~~ be changed annually on January 1 ~~1st~~ of each year; ~~but these changes in assessments~~

a. A change in an assessment may ~~shall~~ not exceed the lower of the following:

1. ~~a.~~ Three percent (~~3%~~) of the assessment for the prior year.

2. ~~b.~~ The percent change in the Consumer Price Index for all urban consumers, U.S. City Average, all items 1967=100, or a successor index reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of Labor Statistics.

b. The legislature may provide by general law that, except for changes, additions, reductions, or improvements to homestead property assessed as provided in paragraph (5), an assessment may not increase if the just value of the property is less than the just value of the property on the preceding January 1.

(2) An ~~No~~ assessment may not ~~shall~~ exceed just value.

(3) After a ~~any~~ change of ownership, as provided by general law, homestead property shall be assessed at just value as of January 1 of the following year, unless the provisions of paragraph (8) apply. Thereafter, the homestead shall be assessed as provided in this subsection.

(4) New homestead property shall be assessed at just value as of January 1 ~~1st~~ of the year following the establishment of the homestead, unless the provisions of paragraph (8) apply. That assessment shall ~~only~~ change only as provided in this subsection.

(5) Changes, additions, reductions, or improvements to homestead property shall be assessed as provided for by general law; ~~provided~~. However, after the adjustment for any change, addition, reduction, or improvement, the property shall be assessed as provided in this subsection.

(6) In the event of a termination of homestead status, the property shall be assessed as provided by general law.

(7) The provisions of this ~~subsection~~ ~~amendment~~ are severable. If a ~~provision~~ ~~any of the provisions~~ of this ~~subsection~~ ~~is~~ ~~amendment~~ shall be held unconstitutional by a ~~any~~ court of competent jurisdiction, the decision of the ~~such~~ court ~~does~~ shall not affect or impair any remaining provisions of this ~~subsection~~ ~~amendment~~.

(8)a. A person who ~~establishes a new homestead as of January 1, 2009, or January 1 of any subsequent year and who has received a homestead exemption pursuant to Section 6 of this Article as of January 1 of either of the 2 two years immediately preceding the establishment of a the new homestead is entitled to have the new homestead assessed at less than just value. If this revision is approved in January of 2008, a person who establishes a new homestead as of January 1, 2008, is entitled to have the new homestead assessed at less than just value only if that person received a homestead exemption on January 1, 2007.~~ The assessed value of the newly established homestead shall be determined as follows:

1. If the just value of the new homestead is greater than or equal to the just value of the prior homestead as of January 1 of the year in which the prior homestead was abandoned, the assessed value of the new homestead shall be the just value of the new homestead minus an amount equal to the lesser of \$500,000 or the difference between the just value and the assessed value of the prior homestead as of January 1 of the year in which the prior homestead was abandoned. Thereafter, the homestead shall be assessed as provided in this subsection.

2. If the just value of the new homestead is less than the just value of the prior homestead as of January 1 of the year in which the prior homestead was abandoned, the assessed value of the new homestead shall be equal to the just value of the new homestead divided by the just value of the prior homestead and multiplied by the assessed value of the prior homestead. However, if the difference between the just value of the new homestead and the assessed value of the new homestead calculated pursuant to this sub-subparagraph is greater than \$500,000, the assessed value of the new homestead shall be increased so that the difference between the just value and the assessed value equals \$500,000. Thereafter, the homestead shall be assessed as provided in this subsection.

b. By general law and subject to conditions specified therein, the legislature shall provide for application of this paragraph to property owned by more than one person.

(e) The legislature may, by general law, for assessment purposes and subject to the provisions of this subsection, allow counties and municipalities to authorize by ordinance that historic property may be assessed solely on the basis of character or use. Such character or use assessment shall apply only to the jurisdiction adopting the ordinance. The requirements for eligible properties must be specified by general law.

(f) A county may, in the manner prescribed by general law, provide for a reduction in the assessed value of homestead property to the extent of any increase in the assessed value of that property which results from the construction or reconstruction of the property for the purpose of providing living quarters for one or more natural or adoptive grandparents or parents of the owner of the property or of the owner's spouse if at least one of the grandparents or parents for whom the living quarters are provided is 62 years of age or older. Such a reduction may not exceed the lesser of the following:

(1) The increase in assessed value resulting from construction or reconstruction of the property.

(2) Twenty percent of the total assessed value of the property as improved.

(g) For all levies other than school district levies, assessments of residential real property, as defined by general law, which contains nine units or fewer and which is not subject to the assessment limitations set forth in subsections (a) through (d) shall change only as provided in this subsection.

(1) Assessments subject to this subsection shall be changed annually on the date of assessment provided by law. *However,;* ~~but~~ those changes

in assessments ~~may~~ shall not exceed 5 ~~ten~~ percent (~~10%~~) of the assessment for the prior year. *The legislature may provide by general law that, except for changes, additions, reductions, or improvements to property assessed as provided in paragraph (4), an assessment may not increase if the just value of the property is less than the just value of the property on the preceding date of assessment provided by law.*

(2) An ~~No~~ assessment may not ~~shall~~ exceed just value.

(3) After a change of ownership or control, as defined by general law, including any change of ownership of a legal entity that owns the property, such property shall be assessed at just value as of the next assessment date. Thereafter, such property shall be assessed as provided in this subsection.

(4) Changes, additions, reductions, or improvements to such property shall be assessed as provided for by general law.; However, after the adjustment for any change, addition, reduction, or improvement, the property shall be assessed as provided in this subsection.

(h) For all levies other than school district levies, assessments of real property that is not subject to the assessment limitations set forth in subsections (a) through (d) and (g) shall change only as provided in this subsection.

(1) Assessments subject to this subsection shall be changed annually on the date of assessment provided by law. *However,;* ~~but~~ those changes in assessments ~~may~~ shall not exceed 5 ~~ten~~ percent (~~10%~~) of the assessment for the prior year. *The legislature may provide by general law that, except for changes, additions, reductions, or improvements to property assessed as provided in paragraph (5), an assessment may not increase if the just value of the property is less than the just value of the property on the preceding date of assessment provided by law.*

(2) An ~~No~~ assessment may not ~~shall~~ exceed just value.

(3) The legislature must provide that such property shall be assessed at just value as of the next assessment date after a qualifying improvement, as defined by general law, is made to such property. Thereafter, such property shall be assessed as provided in this subsection.

(4) The legislature may provide that such property shall be assessed at just value as of the next assessment date after a change of ownership or control, as defined by general law, including any change of ownership of the legal entity that owns the property. Thereafter, such property shall be assessed as provided in this subsection.

(5) Changes, additions, reductions, or improvements to such property shall be assessed as provided for by general law.; However, after the adjustment for any change, addition, reduction, or improvement, the property shall be assessed as provided in this subsection.

(i) The legislature, by general law and subject to conditions specified therein, may prohibit the consideration of the following in the determination of the assessed value of real property used for residential purposes:

(1) Any change or improvement made for the purpose of improving the property's resistance to wind damage.

(2) The installation of a renewable energy source device.

(j)(1) The assessment of the following working waterfront properties shall be based upon the current use of the property:

a. Land used predominantly for commercial fishing purposes.

b. Land that is accessible to the public and used for vessel launches into waters that are navigable.

c. Marinas and drystacks that are open to the public.

d. Water-dependent marine manufacturing facilities, commercial fishing facilities, and marine vessel construction and repair facilities and their support activities.

(2) The assessment benefit provided by this subsection is subject to conditions and limitations and reasonable definitions as specified by the legislature by general law.

SECTION 6. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of ~~\$25,000 twenty-five thousand dollars~~ and, for all levies other than school district levies, on the assessed valuation greater than ~~\$50,000 fifty thousand dollars~~ and up to ~~\$75,000 seventy-five thousand dollars~~, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ~~98 ninety-eight~~ years. The exemption shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of Section 4 by a state agency designated by general law. This exemption is repealed on the effective date of any amendment to this Article which provides for the assessment of homestead property at less than just value.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax levies. Such ad valorem tax relief shall be in the form and amount established by general law.

(d) The legislature may, by general law, allow counties or municipalities, for the purpose of their respective tax levies and subject to the provisions of general law, to grant an additional homestead tax exemption not exceeding ~~\$50,000 fifty thousand dollars~~ to any person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner and who has attained age ~~65 sixty-five~~ and whose household income, as defined by general law, does not exceed ~~\$20,000 twenty thousand dollars~~. The general law must allow counties and municipalities to grant this additional exemption, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

(e) Each veteran who is age 65 or older who is partially or totally permanently disabled shall receive a discount from the amount of the ad valorem tax otherwise owed on homestead property the veteran owns and resides in if the disability was combat related, the veteran was a resident of this state at the time of entering the military service of the United States, and the veteran was honorably discharged upon separation from military service. The discount shall be in a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veterans Affairs. To qualify for the discount granted by this subsection, an applicant must submit to the county property appraiser, by March 1, proof of residency at the time of entering military service, an official letter from the United States Department of Veterans Affairs stating the percentage of the veteran's service-connected disability and such evidence that reasonably identifies the disability as combat related, and a copy of the veteran's honorable discharge. If the property appraiser denies the request for a discount, the appraiser must notify the applicant in writing of the reasons for the denial, and the veteran may reapply. The legislature may, by general law, waive the annual application requirement in subsequent years. This subsection shall take effect December 7, 2006, is self-executing, and does not require implementing legislation.

(f) As provided by general law and subject to conditions specified therein, every person who establishes the right to receive the homestead exemption provided in subsection (a) within 1 year after purchasing the homestead property and who has not owned property in the previous 3 calendar years to which the homestead exemption provided in subsection

(a) applied is entitled to an additional homestead exemption for all levies except school district levies. The additional exemption is an amount equal to 50 percent of the homestead property's just value on January 1 of the year the homestead is established. The additional exemption may not exceed the median just value of all homestead property within the county where the property at issue is located for the calendar year immediately preceding January 1 of the year the homestead is established. The additional exemption shall apply for a period of 5 years or until the year the property is sold, whichever occurs first. The amount of the additional exemption shall be reduced in each subsequent year by an amount equal to 20 percent of the amount of the additional exemption received in the year the homestead was established or by an amount equal to the difference between the just value of the property and the assessed value of the property determined under Section 4(d), whichever is greater. Not more than one exemption provided under this subsection shall be allowed per homestead property at one time. The additional exemption applies to property purchased on or after January 1, 2011, if this amendment is approved at a special election held on the date of the 2012 presidential preference primary, or to property purchased on or after January 1, 2012, if this amendment is approved at the 2012 general election, but the additional exemption is not available in the sixth and subsequent years after it is first received.

ARTICLE XII

SCHEDULE

SECTION 27. Property tax exemptions and limitations on property tax assessments.—The amendments to Sections 3, 4, and 6 of Article VII, providing a \$25,000 exemption for tangible personal property, providing an additional \$25,000 homestead exemption, authorizing transfer of the accrued benefit from the limitations on the assessment of homestead property, and this section, if submitted to the electors of this state for approval or rejection at a special election authorized by law to be held on January 29, 2008, shall take effect upon approval by the electors and shall operate retroactively to January 1, 2008, or, if submitted to the electors of this state for approval or rejection at the next general election, shall take effect January 1 of the year following such general election. The amendments to Section 4 of Article VII creating subsections (f) and (g) of that section, creating a limitation on annual assessment increases for specified real property, shall take effect upon approval of the electors and shall first limit assessments beginning January 1, 2009, if approved at a special election held on January 29, 2008, or shall first limit assessments beginning January 1, 2010, if approved at the general election held in November of 2008. Subsections (g) ~~(f)~~ and (h) ~~(g)~~ of Section 4 of Article VII, initially adopted as subsections (f) and (g), are repealed effective January 1, 2023 ~~2019~~; however, the legislature shall by joint resolution propose an amendment abrogating the repeal of subsections (g) ~~(f)~~ and (h) ~~(g)~~, which shall be submitted to the electors of this state for approval or rejection at the general election of 2022 ~~2018~~ and, if approved, shall take effect January 1, 2023 ~~2019~~.

SECTION 32. Property assessments.—This section and the amendment of Section 4 of Article VII addressing homestead and specified nonhomestead property having a declining just value and reducing the limit on the maximum annual increase in the assessed value of non-homestead property, if submitted to the electors of this state for approval or rejection at a special election authorized by law to be held on the date of the 2012 presidential preference primary, shall take effect upon approval by the electors and shall operate retroactively to January 1, 2012, or, if submitted to the electors of this state for approval or rejection at the 2012 general election, shall take effect January 1, 2013.

SECTION 33. Additional homestead exemption for owners of homestead property who recently have not owned homestead property.—This section and the amendment to Section 6 of Article VII providing for an additional homestead exemption for owners of homestead property who have not owned homestead property during the 3 calendar years immediately preceding purchase of the current homestead property, if submitted to the electors of this state for approval or rejection at a special election authorized by law to be held on the date of the 2012 presidential preference primary, shall take effect upon approval by the electors and operate retroactively to January 1, 2012, and the additional homestead exemption shall be available for properties purchased on or after January 1, 2011, or if submitted to the electors of this state for approval or rejection at the 2012 general election, shall take effect January 1, 2013, and the additional homestead exemption shall be available for properties purchased on or after January 1, 2012.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTIONS 4, 6

ARTICLE XII, SECTIONS 27, 32, 33

PROPERTY TAX LIMITATIONS; PROPERTY VALUE DECLINE; REDUCTION FOR NONHOMESTEAD ASSESSMENT INCREASES; DELAY OF SCHEDULED REPEAL.—

(1) This would amend Florida Constitution Article VII, Section 4 (Taxation; assessments) and Section 6 (Homestead exemptions). It also would amend Article XII, Section 27, and add Sections 32 and 33, relating to the Schedule for the amendments.

(2) In certain circumstances, the law requires the assessed value of homestead and specified nonhomestead property to increase when the just value of the property decreases. Therefore, this amendment provides that the Legislature may, by general law, provide that the assessment of homestead and specified nonhomestead property may not increase if the just value of that property is less than the just value of the property on the preceding January 1, subject to any adjustment in the assessed value due to changes, additions, reductions, or improvements to such property which are assessed as provided for by general law. This amendment takes effect upon approval by the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, shall take effect January 1, 2013.

(3) This amendment reduces from 10 percent to 5 percent the limitation on annual changes in assessments of nonhomestead real property. This amendment takes effect upon approval of the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, takes effect January 1, 2013.

(4) This amendment also authorizes general law to provide, subject to conditions specified in such law, an additional homestead exemption to every person who establishes the right to receive the homestead exemption provided in the Florida Constitution within 1 year after purchasing the homestead property and who has not owned property in the previous 3 calendar years to which the Florida homestead exemption applied. The additional homestead exemption shall apply to all levies except school district levies. The additional exemption is an amount equal to 50 percent of the homestead property's just value on January 1 of the year the homestead is established. The additional homestead exemption may not exceed an amount equal to the median just value of all homestead property within the county where the property at issue is located for the calendar year immediately preceding January 1 of the year the homestead is established. The additional exemption shall apply for the shorter of 5 years or the year of sale of the property. The amount of the additional exemption shall be reduced in each subsequent year by an amount equal to 20 percent of the amount of the additional exemption received in the year the homestead was established or by an amount equal to the difference between the just value of the property and the assessed value of the property determined under Article VII, Section 4(d), whichever is greater. Not more than one such exemption shall be allowed per homestead property at one time. The additional exemption applies to property purchased on or after January 1, 2011, if approved by the voters at a special election held on the date of the 2012 presidential preference primary, or to property purchased on or after January 1, 2012, if approved by the voters at the 2012 general election. The additional exemption is not available in the sixth and subsequent years after it is first received. The amendment shall take effect upon approval by the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, takes effect January 1, 2013.

(5) This amendment also delays until 2023, the repeal, currently scheduled to take effect in 2019, of constitutional amendments adopted in 2008 which limit annual assessment increases for specified nonhomestead real property. This amendment delays until 2022 the submission of an amendment proposing the abrogation of such repeal to the voters.

—was read the third time in full.

On motion by Senator Fasano, **CS for CS for CS for CS for CS for HJR 381** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Fasano	Norman
Alexander	Flores	Richter
Altman	Gaetz	Sachs
Benacquisto	Garcia	Simmons
Bennett	Gardiner	Storms
Bogdanoff	Hays	Thrasher
Dean	Jones	Wise
Diaz de la Portilla	Lynn	
Evers	Negron	

Nays—12

Braynon	Joyner	Ring
Detert	Montford	Siplin
Dockery	Oelrich	Smith
Hill	Rich	Sobel

PAIR VOTES

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Bullard on CS for CS for CS for CS for CS for HJR 381. If she were present she would vote “nay” and I would vote “yea.”

Senator Jack Latvala, 16th District

DISCLOSURE

I am a self-employed Real Estate Broker and Investor of Commercial Property here in the State of Florida. It is through the above occupation that I make my living through the transactions of selling and leasing commercial property.

Even though I believe that Rule 1.39 disclosure in the Senate Journal is not required under these circumstances, in an abundance of caution and to avoid even a perception of impropriety, I am hereby disclosing said relationship and recusing myself from the bill referencing process and any other legislative function relating to CS for CS for CS for CS for CS for HJR 381.

Senator Gwen Margolis, 35th District

MOTION

On motion by Senator Thrasher, the rules were waived and time of recess was extended until 1:00 p.m.

RULING ON POINT OF ORDER

On recommendation of Senator Thrasher, Chair of the Committee on Rules, President Haridopolos ruled the point of order Senator Fasano raised May 3 on the withdrawal of **CS for SB 822** from the Committee on Budget not well taken. By two-thirds vote **CS for SB 822** was withdrawn from the Committee on Budget.

BILLS ON THIRD READING

CS for CS for CS for HB 1163—A bill to be entitled An act relating to ad valorem taxation; amending s. 193.1554, F.S.; reducing the amount by which any change in the value of nonhomestead residential property resulting from an annual reassessment may exceed the assessed value of the property for the prior year; amending s. 193.1555, F.S.; reducing the amount by which any change in the value of certain residential and nonresidential real property resulting from an annual reassessment may

exceed the assessed value of the property for the prior year; creating s. 196.078, F.S.; providing a definition; providing a first-time Florida homesteader with an additional homestead exemption; providing for calculation of the exemption; providing for the applicability period of the exemption; providing for an annual reduction in the exemption during the applicability period; providing application procedures; providing for applicability of specified provisions; providing for contingent effect of provisions and varying dates of application depending on the adoption and adoption date of specified joint resolutions; authorizing the Department of Revenue to adopt emergency rules; providing for application and renewal of emergency rules; amending s. 218.12, F.S.; requiring the Legislature to consider appropriating funds to fiscally constrained counties to offset reductions in ad valorem tax revenue as the result of the implementation of certain revisions to the State Constitution; requiring application to the department to participate in the distribution of such an appropriation; providing for certain contingent effect and retroactive application; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for CS for CS for HB 1163** was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Evers	Norman
Alexander	Fasano	Oelrich
Altman	Flores	Richter
Benacquisto	Gaetz	Ring
Bennett	Garcia	Sachs
Bogdanoff	Gardiner	Storms
Dean	Hays	Thrasher
Detert	Jones	Wise
Diaz de la Portilla	Latvala	
Dockery	Negron	

Nays—8

Braynon	Montford	Smith
Hill	Rich	Sobel
Joyner	Siplin	

DISCLOSURE

I am a self-employed Real Estate Broker and Investor of Commercial Property here in the State of Florida. It is through the above occupation that I make my living through the transactions of selling and leasing commercial property.

Even though I believe that Rule 1.39 disclosure in the Senate Journal is not required under these circumstances, in an abundance of caution and to avoid even a perception of impropriety, I am hereby disclosing said relationship and recusing myself from the bill referencing process and any other legislative function relating to CS for CS for CS for HB 1163.

Senator Gwen Margolis, 35th District

CS for SB 2040—A bill to be entitled An act relating to enforcement of immigration laws; amending s. 445.009, F.S.; requiring one-stop career center staff to verify the employment eligibility of workers referred to employers using a federal program for electronic verification of employment eligibility; providing an exception; requiring notice to employers on the exception to use of electronic verification; providing definitions relating to administration of public benefits; prohibiting an agency from providing federal, state, or local public benefits to certain aliens; providing exceptions; requiring an agency to verify the eligibility of applicants for public benefits using the federal Systematic Alien Verification for Entitlements Program; requiring agencies to compile and maintain compliance information; creating s. 901.37, F.S.; directing certain agencies having custody of arrestees to make reasonable efforts to determine whether the arrestees are present in the United States lawfully; providing for fingerprints of the arrestees to be checked against federal databases; providing that holding agencies shall notify the United States Department of Homeland Security regarding individuals

in their custody whose unlawful presence in the United States is established independently by the agencies; requiring the Department of Law Enforcement to enter into and maintain an agreement with the United States Department of Homeland Security for checking fingerprints of arrestees against federal databases to determine immigration status; providing for a presumption as to risk of flight in order to avoid prosecution; creating s. 945.80, F.S.; requiring the Department of Corrections to release nonviolent inmates to the custody of the United States Immigration and Customs Enforcement under certain circumstances; providing a definition; requiring the department to identify criminal aliens who are eligible for removal; prescribing certain procedures for the transfer of an inmate to federal custody; requiring the Parole Commission to provide notice to such criminal aliens; providing that a prisoner released under this authority shall be under conditional supervision of the Parole Commission; prescribing conditions of such supervision; providing for procedures for revocation of release upon violation of the conditions; providing that a releasee whose conditional release is revoked is not thereafter eligible for any form of discretionary release; providing an exception; directing the secretary of the department to pursue an agreement with the United States Department of Homeland Security regarding the rapid repatriation of removable custodial aliens; requiring the department to compile statistics; authorizing the Department of Corrections and the Parole Commission to adopt rules; providing for applicability; amending s. 947.141, F.S.; conforming procedures relating to a violation of conditional release to account for conditional release for deportation; providing for issuance of a warrant, detention without bond under certain conditions, a hearing conducted by a commissioner of the Parole Commission or an authorized representative, findings and entry of an order, revocation of release, and arrest without a warrant under certain conditions; providing an effective date.

—as amended May 3 was read the third time by title.

On motion by Senator Alexander, **CS for SB 2040** as amended was passed and certified to the House. The vote on passage was:

Yeas—23

Mr. President	Evers	Norman
Altman	Fasano	Oelrich
Benacquisto	Gaetz	Richter
Bennett	Gardiner	Simmons
Bogdanoff	Hays	Storms
Dean	Latvala	Thrasher
Detert	Lynn	Wise
Dockery	Negron	

Nays—16

Alexander	Jones	Sachs
Braynon	Joyner	Siplin
Diaz de la Portilla	Margolis	Smith
Flores	Montford	Sobel
Garcia	Rich	
Hill	Ring	

CS for CS for HB 7197—A bill to be entitled An act relating to digital learning; creating s. 1002.321, F.S.; creating the Digital Learning Now Act; providing legislative findings related to the elements to be included in high-quality digital learning; providing digital preparation requirements; providing for customized and accelerated learning; amending s. 1002.33, F.S.; authorizing the establishment of virtual charter schools; providing application requirements for establishment of a virtual charter school; authorizing a charter school to implement blended learning courses; requiring each charter school governing board to appoint a representative and specifying duties; requiring each governing board to hold two public meetings per school year; providing funding for a virtual charter school; establishing administrative fees for a virtual charter school; amending s. 1002.37, F.S.; redefining the term “full-time equivalent student” as it applies to the Florida Virtual School; providing instruction, eligibility, funding, assessment, and accountability requirements; amending s. 1002.45, F.S.; revising the definition of the term “virtual instruction program”; revising school district requirements for providing virtual instruction programs; requiring full-time and part-

time virtual instruction program options; authorizing a school district to enter into an agreement with a virtual charter school to provide virtual instruction to district students; authorizing virtual charter school contracts; providing additional provider qualifications relating to curriculum, student performance accountability, and disclosure; revising student eligibility requirements; providing funding and accountability requirements; creating s. 1002.455, F.S.; establishing student eligibility requirements for K-12 virtual instruction; amending s. 1003.428, F.S.; requiring at least one course required for high school graduation to be completed through online learning; creating s. 1003.498, F.S.; authorizing school districts to offer virtual courses and blended learning courses; amending s. 1008.22, F.S.; requiring all statewide end-of-course assessments to be administrated online beginning with the 2014-2015 school year; amending s. 1011.61, F.S.; redefining the term “full-time equivalent student” for purposes of virtual instruction; amending s. 1012.57, F.S.; authorizing school districts to issue adjunct teaching certificates to qualified applicants to provide online instruction; revising requirements for adjunct teaching certificateholders; providing for annual contracts; amending ss. 1000.04, 1002.20, and 1003.03, F.S.; conforming provisions to changes made by the act; requiring the Department of Education to submit a report to the Governor and the Legislature relating to school district offering of, and student access to, digital learning; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **CS for CS for HB 7197** was passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Evers	Negron
Alexander	Fasano	Norman
Altman	Flores	Oelrich
Benacquisto	Gaetz	Richter
Bennett	Garcia	Ring
Bogdanoff	Gardiner	Simmons
Detert	Hays	Storms
Diaz de la Portilla	Jones	Thrasher
Dockery	Latvala	Wise

Nays—12

Braynon	Lynn	Sachs
Dean	Margolis	Siplin
Hill	Montford	Smith
Joyner	Rich	Sobel

SPECIAL ORDER CALENDAR

Consideration of **CS for CS for SB 632**, **CS for CS for SB 1180**, **CS for CS for SB 1194**, **CS for CS for SB 2086**, and **SB 1770** was deferred.

CS for SB 1744—A bill to be entitled An act relating to abortions; amending s. 390.0111, F.S.; requiring that an ultrasound be performed on a woman obtaining an abortion; specifying who must perform an ultrasound; requiring that the ultrasound be reviewed with the patient before the woman gives informed consent for the abortion procedure; specifying who must review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; amending s. 390.012, F.S.; requiring an ultrasound for all patients regardless of when the abortion is performed; requiring that live ultrasound images be reviewed and explained to the patient; requiring that all other provisions in s. 390.0111, F.S., be complied with if the patient declines to view her live ultrasound images; providing for severability; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 1744** to **CS for HB 1127**.

Pending further consideration of **CS for SB 1744** as amended, on motion by Senator Storms, by two-thirds vote **CS for HB 1127** was withdrawn from the Committees on Health Regulation; Budget; and Rules.

On motion by Senator Storms, the rules were waived and—

CS for HB 1127—A bill to be entitled An act relating to abortions; amending s. 390.0111, F.S.; requiring that an ultrasound be performed on a woman obtaining an abortion; specifying who must perform an ultrasound; requiring that the ultrasound be reviewed with the patient before the woman gives informed consent for the abortion procedure; specifying who must review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; providing that failure to comply with the requirements of the section constitutes grounds for disciplinary action; requiring rulemaking; amending s. 390.012, F.S.; requiring an ultrasound for all patients regardless of when the abortion is performed; requiring the agency to adopt rules requiring clinics to comply with s. 390.0111, F.S.; deleting provisions relating to reviewing ultrasound evaluation results, to conform to changes made by the act; providing for severability; providing an effective date.

—a companion measure, was substituted for **CS for SB 1744** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1127** was placed on the calendar of Bills on Third Reading.

SB 1770—A bill to be entitled An act relating to parental notice of abortion; amending s. 390.01114, F.S.; revising the definition of the term “constructive notice”; revising notice requirements relating to the termination of a pregnancy of a minor; providing exceptions to the notice requirements; revising procedure for judicial waiver of notice; providing that in a hearing relating to waiving the requirement for parental notice, the court consider certain additional factors, including whether the minor’s decision to terminate her pregnancy was due to undue influence; providing a procedure for appeal if judicial waiver of notice is not granted; requiring that the court order contain factual findings and legal conclusions; requiring Supreme Court reports to the Governor and Legislature to include additional information; providing for severability; providing an effective date.

—was read the second time by title.

Amendments were considered and failed and an amendment was considered and adopted to conform **SB 1770** to **HB 1247**.

SENATOR FASANO PRESIDING

THE PRESIDENT PRESIDING

Pending further consideration of **SB 1770** as amended, on motion by Senator Hays, by two-thirds vote **HB 1247** was withdrawn from the Committees on Health Regulation; Judiciary; and Budget.

On motion by Senator Hays—

HB 1247—A bill to be entitled An act relating to parental notice of abortion; amending s. 390.01114, F.S.; revising the definition of the term “constructive notice”; revising notice requirements relating to the termination of a pregnancy of a minor; providing exceptions to the notice requirements; revising procedure for judicial waiver of notice; providing that in a hearing relating to waiving the requirement for parental notice, the court consider certain additional factors, including whether the minor’s decision to terminate her pregnancy was due to undue influence; providing a procedure for appeal if judicial waiver of notice is not

granted; requiring that the court order contain factual findings and legal conclusions; requiring Supreme Court reports to the Governor and Legislature to include additional information; providing for severability; providing an effective date.

—a companion measure, was substituted for **SB 1770** as amended and read the second time by title.

Pursuant to Rule 4.19, **HB 1247** was placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator Thrasher, by two-thirds vote **CS for CS for SB 2076** and **SB 1822** were placed on the Special Order Calendar.

RECESS

On motion by Senator Thrasher, the Senate recessed at 12:26 p.m. to reconvene at 1:30 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by President Haridopolos at 1:35 p.m. A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

SPECIAL ORDER CALENDAR

CS for CS for SB 2086—A bill to be entitled An act relating to elections; amending s. 97.012, F.S.; expanding the list of responsibilities of the Secretary of State when acting in his or her capacity as chief election officer; amending s. 97.021, F.S.; redefining the term “minor political party”; amending s. 97.025, F.S.; replacing a requirement for the Department of State to print copies of a pamphlet containing the Election Code with a requirement that the pamphlet be made available; amending s. 97.0575, F.S.; requiring that third-party voter registration organizations register with the Division of Elections; requiring such organizations to provide the division with certain information; requiring that the division or a supervisor of elections make voter registration forms available to third-party voter registration organizations; requiring that such forms contain certain information; requiring that the division and supervisors of elections maintain a database of certain information; requiring that such information be provided in electronic format; requiring that such information be updated and made public daily at a certain time; providing that a third-party voter registration organization that collects voter registration applications serves as a fiduciary to the applicant; specifying duties of such an organization; specifying an affirmative defense to certain violations of state law; providing penalties for violations of certain provisions of state law; providing circumstances under which a third-party voter registration organization is subject to specified civil penalties; providing for the referral of violations to the Attorney General; authorizing the Attorney General to initiate a civil action; providing that an action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order; requiring that the division adopt rules for specified purposes; amending s. 97.071, F.S.; requiring that voter information cards contain the address of the polling place of the registered voter; requiring a supervisor of elections to issue a new voter information card to a voter upon a change in a voter’s address of legal residence or a change in a voter’s

polling place address; providing instructions for implementation by the supervisors of elections; amending s. 97.073, F.S.; revising procedures that a supervisor of elections must follow to dispose of a voter registration application; amending s. 97.1031, F.S.; revising the methods by which a person must update his or her voter registration due to a change of address; revising procedures for an elector to change his or her party affiliation; requiring an elector to notify the supervisor of elections when the elector changes his or her name; amending s. 98.075, F.S.; revising procedures for the removal of deceased persons and other potentially ineligible persons from the statewide voter registration system; amending s. 98.093, F.S.; revising requirements for the Department of Corrections to provide the Department of State with information relating to convicted felons; requiring the Florida Parole Commission to regularly furnish data to the Department of State relating to persons who have been granted clemency; amending s. 98.0981, F.S.; providing timeframes and formats for voting history information to be sent by the supervisors of elections to the department; providing timeframes and formats for voting history information to be sent by the department to the President of the Senate, the Speaker of the House of Representatives, and the respective minority leaders; providing for the imposition of fines on a supervisor of elections for failure to comply in a timely manner; providing for the deposit of fines into the General Revenue Fund; requiring submission of precinct-level information in a certain format by a time certain; providing for imposition of a fine on a supervisor of elections for failure to comply and for deposit of the fine into the General Revenue Fund; amending s. 99.012, F.S.; providing that a person may not be qualified as a candidate for an election or appear on the ballot unless the person complies with certain requirements; amending s. 99.021, F.S.; revising the candidate oath requirement for a person seeking to qualify for nomination or election or as a candidate of a political party; removing a requirement for the qualifying officer to provide a printed copy of the candidate oath; removing a requirement for taking the public employee oath; clarifying that candidates for United States President and Vice President need not subscribe certain oaths; correcting references for other oaths; amending s. 99.061, F.S.; revising the timeframe for a candidate to pay a qualifying fee under certain circumstances; requiring checks to be payable as prescribed by the filing officer; requiring signatures on certain oaths to be verified; removing a requirement for a public employee oath; requiring the filing of a verified notarized financial disclosure statement; clarifying the time for qualifying papers to be received; providing that the qualifying officer performs a ministerial duty only; exempting a decision by the qualifying officer from the Administrative Procedure Act; amending s. 99.063, F.S.; requiring a candidate’s oath to be verified; deleting a requirement for a candidate to file a loyalty oath with the Department of State by a certain date; amending s. 99.092, F.S.; providing for the transfer of the election assessment to the Elections Commission Trust Fund; amending s. 99.093, F.S.; providing for the election assessments paid by a person seeking to qualify for a municipal office to be forwarded by the qualifying officer to the Florida Elections Commission; amending s. 99.095, F.S.; allowing a candidate to obtain the required number of signatures from any registered voter regardless of district boundaries in a year of apportionment; amending s. 99.097, F.S.; providing for the Department of State to adopt rules to verify petitions through random sampling; creating exceptions for certain petitions from the authorization to use random sampling to verify petitions; revising criteria that a supervisor of elections must use to determine whether a petition may be counted as valid; providing that an exemption from paying fees to verify petitions does not apply if a person has been paid to solicit signatures; providing that contributions received after the filing of an undue burden oath must first be used to pay fees for verifying petitions; amending s. 100.061, F.S.; decreasing the time period between a primary election and a general election; amending s. 100.111, F.S.; deleting provisions relating to vacancies in a state or county office because an incumbent qualified as a candidate for federal office; providing for a filing officer, rather than the Department of State, to notify a political party that it may nominate a person for office if certain events cause the party to have a vacancy in nomination; revising provisions relating to the filling of a vacancy in a nomination; deleting a defined term; providing that a vacancy in nomination is not created as the result of certain court orders; amending s. 100.371, F.S.; deleting provisions relating to a right to revoke a signature on an initiative petition; reducing the time period for which a signed and dated initiative petition form is valid; requiring an initiative sponsor to submit an initiative form to the supervisor of elections for the county of residence of the person signing the form for verification; providing procedures for misfiled petitions; revising criteria for a supervisor of elections to verify a signature on an initiative petition form; deleting

provisions relating to petition signature revocations; amending s. 101.043, F.S.; replacing references to the word "voter" with "elector"; providing that the address on an elector's identification is not to be used to confirm or challenge an elector's legal residence; amending s. 101.045, F.S.; prohibiting a person from voting in a precinct or district outside his or her legal residence; providing an exception; removing a voter's ability to file a name change or legal residence change affidavit at the polls and vote a regular ballot; authorizing a person whose eligibility to vote cannot be determined to use a provisional ballot; amending s. 101.131, F.S.; revising procedures for the designation of poll watchers; requiring that the Division of Elections prescribe a form for the designation of poll watchers; providing conditions under which poll watchers are authorized to enter polling areas and watch polls; requiring that a supervisor of elections provide identification to poll watchers by a specified period before early voting begins; requiring that poll watchers display such identification while in a polling place; amending s. 101.151, F.S.; authorizing the use of ballot-on-demand technology to produce election-day ballots; deleting a requirement that the use of such technology be authorized in writing by the Secretary of State; revising provisions relating to ballot headings and the order of candidates appearing on a ballot; amending s. 101.161, F.S.; specifying a time period to initiate an action to challenge an amendment to the State Constitution proposed by the Legislature; requiring the court, including an appellate court, to accord the case priority over other cases; requiring the Attorney General to revise a ballot title or ballot summary for an amendment proposed by the Legislature under certain circumstances; requiring the Department of State to furnish a designating number and the revised ballot title and substance to the supervisors of elections; providing that a defect in a ballot title or ballot summary in an amendment proposed by the Legislature is not grounds to remove the amendment from the ballot; amending s. 101.5605, F.S.; requiring an electromechanical voting system to satisfy the standards for certification adopted by rule of the Department of State; amending s. 101.5606, F.S.; deleting requirements for electromechanical voting systems to have the capability to produce precinct totals in marked or punched form; amending s. 101.5612, F.S.; revising the sample size of electromechanical voting systems that include the electronic or electromechanical tabulation devices to be tested; amending s. 101.5614, F.S.; deleting provisions relating to the use of ballot cards and write-in ballots or envelopes; amending s. 101.591, F.S.; removing the audit requirement by the canvassing board if a manual recount is undertaken; amending s. 101.62, F.S.; extending the validity of an absentee ballot request to include all elections to the end of the calendar year of the second ensuing regularly scheduled general election; revising the timeframe for supervisors to electronically update absentee ballot request information; specifying types of elections for which a supervisor of elections must send an absentee ballot to uniformed services voters and overseas voters; specifying a time period during which a supervisor of elections must begin mailing absentee ballots; removing requirements that an elector provide certain information when requesting an absentee ballot from the county supervisor of elections; amending s. 101.65, F.S.; revising the form of the instructions to absent electors; stating that an absentee ballot is considered illegal if the signature on the voter's certificate does not match the signature on record; providing instructions for updating a signature on a voter registration application; amending s. 101.657, F.S.; reducing the early voting period for elections with state or federal races; removing timetables with respect to early voting in special elections; removing restrictions with respect to daily hours of operation of early voting sites; authorizing a supervisor of elections to provide early voting for elections not held in conjunction with a state or federal election; amending s. 101.68, F.S.; extending the time for canvassing and processing absentee ballots to 15 days before the election; amending s. 101.6923, F.S.; revising the form of the special absentee ballot instructions for certain first-time voters; stating that an absentee ballot is considered illegal if the signature on the voter's certificate does not match the signature on record; providing instructions for updating a signature on a voter registration application; amending s. 101.75, F.S.; deleting a requirement for the dates of the qualifying period for certain municipal elections to run for no less than 14 days; amending s. 102.168, F.S.; revising provisions specifying indispensable parties in a contest of an election; providing that in an election contest involving the review of a signature on an absentee ballot by a canvassing board, a circuit court may not review or consider evidence other than the signature on the voter's certificate and the elector's signatures in the registration records; providing for the reversal of the determination by the canvassing board if the court determines that the board abused its discretion; amending s. 103.021, F.S.; revising a definition; revising requirements for a minor political party to

have candidates for President and Vice-President placed on the general election ballot; creating s. 103.095, F.S.; providing a procedure for the registration of a minor political party; requiring the Division of Elections to adopt rules to prescribe the manner in which political parties may have their filings cancelled; amending s. 103.101, F.S.; deleting provisions relating to a Presidential Candidate Selection Committee; specifying a deadline by which the Secretary of State must prepare and publish a list of presidential candidates selected by political parties; amending s. 103.141, F.S.; revising procedures for the removal of an officer, county committeeman, county committeewoman, precinct committeeman, precinct committeewoman, or member of a county executive committee; repealing s. 103.161, F.S., which relates to the removal or suspension of officers or members of a state or county executive committee; amending s. 104.29, F.S.; revising provisions authorizing persons to view whether ballots are being correctly reconciled; amending s. 106.011, F.S.; revising the definitions of the terms "contribution," "independent expenditure," "unopposed candidate," and "candidate"; conforming a cross-reference to changes made by the act; amending s. 106.021, F.S.; deleting requirements to report the address of certain persons receiving a reimbursement by a check drawn on a campaign account; amending s. 106.022, F.S.; requiring a political committee, committee of continuous existence, or electioneering communications organization to file a statement of appointment with the filing officer rather than with the Division of Elections; authorizing an entity to change its appointment of registered agent or registered office by filing a written statement with the filing officer; requiring a registered agent who resigns to execute a written statement of resignation and file it with the filing officer; amending s. 106.023, F.S.; revising the form of the statement of candidate to require a candidate to acknowledge that he or she has been provided access to and understands the requirements of ch. 106, F.S.; amending s. 106.025, F.S.; creating an exception from requirements for tickets or advertising for a campaign fund raiser to contain a specified disclosure statement; amending s. 106.03, F.S.; revising requirements for groups making expenditures for electioneering communications to file a statement of organization; amending s. 106.04, F.S.; transferring a requirement that certain committees of continuous existence file campaign finance reports in special elections; requiring a committee of continuous existence that makes a contribution or expenditure to influence the results of certain county or municipal elections to file specified reports; subjecting a committee of continuous existence that fails to file a report or to timely file a report with the Division of Elections or a county or municipal filing officer to a fine; requiring a committee of continuous existence to include transaction information from credit card purchases in a report filed with the Division of Elections; requiring a committee of continuous existence to report changes in information previously reported to the Division of Elections within 10 days after the change; requiring the Division of Elections to revoke the certification of a committee of continuous existence that fails to file or report certain information; requiring the division to adopt rules to prescribe the manner in which the certification is revoked; increasing the amount of a fine to be levied on a committee of continuous existence that fails to timely file certain reports; providing for the deposit of the proceeds of the fines; including the registered agent of a committee of continuous existence as a person whom the filing officer may notify that a report has not been filed; providing criteria for deeming delivery complete of a notice of fine; requiring a committee of continuous existence that appeals a fine to file a copy of the appeal with the filing officer; defining the term "repeated late filing"; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; amending s. 106.07, F.S.; creating an exception for reports due in the third calendar quarter immediately preceding a general election from a requirement that the campaign treasurer report contributions received and expenditures made on the 10th day following the end of each calendar quarter; revising reporting requirements for a statewide candidate who receives funding under the Florida Election Campaign Financing Act and candidates in a race with a candidate who has requested funding under that act; deleting a requirement for a committee of continuous existence to file a campaign treasurer's report relating to contributions or expenditures to influence the results of a special election; revising the methods by which a campaign treasurer may be notified of the determination that a report is incomplete to include certified mail and other methods using a common carrier that provides proof of delivery of the notice; extending the time the campaign treasurer has to file an addendum to the report after receipt of notice of why the report is incomplete; providing criteria for deeming delivery complete of a notice of incomplete report; deleting a provision allowing for notification by tele-

phone of an incomplete report; requiring political committees that make a contribution or expenditure to influence the results of certain county or municipal elections to file campaign finance reports with the county or municipal filing officer and to include its contributions and expenditures in a report to the Division of Elections; revising the information that must be included in a report to include transaction information for credit card purchases; deleting a requirement for a campaign depository to return checks drawn on the account to the campaign treasurer; deleting a provision providing that the failure to file a copy of a report is not subject to a separate fine; specifying the amount of a fine for the failure to timely file reports after a special primary election or special election; specifying that the registered agent of a political committee is a person whom a filing officer may notify of the amount of the fine for filing a late report; providing criteria for deeming delivery complete of a notice of late report and resulting fine; defining the term "repeated late filing"; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; amending s. 106.0703, F.S.; defining the term "repeated late filing"; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; modifying campaign finance filing requirements for an electioneering communications organization's initial filing; amending s. 106.0705, F.S.; requiring certain individuals to electronically file certain reports with the Division of Elections; conforming a cross-reference to changes made by the act; requiring the division to amend its electronic filing system to provide for the filing of an electioneering communications organization's initial campaign finance report; deleting an obsolete provision; amending s. 106.08, F.S.; deleting a requirement for the Department of State to notify candidates as to whether an independent or minor party candidate has obtained the required number of petition signatures; deleting a requirement for certain unopposed candidates to return contributions; specifying the entities with which a political party's state executive committee and county executive committees and affiliated party committees must file a written acceptance of an in-kind contribution; amending s. 106.09, F.S.; specifying that the limitations on contributions by cash or cashier's check apply to the aggregate amount of contributions to a candidate or committee per election; amending s. 106.11, F.S.; revising the statement that must be contained on checks from a campaign account; deleting requirements relating to the use of debit cards; authorizing a campaign for a candidate to reimburse the candidate's loan to the campaign when the campaign account has sufficient funds; amending s. 106.141, F.S.; deleting a limit on the amount of surplus funds that a candidate may give to his or her political party; requiring candidates receiving public financing to return all surplus funds to the General Revenue Fund after paying certain monetary obligations and expenses; amending s. 106.143, F.S.; specifying disclosure statements that must be included in political advertisements paid for by a write-in candidate; revising the disclosure statements that must be included in certain political advertisements; prohibiting the inclusion of a person's political affiliation in advertisements for a nonpartisan office; clarifying the type of political advertisements that must be approved in advance by a candidate; deleting an exemption from the requirement to obtain a candidate's approval for messages designed to be worn; amending s. 106.17, F.S.; providing that the cost of certain polls are not contributions to a candidate; amending s. 106.18, F.S.; deleting a provision providing that a candidate will not be prevented from receiving a certificate of election for failing to file a report; amending s. 106.19, F.S.; providing that a candidate's failure to comply with ch. 106, F.S., has no effect on whether the candidate has qualified for office; amending s. 106.25, F.S.; authorizing a person who is the subject of a complaint filed with the Florida Elections Commission to file a response before the executive director of the commission determines whether the complaint is legally sufficient; prohibiting the commission from determining by rule what constitutes willfulness or defining the term "willful"; authorizing the commission to enter into consent orders without requiring the respondent to admit to a violation of law; authorizing an administrative law judge to impose civil penalties for violations of ch. 104 or ch. 106, F.S.; amending s. 106.26, F.S.; requiring the commission to enforce certain witness subpoenas in the circuit court where the witness resides; amending s. 106.265, F.S.; authorizing an administrative law judge to assess civil penalties upon a finding of a violation of the election code or campaign financing laws; providing for civil penalties to be assessed against an electioneering communications organization; removing reference to the expired Election Campaign Financing Trust Fund; directing that moneys from penalties and fines be deposited into the General Revenue Fund; amending s. 106.29, F.S.; requiring state and county executive committees and affiliated party committees that make contributions or expenditures to

influence the results of a special election or special primary election to file campaign treasurer's reports; amending campaign finance reporting dates, to conform; deleting a requirement that each state executive committee file the original and one copy of its reports with the Division of Elections; deleting a provision prohibiting the assessment of a separate fine for failing to file a copy of a report, to conform; revising the due date for filing a report; providing criteria for deeming delivery complete of a notice of fine; defining the term "repeated late filing"; requiring the Elections Commission to treat the late filings addressed in a single notice of repeated late filings as a single violation; amending s. 106.35, F.S.; deleting a requirement that the Division of Election adopt rules relating to the format and filing of certain printed campaign treasurer's reports; amending s. 876.05, F.S.; deleting a requirement for all candidates for public office to record an oath to support the Constitution of the United States and of the State of Florida; repealing s. 876.07, F.S., relating to a requirement that a person make an oath to support the Constitution of the United States and of the State of Florida to be qualified as a candidate for office; providing for severability of the act; providing effective dates.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 2086** to **CS for CS for HB 1355**.

Pending further consideration of **CS for CS for SB 2086** as amended, on motion by Senator Diaz de la Portilla, by two-thirds vote **CS for CS for HB 1355** was withdrawn from the Committees on Rules Subcommittee on Ethics and Elections; Rules; and Budget.

On motion by Senator Diaz de la Portilla—

CS for CS for HB 1355—A bill to be entitled An act relating to elections; amending s. 97.012, F.S.; expanding the list of responsibilities of the Secretary of State when acting in his or her capacity as chief election officer; amending s. 97.021, F.S.; revising the definition of "minor political party"; amending s. 97.025, F.S.; revising methods of publication and distribution of the Florida Election Code pamphlet to candidates qualifying with the Department of State; amending s. 97.0575, F.S.; requiring that third-party voter registration organizations register with the Division of Elections and provide the division with certain information; requiring that the division or a supervisor of elections make voter registration forms available to third-party voter registration organizations; requiring that such forms contain certain information; requiring that the division maintain a database of certain information; requiring supervisors of elections to provide specified information to the division in a format and at times required by the division; requiring that such information be updated and made public daily at a specified time; requiring third-party voter registration organizations to deliver collected voter registration applications within a specified period; revising penalty provisions to conform; specifying grounds for an affirmative defense to a violation of timely submission requirements; providing for the referral of violations to the Attorney General; authorizing the Attorney General to initiate a civil action; providing that an action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order; requiring that the division adopt rules for specified purposes; providing for retroactive effectiveness; amending s. 97.071, F.S.; requiring that voter information cards contain the address of the polling place of the registered voter; requiring a supervisor of elections to issue a new voter information card to a voter upon a change in a voter's address of legal residence or a change in a voter's polling place address; amending s. 97.073, F.S.; requiring a supervisor to notify an applicant within 5 business days regarding disposition of the voter registration applications; amending s. 97.1031, F.S.; requiring an elector to notify the supervisor of elections when he or she changes his or her residence address; providing a voter with various options for providing address updates; revising notice requirements for any change in party affiliation; amending s. 98.075, F.S.; requiring a supervisor of elections to remove a registered voter from the statewide voter registration system upon certain notice; providing bases for ineligibility; amending 98.093, F.S.; requiring the Florida Parole Commission and the Department of Corrections to provide specified data for the updating of the statewide voter registration system regarding convicted felons; amending s. 98.0981, F.S.; providing timeframes and formats for voting history information to be sent by the supervisors of elections to the department; providing timeframes and formats for voting history information to be sent by the department to the President of the Senate, the Speaker of the House of Representatives, and the re-

spective minority leaders; requiring submission of precinct-level information in a certain format by a time certain; amending s. 99.012, F.S., relating to restrictions on individuals qualifying for public office; providing that if a final court order determines that a person did not comply with specific provisions of the section the person is not qualified as a candidate and his or her name may not appear on ballot; providing for nonapplicability to presidential and vice presidential candidates; amending s. 99.021, F.S.; revising the candidate oath requirement for a person seeking to qualify for nomination or election or as a candidate of a political party; removing requirement for qualifying officer to give printed copy of candidate oath; removing requirement for taking public employee oath; providing exceptions for certain candidates taking other oaths; amending s. 99.061, F.S.; revising timeframe for candidate to pay qualifying fee under certain circumstances; requiring checks to be payable as prescribed by filing officer; requiring notarized signature on certain oaths; removing requirement for public employee oath; requiring filing of a notarized financial disclosure; clarifying time for qualifying papers to be received; providing that qualifying officer performs ministerial duty only; exempting qualifying officer decision from Administrative Procedures Act; amending s. 99.063, F.S.; removing the requirement that a candidate swear a public employee loyalty oath; amending s. 99.093, F.S.; remitting assessments directly to the Florida Elections Commissions rather than passing through the department; amending s. 99.095, F.S.; allowing certain individuals seeking county or district office in a year of apportionment to obtain signatures county-wide; amending s. 99.097, F.S.; clarifying that the supervisor of elections checks more than signatures on petition forms; clarifying rulemaking authority of the department relating to petitions; prohibiting certain random sampling method of petition verification for constitutional amendments petitions; providing for invalidity of undue burden oaths under specified circumstances; providing for certain funds to be used to reimburse a supervisor of elections for signature verification fees not previously paid when an undue burden oath is held invalid; amending s. 100.061, F.S.; revising the primary election date; amending s. 100.111, F.S.; providing notification requirements and procedures for filling a vacancy in nomination for certain offices; deleting the definition of the term "district political party executive committee"; providing that a vacancy in nomination is not created if an order of a court that has become final determines the nominee did not properly qualify or does not meet the necessary qualifications to hold the office sought; amending s. 100.371, F.S.; providing that signatures on an initiative petition are valid for 2 years instead of 4 years; requiring that a petition signer must be a registered elector at time of signing for a supervisor to verify his or her signature as valid; requiring the supervisor of elections to notify petition sponsor of misfiled petition under certain circumstances; deleting certain petition revocation provisions; amending s. 101.001, F.S.; requiring the supervisors of elections to provide the department with precinct data including specified information; requiring the department to maintain a searchable database containing certain precinct and census block information; requiring supervisors of elections to notify the department of precinct changes within a specified time; deleting a waiver; amending s. 101.043, F.S.; providing that the address appearing on the photo identification used at polls cannot be used to confirm or challenge an elector's legal residence for address verification; amending s. 101.045, F.S.; permitting a change of residence at the polling place for a person changing residence within a county; providing that a person whose change of address is from outside the county may not change his or her legal residence at the polling place or vote a regular ballot but may vote a provisional ballot; amending s. 101.131, F.S.; revising procedures for the designation of poll watchers; requiring that the division prescribe a form for the designation of poll watchers; providing conditions under which poll watchers are authorized to enter polling areas and watch polls; requiring that a supervisor of elections provide identification to poll watchers by a specified period before early voting begins; requiring that poll watchers display such identification while in a polling place; amending s. 101.151, F.S.; providing changes in ballot appearance; reducing length and appearance of ballot and redundancy; expanding use of ballot on demand technology; amending s. 101.5605, F.S.; clarifying that testing of voting equipment be done in accordance with state-adopted voting system standards; amending s. 101.5606, F.S.; removing references to obsolete forms of voting; amending s. 101.56075, F.S.; providing that all voting systems utilized after a certain time shall permit placement on the ballot of the full text of a constitutional amendment; amending s. 101.5612, F.S.; revising the number or percentage of systems that must be tested; amending s. 101.5614, F.S.; conforming law to current technological practices in canvassing of certain returns; amending s. 101.591, F.S.; providing that a manual recount

is not required under certain circumstances; amending s. 101.62, F.S.; extending absentee ballot request through the end of the calendar year of the next two regularly scheduled general elections; providing timeframes for absentee ballots to be sent to voters voting an absentee ballot; clarifying provisions relating to military and overseas voters; requiring the supervisors of elections to update absentee ballot information and make available by a time certain; revising reasons for voting absentee; amending s. 101.65, F.S.; expanding absentee ballot instructions to notify a voter that signatures on ballot and on record must match; informing voter when signature must be updated; amending s. 101.68, F.S.; allowing the county canvassing boards to begin canvassing of absentee ballots at a time certain; amending s. 101.6923, F.S.; expanding special absentee ballot instructions for certain first-time voters to notify voters that signatures on the ballot and on record must match; informing voter when signature must be updated; amending s. 101.75, F.S.; eliminating state mandate for a municipal election to have a 14-day candidate qualifying period when it moves its election to coincide with state or county election; amending s. 102.031, F.S.; prohibiting solicitation of voters who are entering or in line to enter any polling place, polling room, or early voting site; requiring the posting of a sign; expanding the definitions of the terms "solicit" and "solicitation"; amending s. 102.141, F.S.; requiring the canvassing board to report all early voting and all tabulated absentee results to the department by a time certain; requiring periodic updates; amending s. 102.168, F.S.; clarifying when canvassing boards are an indispensable party to an election contest; clarifying evidence a circuit court may consider in certain election contests; providing a standard of review; amending s. 103.021, F.S.; revising the definition of the term "national party"; revising requirements for a minor political party to have candidates for President and Vice President placed on the general election ballot; creating s. 103.095, F.S.; providing a procedure for the registration of a minor political party; requiring the Division of Elections to adopt rules to prescribe the manner in which political parties may have their filings canceled; amending s. 103.101, F.S.; creating a Presidential Preference Primary Date Selection Committee; providing membership; requiring for the committee to meet by a date certain and to set a date for the presidential preference primary; amending s. 103.141, F.S.; deleting language providing for the removal of certain county executive committee members pursuant to a separate provision of law; amending s. 104.29, F.S.; clarifying when it is an offense for an inspector or other election official to deny a person the opportunity to observe whether ballots are being correctly reconciled; amending s. 106.011, F.S.; revising the definitions of "candidate", "contribution," and "expenditure" to exclude funds received or spent for certain potential candidate polls; clarifying and conforming the definition of "independent expenditure" to the candidate's specific qualifying period; clarifying the qualifying period for the candidate; correcting a cross-reference; creating s. 106.012, F.S.; providing that funds spent or received are not contributions or expenditures if used solely for determining candidate viability; providing examples of permissible activities; providing for retention of records; providing that funds become contributions and expenditures upon the candidacy of a person; requiring reporting of funds regardless of date received or spent; providing examples of ineligible activities for fund use; delineating activities indicating intention to become a candidate; limiting the amount of funds that may be received; amending s. 106.021, F.S.; deleting a requirement that certain information be included in campaign reports for reimbursement; amending s. 106.022, F.S.; requiring a political committee, committee of continuous existence, or electioneering communications organization to file a statement of appointment with the filing officer rather than with the division; authorizing an entity to change its appointment of registered agent or registered office by filing a written statement with the filing officer; requiring a registered agent who resigns to execute a written statement of resignation and file it with the filing officer; amending s. 106.023, F.S.; revising the form of the statement of a candidate to require a candidate to acknowledge that he or she has been provided access to and understands the requirements of ch. 106, F.S.; amending s. 106.025, F.S.; exempting tickets or advertising for a campaign fundraiser from requirements of s. 106.143, F.S.; amending s. 106.03, F.S.; providing when a political committee must file a statement of organization; providing when a group must register as an electioneering communications organization; amending s. 106.04, F.S.; requiring a committee of continuous existence that makes a contribution or expenditure in connection with certain county or municipal elections to file specified reports; subjecting a committee of continuous existence that fails to file a report or to timely file a report with the division or a county or municipal filing officer to a fine; requiring a committee of continuous existence to include transaction information from credit card purchases

in a report filed with the division; requiring a committee of continuous existence to report changes in information previously reported to the division within 10 days after the change; requiring the division to revoke the certification of a committee of continuous existence under certain circumstances; requiring the division to adopt rules to prescribe the manner in which the certification is revoked; increasing the amount of a fine to be levied on a committee of continuous existence that fails to timely file certain reports; providing for the deposit of the proceeds of the fines; including the registered agent of a committee of continuous existence as an alternate person whom the filing officer shall notify that a report has not been filed; providing criteria for deeming delivery of a notice of fine complete; requiring a committee of continuous existence that appeals a fine to file a copy of the appeal with the commission; amending s. 106.07, F.S.; correcting a cross-reference; revising the dates that certain contribution and expenditure reports must be filed; revising reporting requirements for a statewide candidate who receives funding under the Florida Election Campaign Financing Act and candidates in a race with a candidate who has requested funding under that act; deleting a requirement for a committee of continuous existence to file a campaign treasurer's report relating to contributions or expenditures to influence the results of a special election; revising the methods by which a campaign treasurer may be notified of the determination that a report is incomplete to include certified mail and other methods using a common carrier that provides proof of delivery of the notice; extending the time the campaign treasurer has to file an addendum to the report after receipt of notice of why the report is incomplete; providing criteria for deeming delivery complete of a notice of incomplete report; deleting a provision allowing for notification by telephone of an incomplete report; requiring political committees that make a contribution or expenditure in connection with certain county or municipal elections to file campaign finance reports with the county or municipal filing officer and to include its contributions and expenditures in a report to the division; revising the information that must be included in a report to include transaction information for credit card purchases; deleting a requirement that a campaign depository to return checks drawn on the account to the campaign treasurer; specifying the amount of a fine for the failure to timely file reports after a special primary election or special election; specifying that the registered agent of a political committee is a person whom a filing officer may notify of the amount of the fine for filing a late report; providing criteria for deeming delivery of a notice of late report and resulting fine complete; amending s. 106.0703, F.S.; correcting a cross-reference; deleting a requirement for an electioneering communications organization to provide certain information to the department on activities occurring since the last general election; amending s. 106.0705, F.S.; requiring certain individuals to electronically file certain reports with the division; conforming a cross-reference to changes made by the act; deleting an obsolete provision; amending s. 106.071, F.S.; conforming provisions relating to expenditures in the aggregate; clarifying the independent expenditure disclaimer for paid political advertisement by an individual; amending s. 106.08, F.S.; deleting a requirement for the department to notify candidates as to whether an independent or minor party candidate has obtained the required number of petition signatures; deleting a requirement for certain unopposed candidates to return contributions; specifying the entities with which a political party's state executive committee, an affiliated party committee, and county executive committees must file a written acceptance of an in-kind contribution; amending s. 106.09, F.S.; specifying that the limitations on contributions by cash or cashier's check apply to the aggregate amount of contributions to a candidate or committee per election; clarifying that a violation of a certain subsection, and not a section, of the law is a misdemeanor of the first degree; amending s. 106.11, F.S.; revising the statement that must be contained on checks from a campaign account; deleting requirements relating to the use of debit cards; authorizing a campaign for a candidate to reimburse the candidate's loan to the campaign when the campaign account has sufficient funds; amending s. 106.141, F.S.; removing certain limitations on expenditure of surplus funds; requiring candidates receiving public financing to return all surplus funds to the General Revenue Fund after paying certain monetary obligations and expenses; amending s. 106.143, F.S.; revising disclosure requirements for certain political advertisements; specifying disclosure statements that must be included in political advertisements paid for by a write-in candidate; specifying disclosure requirements for political advertisements paid for by in-kind contributions; prohibiting the inclusion of a person's political affiliation in advertisements for a nonpartisan office; clarifying the type of political advertisements that must be approved in advance by a candidate; deleting a duplicative exemption from the requirement to obtain a candidate's approval for

messages designed to be worn; providing that political advertisements paid for by a political party or an affiliated party committee may use certain registered names and abbreviations; clarifying that a political advertisement that is paid for by a candidate and complies with statutory disclosure requirements is not required to additionally state that it is approved by the candidate; amending s. 106.15, F.S.; prohibiting the making, soliciting, or accepting of any political contribution in a government-occupied room or building space; defining "government-occupied room or building space"; providing an exception; amending s. 106.17, F.S.; authorizing state and county executive committees and affiliated party committees to conduct political polls to determine viability of potential candidates; allowing sharing of results; providing that such expenditures are not contributions to the potential candidates; amending s. 106.19, F.S.; providing that a candidate's failure to comply with ch. 106, F.S., has no effect on whether the candidate has qualified for office; amending s. 106.25, F.S., relating to reports of alleged violations to Florida Elections Commission; providing a deadline for the filing of a response by a respondent; prohibiting the commission from defining willfulness by rule, or further defining the term as provided in ch. 106 or ch. 104, F.S.; providing for entering into a consent order under certain circumstances; allowing a respondent who is alleged by the commission to have violated the election code or campaign financing laws to elect as a matter of right a formal hearing before the Division of Administrative Hearings; authorizing an administrative law judge to assess civil penalties upon the finding of a violation; amending s. 106.26, F.S.; authorizing the commission to file a complaint in the circuit court where the witness resides; amending s. 106.265, F.S.; authorizing an administrative law judge to assess a civil penalty upon a finding of a violation of the election code or campaign financing laws; providing for civil penalties to be assessed against an electioneering communications organization; removing reference to the expired Election Campaign Financing Trust Fund; directing that moneys from penalties and fines be deposited into the General Revenue Fund; amending s. 106.29, F.S.; requiring specified committees that make contributions or expenditures to influence the results of a special election or special primary election to file campaign treasurer's reports by certain dates; providing for applicable campaign finance reporting dates, to conform; deleting a requirement that each state executive committee file the original and one copy of its reports with the division; revising provisions relating to penalties for late filing, to conform and to provide requirements for sufficiency of notice; amending s. 106.35, F.S.; deleting a requirement that the division adopt rules relating to the format and filing of certain printed campaign treasurer's reports under the Florida Election Campaign Financing Act; amending s. 106.355, F.S.; eliminating the duty of the department to provide funds from the Election Campaign Financing Trust Fund when certain expenditure limits are exceeded; amending s. 11.045, F.S.; excluding funds received or spent under s. 106.012, F.S., from the definition of "expenditure"; amending s. 112.312, F.S.; excluding funds received or spent under s. 106.012, F.S., or contributions or expenditures reported pursuant to federal election law from the definition of "gift"; amending s. 112.3215, F.S.; excluding funds received or spent under s. 106.012, F.S., or contributions or expenditures reported pursuant to federal election law from the definition of "expenditure"; amending s. 876.05, F.S.; deleting the requirement that candidates for public office take a public employee oath; amending s. 100.101, F.S.; to conform to changes made by the act; repealing s. 103.161, F.S., relating to the removal or suspension of officers or members of state executive committees or county executive committees; repealing s. 876.07, F.S., relating to the requirement that a candidate take a public employee oath as a prerequisite to qualifying for public office, to conform; amending s. 101.161, F.S.; revising terminology; transferring to a new subsection requirements applicable to joint resolutions; providing that a joint resolution may include a ballot summary and alternate ballot summaries; providing that a joint resolution may include a ballot summary or alternate ballot summaries, listed in order of preference, describing the chief purpose of the amendment or revision in clear and unambiguous language; requiring a joint resolution to specify placement on the ballot of a ballot title and either a ballot summary embodied in the joint resolution or the full text of the proposed amendment or revision; requiring placement on the ballot of the ballot title and ballot summary, or the ballot title and the full text of the proposed amendment or revision, as specified by a joint resolution; requiring placement on the ballot of the full text of an amendment or revision if the court determines that each ballot summary embodied in a joint resolution is defective unless the Secretary of State certifies to the court that placement of the full text on the ballot is incompatible with voting systems that must be utilized during the election at which the proposed amendment will be presented to voters

and that no other available accommodation will enable persons with disabilities to vote on the proposed amendment or revision; requiring the Attorney General to revise a ballot summary under certain circumstances; requiring the court to retain jurisdiction over challenges to any revised ballot summary submitted by the Attorney General; requiring challenges to revised ballot summaries to be filed within 10 days after the revised ballot summary is submitted to the court by the Attorney General; creating a presumption that the full text of an amendment or revision must be considered a clear and unambiguous statement of the substance and effect of an amendment or revision proposed by joint resolution and sufficient notice to electors under certain circumstances; establishing rules of construction for construing proposed ballot titles, ballot summaries, or the full text of proposed amendments or revisions; requiring legal challenges to ballot language to be filed within certain time periods; requiring complaints or petitions challenging ballot language to assert all grounds for such challenges; providing that any grounds not asserted are waived; requiring the courts to describe with specificity each deficiency in a ballot title, summary, or full text of a proposed amendment or revision; requiring the courts to accord actions challenging ballot language specified by a joint resolution priority over other pending cases and issue orders as expeditiously as possible; providing retroactive applicability to joint resolutions passed during the 2011 regular session; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 2086** as amended and read the second time by title.

Senator Diaz de la Portilla moved the following amendment:

Amendment 1 (404618) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (16) is added to section 97.012, Florida Statutes, to read:

97.012 Secretary of State as chief election officer.—The Secretary of State is the chief election officer of the state, and it is his or her responsibility to:

(16) *Provide written direction and opinions to the supervisors of elections on the performance of their official duties with respect to the Florida Election Code or rules adopted by the Department of State.*

Section 2. Subsection (18) of section 97.021, Florida Statutes, is amended to read:

97.021 Definitions.—For the purposes of this code, except where the context clearly indicates otherwise, the term:

(18) “Minor political party” is any group as *specified defined in s. 103.095* ~~this subsection which on January 1 preceding a primary election does not have registered as members 5 percent of the total registered electors of the state. Any group of citizens organized for the general purposes of electing to office qualified persons and determining public issues under the democratic processes of the United States may become a minor political party of this state by filing with the department a certificate showing the name of the organization, the names of its current officers, including the members of its executive committee, and a copy of its constitution or bylaws. It shall be the duty of the minor political party to notify the department of any changes in the filing certificate within 5 days of such changes.~~

Section 3. Section 97.025, Florida Statutes, is amended to read:

97.025 Election Code; copies thereof.—A pamphlet of a reprint of the Election Code, adequately indexed, shall be prepared by the Department of State. *The pamphlet shall be made available* ~~It shall have a sufficient number of these pamphlets printed so that one may be given, upon request, to each candidate who qualifies with the department. The pamphlet shall be made available A sufficient number may be sent to each supervisor, prior to the first day of qualifying, so that for distribution, upon request, to each candidate who qualifies with the supervisor and to each clerk of elections have access to the pamphlet.~~ The cost of ~~making printing~~ *making printing* the pamphlets available shall be paid out of funds appropriated for conducting elections.

Section 4. Section 97.0575, Florida Statutes, is amended to read:

97.0575 Third-party voter registrations.—

(1) *Before engaging in any voter registration activities, a third-party voter registration organization must register and provide to the division, in an electronic format, the following information:*

(a) *The names of the officers of the organization and the name and permanent address of the organization.*

(b) *The name and address of the organization's registered agent in the state.*

(c) *The names, permanent addresses, and temporary addresses, if any, of each registration agent registering persons to vote in this state on behalf of the organization.*

(d) *A sworn statement from each registration agent employed by or volunteering for the organization stating that the agent will obey all state laws and rules regarding the registration of voters. Such statement must be on a form containing notice of applicable penalties for false registration.*

(2) *The division or the supervisor of elections shall make voter registration forms available to third-party voter registration organizations. All such forms must contain information identifying the organization to which the forms are provided. The division shall maintain a database of all third-party voter registration organizations and the voter registration forms assigned to the third-party voter registration organization. Each supervisor of elections shall provide to the division information on voter registration forms assigned to and received from third-party voter registration organizations. The information must be provided in a format and at times as required by the division by rule. The division must update information on third-party voter registrations daily and make the information publicly available.*

(1) ~~Prior to engaging in any voter registration activities, a third-party voter registration organization shall name a registered agent in the state and submit to the division, in a form adopted by the division, the name of the registered agent and the name of those individuals responsible for the day to day operation of the third party voter registration organization, including, if applicable, the names of the entity's board of directors, president, vice president, managing partner, or such other individuals engaged in similar duties or functions. On or before the 15th day after the end of each calendar quarter, each third party voter registration organization shall submit to the division a report providing the date and location of any organized voter registration drives conducted by the organization in the prior calendar quarter.~~

(2) ~~The failure to submit the information required by subsection (1) does not subject the third party voter registration organization to any civil or criminal penalties for such failure, and the failure to submit such information is not a basis for denying such third party voter registration organization with copies of voter registration application forms.~~

(3)(a) A third-party voter registration organization that collects voter registration applications serves as a fiduciary to the applicant, ensuring that any voter registration application entrusted to the ~~third party voter registration organization~~, irrespective of party affiliation, race, ethnicity, or gender, shall be promptly delivered to the division or the supervisor of elections *within 48 hours after the applicant completes it or the next business day if the appropriate office is closed for that 48-hour period.* If a voter registration application collected by any third-party voter registration organization is not promptly delivered to the division or supervisor of elections, the third-party voter registration organization ~~is shall~~ be liable for the following fines:

1.(a) A fine in the amount of \$50 for each application received by the division or the supervisor of elections more than ~~48 hours 10 days~~ after the applicant delivered the completed voter registration application to the third-party voter registration organization or any person, entity, or agent acting on its behalf *or the next business day, if the office is closed.* A fine in the amount of \$250 for each application received if the third-party voter registration organization or person, entity, or agency acting on its behalf acted willfully.

2.(b) A fine in the amount of \$100 for each application collected by a third-party voter registration organization or any person, entity, or agent acting on its behalf, ~~before prior to~~ *before* book closing for any given election for federal or state office and received by the division or the supervisor of elections after the ~~book-closing book closing~~ *book-closing* deadline for

such election. A fine in the amount of \$500 for each application received if the third-party registration organization or person, entity, or agency acting on its behalf acted willfully.

3.(e) A fine in the amount of \$500 for each application collected by a third-party voter registration organization or any person, entity, or agent acting on its behalf, which is not submitted to the division or supervisor of elections. A fine in the amount of \$1,000 for any application not submitted if the third-party voter registration organization or person, entity, or agency acting on its behalf acted willfully.

The aggregate fine pursuant to this ~~paragraph subsection~~ which may be assessed against a third-party voter registration organization, including affiliate organizations, for violations committed in a calendar year ~~is shall be~~ \$1,000.

~~(b) A showing by the fines provided in this subsection shall be reduced by three fourths in cases in which the third-party voter registration organization that the failure to deliver the voter registration application within the required timeframe is based upon force majeure or impossibility of performance shall be an affirmative defense to a violation of this subsection has complied with subsection (1). The secretary may shall~~ waive the fines described in this subsection upon a showing that the failure to deliver the voter registration application promptly is based upon force majeure or impossibility of performance.

(4) *If the Secretary of State reasonably believes that a person has committed a violation of this section, the secretary may refer the matter to the Attorney General for enforcement. The Attorney General may institute a civil action for a violation of this section or to prevent a violation of this section. An action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order.*

(5)(4)(a) The division shall adopt by rule a form to elicit specific information concerning the facts and circumstances from a person who claims to have been registered to vote by a third-party voter registration organization but who does not appear as an active voter on the voter registration rolls. *The division shall also adopt rules to ensure the integrity of the registration process, including rules requiring third-party voter registration organizations to account for all state and federal registration forms used by their registration agents. Such rules may require an organization to provide organization and form specific identification information on each form as determined by the department as needed to assist in the accounting of state and federal registration forms.*

~~(b) The division may investigate any violation of this section. Civil fines shall be assessed by the division and enforced through any appropriate legal proceedings.~~

(6)(5) The date on which an applicant signs a voter registration application is presumed to be the date on which the third-party voter registration organization received or collected the voter registration application.

(7) *The requirements of this section are retroactive for any third-party voter registration organization registered with the department on the effective date of this act, and must be complied with within 90 days after the department provides notice to the third-party voter registration organization of the requirements contained in this section. Failure of the third-party voter registration organization to comply with the requirements within 90 days after receipt of the notice shall automatically result in the cancellation of the third-party voter registration organization's registration.*

~~(6) The civil fines provided in this section are in addition to any applicable criminal penalties.~~

~~(7) Fines collected pursuant to this section shall be annually appropriated by the Legislature to the department for enforcement of this section and for voter education.~~

~~(8) The division may adopt rules to administer this section.~~

Section 5. Section 97.071, Florida Statutes, is amended to read:

97.071 Voter information card.—

(1) A voter information card shall be furnished by the supervisor to all registered voters residing in the supervisor's county. The card must contain:

- (a) Voter's registration number.
- (b) Date of registration.
- (c) Full name.
- (d) Party affiliation.
- (e) Date of birth.
- (f) Address of legal residence.
- (g) Precinct number.
- (h) Polling place address.
- ~~(i)(h)~~ Name of supervisor and contact information of supervisor.
- ~~(j)(i)~~ Other information deemed necessary by the supervisor.

(2) A voter may receive a replacement voter information card by providing a signed, written request for a replacement card to a voter registration official. Upon verification of registration, the supervisor shall issue the voter a duplicate card without charge.

(3) In the case of a change of name, address of legal residence, polling place address, or party affiliation, the supervisor shall issue the voter a new voter information card.

Section 6. *The supervisor must meet the requirements of section 5 of this act for any elector who registers to vote or who is issued a new voter information card pursuant to s. 97.071(2) or (3), Florida Statutes, on or after August 1, 2012.*

Section 7. Subsection (1) of section 97.073, Florida Statutes, is amended to read:

97.073 Disposition of voter registration applications; cancellation notice.—

(1) The supervisor must notify each applicant of the disposition of the applicant's voter registration application *within 5 business days after voter registration information is entered into the statewide voter registration system.* The notice must inform the applicant that the application has been approved, is incomplete, has been denied, or is a duplicate of a current registration. A voter information card sent to an applicant constitutes notice of approval of registration. If the application is incomplete, the supervisor must request that the applicant supply the missing information using a voter registration application signed by the applicant. A notice of denial must inform the applicant of the reason the application was denied.

Section 8. Subsections (1) and (2) of section 97.1031, Florida Statutes, are amended to read:

97.1031 Notice of change of residence, change of name, or change of party affiliation.—

(1)(a) *When an elector changes his or her residence address, the elector must notify the supervisor of elections. Except as provided in paragraph (b), an address change must be submitted using a voter registration application.*

(b) *If the address change is within the state and notice is provided to the supervisor of elections of the county where the elector has moved, the elector may do so by:*

1. *Contacting the supervisor of elections via telephone or electronic means, in which case the elector must provide his or her date of birth; or*

2. *Submitting the change on a voter registration application or other signed written notice. ~~moves from the address named on that person's voter registration record to another address within the same county, the elector must provide notification of such move to the supervisor of elections of that county. The elector may provide the supervisor a signed, written notice or may notify the supervisor by telephone or electronic~~*

means. However, notification of such move other than by signed, written notice must include the elector's date of birth. An elector may also provide notification to other voter registration officials as provided in subsection (2). A voter information card reflecting the new information shall be issued to the elector as provided in subsection (3).

(2) When an elector moves from the address named on that person's voter registration record to another address in a different county but within the state, the elector seeks to change party affiliation, or the name of an elector is changed by marriage or other legal process, the elector shall notify his or her supervisor of elections or other provide notice of such change to a voter registration official by using a voter registration application signed written notice that contains the elector's date of birth or voter registration number by the elector. When an elector changes his or her name by marriage or other legal process, the elector shall notify his or her supervisor of elections or other voter registration official by using a signed written notice that contains the elector's date of birth or voter's registration number. A voter information card reflecting the new information shall be issued to the elector as provided in subsection (3).

Section 9. Subsections (3) and (6) of section 98.075, Florida Statutes, are amended to read:

98.075 Registration records maintenance activities; ineligibility determinations.—

(3) DECEASED PERSONS.—

(a)1. The department shall identify those registered voters who are deceased by comparing information on the lists of deceased persons received from either:

- a. The Department of Health as provided in s. 98.093; or-
- b. The United States Social Security Administration, including, but not limited to, any master death file or index compiled by the United States Social Security Administration.

2. Within 7 days after Upon receipt of such information through the statewide voter registration system, the supervisor shall remove the name of the registered voter.

(b) The supervisor shall remove the name of a deceased registered voter from the statewide voter registration system upon receipt of a copy of a death certificate issued by a governmental agency authorized to issue death certificates.

(6) OTHER BASES FOR INELIGIBILITY.—If the department or supervisor receives information other than from the sources other than those identified in subsections (2)-(5) that a registered voter is ineligible because he or she is deceased, adjudicated a convicted felon without having had his or her civil rights restored, adjudicated mentally incapacitated without having had his or her voting rights restored, does not meet the age requirement pursuant to s. 97.041, is not a United States citizen, is a fictitious person, or has listed a residence that is not his or her legal residence, the supervisor must shall adhere to the procedures set forth in subsection (7) prior to the removal of a registered voter's name from the statewide voter registration system.

Section 10. Section 98.093, Florida Statutes, is amended to read:

98.093 Duty of officials to furnish information relating to lists of deceased persons, persons adjudicated mentally incapacitated, and persons convicted of a felony.—

(1) In order to identify ineligible registered voters and maintain ensure the maintenance of accurate and current voter registration records in the statewide voter registration system pursuant to procedures in s. 98.065 or s. 98.075, it is necessary for the department and supervisors of elections to receive or access certain information from state and federal officials and entities in the format prescribed. The department and supervisors of elections shall use the information provided from the sources in subsection (2) to maintain the voter registration records.

(2) To the maximum extent feasible, state and local government agencies shall facilitate provision of information and access to data to the department, including, but not limited to, databases that contain reliable criminal records and records of deceased persons. State and local

government agencies that provide such data shall do so without charge if the direct cost incurred by those agencies is not significant.

(a) The Department of Health shall furnish monthly to the department a list containing the name, address, date of birth, date of death, social security number, race, and sex of each deceased person 17 years of age or older.

(b) Each clerk of the circuit court shall furnish monthly to the department a list of those persons who have been adjudicated mentally incapacitated with respect to voting during the preceding calendar month, a list of those persons whose mental capacity with respect to voting has been restored during the preceding calendar month, and a list of those persons who have returned signed jury notices during the preceding months to the clerk of the circuit court indicating a change of address. Each list shall include the name, address, date of birth, race, sex, and, whichever is available, the Florida driver's license number, Florida identification card number, or social security number of each such person.

(c) Upon receipt of information from the United States Attorney, listing persons convicted of a felony in federal court, the department shall use such information to identify registered voters or applicants for voter registration who may be potentially ineligible based on information provided in accordance with s. 98.075.

(d) The Department of Law Enforcement shall identify those persons who have been convicted of a felony who appear in the voter registration records supplied by the statewide voter registration system, in a time and manner that enables the department to meet its obligations under state and federal law.

(e) The Florida Parole Commission Board of Executive Clemency shall furnish at least bimonthly monthly to the department data, including the identity a list of those persons granted clemency in the preceding month or any updates to prior records which have occurred in the preceding month. The data list shall contain the commission's Board of Executive Clemency case number and the person's; name, address, date of birth, race, gender sex, Florida driver's license number, Florida identification card number, or the last four digits of the social security number, if available, and references to record identifiers assigned by the Department of Corrections and the Department of Law Enforcement, a unique identifier of each clemency case, and the effective date of clemency of each person.

(f) The Department of Corrections shall identify those persons who have been convicted of a felony and committed to its custody or placed on community supervision. The information must be provided to the department at a time and in manner that enables the department to identify registered voters who are convicted felons and to meet its obligations under state and federal law. furnish monthly to the department a list of those persons transferred to the Department of Corrections in the preceding month or any updates to prior records which have occurred in the preceding month. The list shall contain the name, address, date of birth, race, sex, social security number, Department of Corrections record identification number, and associated Department of Law Enforcement felony conviction record number of each person.

(g) The Department of Highway Safety and Motor Vehicles shall furnish monthly to the department a list of those persons whose names have been removed from the driver's license database because they have been licensed in another state. The list shall contain the name, address, date of birth, sex, social security number, and driver's license number of each such person.

(3) Nothing in This section does not shall limit or restrict the supervisor in his or her duty to remove the names of persons from the statewide voter registration system pursuant to s. 98.075(7) based upon information received from other sources.

Section 11. Effective July 1, 2012, subsections (1) and (2) of section 98.0981, Florida Statutes, are amended to read:

98.0981 Reports; voting history; statewide voter registration system information; precinct-level election results; book closing statistics.—

(1) VOTING HISTORY AND STATEWIDE VOTER REGISTRATION SYSTEM INFORMATION.—

(a) Within 30 ~~45~~ days after certification by the Elections Canvassing Commission of a presidential preference primary, special election, primary election, or a general election, supervisors of elections shall transmit to the department, in a uniform electronic format specified in paragraph (d) ~~by the department~~, completely updated voting history information for each qualified voter who voted.

(b) After receipt of the information in paragraph (a), the department shall prepare a report in electronic format which contains the following information, separately compiled for the primary and general election for all voters qualified to vote in either election:

1. The unique identifier assigned to each qualified voter within the statewide voter registration system;
2. All information provided by each qualified voter on his or her voter registration application pursuant to s. 97.052(2), except that which is confidential or exempt from public records requirements;
3. Each qualified voter's date of registration;
4. Each qualified voter's current state representative district, state senatorial district, and congressional district, assigned by the supervisor of elections;
5. Each qualified voter's current precinct; and
6. Voting history as transmitted under paragraph (a) to include whether the qualified voter voted at a precinct location, voted during the early voting period, voted by absentee ballot, attempted to vote by absentee ballot that was not counted, attempted to vote by provisional ballot that was not counted, or did not vote.

(c) Within 45 ~~60~~ days after certification by the Elections Canvassing Commission of a presidential preference primary, special election, primary election, or a general election, the department shall send to the President of the Senate, the Speaker of the House of Representatives, the Senate Minority Leader, and the House Minority Leader a report in electronic format that includes all information set forth in paragraph (b).

(d) File specifications are as follows:

1. The file shall contain records designated by the categories below for all qualified voters who, regardless of the voter's county of residence or active or inactive registration status at the book closing for the corresponding election that the file is being created for:
 - a. Voted a regular ballot at a precinct location.
 - b. Voted at a precinct location using a provisional ballot that was subsequently counted.
 - c. Voted a regular ballot during the early voting period.
 - d. Voted during the early voting period using a provisional ballot that was subsequently counted.
 - e. Voted by absentee ballot.
 - f. Attempted to vote by absentee ballot, but the ballot was not counted.
 - g. Attempted to vote by provisional ballot, but the ballot was not counted in that election.
2. Each file shall be created or converted into a tab-delimited format.
3. File names shall adhere to the following convention:
 - a. Three-character county identifier as established by the department followed by an underscore.
 - b. Followed by four-character file type identifier of 'VH03' followed by an underscore.
 - c. Followed by FVRS election ID followed by an underscore.
 - d. Followed by Date Created followed by an underscore.
 - e. Date format is YYYYMMDD.

f. Followed by Time Created - HHMMSS.

g. Followed by ".txt".

4. Each record shall contain the following columns: Record Identifier, FVRS Voter ID Number, FVRS Election ID Number, Vote Date, Vote History Code, Precinct, Congressional District, House District, Senate District, County Commission District, and School Board District.

(e) Each supervisor of elections shall reconcile, before submission, the aggregate total of ballots cast in each precinct as reported in the precinct-level election results to the aggregate total number of voters with voter history for the election for each district.

(f) Each supervisor of elections shall submit the results of the data reconciliation as described in paragraph (e) to the department in an electronic format and give a written explanation for any precincts where the reconciliation as described in paragraph (e) results in a discrepancy between the voter history and the election results.

(2)(a) PRECINCT-LEVEL ELECTION RESULTS.—Within 25 ~~45~~ days after the date of a presidential preference primary election, a special election, primary election, or a general election, the supervisors of elections shall collect and submit to the department precinct-level election results for the election in a uniform electronic format specified by paragraph (c) ~~the department~~. The precinct-level election results shall be compiled separately for the primary or special primary election that preceded the general or special general election, respectively. The results shall specifically include for each precinct the aggregate total of all ballots cast for each candidate or nominee to fill a national, state, county, or district office or proposed constitutional amendment, with subtotals for each candidate and ballot type. "All ballots cast" means ballots cast by voters who cast a ballot whether at a precinct location, by absentee ballot including overseas absentee ballots, during the early voting period, or by provisional ballot.

(b) The department shall make such information available on a searchable, sortable, and downloadable database via its website that also includes the file layout and codes. The database shall be searchable and sortable by county, precinct, and candidate. The database shall be downloadable in a tab-delimited format. The database shall be available for download county-by-county and also as a statewide file. Such report shall also be made available upon request.

(c) The files containing the precinct-level election results shall be created in accordance with the applicable file specification:

1. The precinct-level results file shall be created or converted into a tab-delimited text file.

2. The row immediately before the first data record shall contain the column names of the data elements that make up the data records. There shall be one header record followed by multiple data records.

3. The data records shall include the following columns: County Name, Election Number, Election Date, Unique Precinct Identifier, Precinct Polling Location, Total Registered Voters, Total Registered Republicans, Total Registered Democrats, Total Registered All Other Parties, Contest Name, Candidate/Retention/Issue Name, Candidate Ethnicity, Division of Elections Unique Candidate Identifying Number, Candidate Party, District, Undervote Total, Overvote Total, Write-in Total, and Vote Total.

Section 12. Subsection (5) of section 99.012, Florida Statutes, is amended to read:

99.012 Restrictions on individuals qualifying for public office.—

(5) A person may not be qualified as a candidate for an election or appear on the ballot unless the person complies with this section. ~~The name of any person who does not comply with this section may be removed from every ballot on which it appears when ordered by a circuit court upon the petition of an elector or the Department of State.~~

Section 13. Paragraphs (a) and (b) of subsection (1) of section 99.021, Florida Statutes, are amended, and subsection (3) is added to that section, to read:

99.021 Form of candidate oath.—

(1)(a)1. Each candidate, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, in order to qualify for nomination or election to any office other than a judicial office as defined in chapter 105 or a federal office, shall take and subscribe to an oath or affirmation in writing. A printed copy of the oath or affirmation shall be made available furnished to the candidate by the officer before whom such candidate seeks to qualify and shall be substantially in the following form:

State of Florida

County of....

Before me, an officer authorized to administer oaths, personally appeared _____ (please print name as you wish it to appear on the ballot) _____, to me well known, who, being sworn, says that he or she is a candidate for the office of; that he or she is a qualified elector of County, Florida; that he or she is qualified under the Constitution and the laws of Florida to hold the office to which he or she desires to be nominated or elected; ~~that he or she has taken the oath required by ss. 876.05-876.10, Florida Statutes;~~ that he or she has qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with that of the office he or she seeks; ~~and~~ that he or she has resigned from any office from which he or she is required to resign pursuant to s. 99.012, Florida Statutes; ~~and that he or she will support the Constitution of the United States and the Constitution of the State of Florida.~~

(Signature of candidate)

(Address)

Sworn to and subscribed before me this day of, _____ (year) _____, at County, Florida.

(Signature and title of officer administering oath)

2. Each candidate for federal office, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, in order to qualify for nomination or election to office shall take and subscribe to an oath or affirmation in writing. A printed copy of the oath or affirmation shall be made available furnished to the candidate by the officer before whom such candidate seeks to qualify and shall be substantially in the following form:

State of Florida

County of

Before me, an officer authorized to administer oaths, personally appeared _____ (please print name as you wish it to appear on the ballot) _____, to me well known, who, being sworn, says that he or she is a candidate for the office of; that he or she is qualified under the Constitution and laws of the United States to hold the office to which he or she desires to be nominated or elected; ~~and~~ that he or she has qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with that of the office he or she seeks; ~~and that he or she will support the Constitution of the United States.~~

(Signature of candidate)

(Address)

Sworn to and subscribed before me this day of, _____ (year) _____, at County, Florida.

(Signature and title of officer administering oath)

(b) In addition, any person seeking to qualify for nomination as a candidate of any political party shall, at the time of subscribing to the oath or affirmation, state in writing:

- 1. The party of which the person is a member.
2. That the person is not a registered member of any other political party and has not been a registered member of candidate for nomination for any other political party for 365 days before the beginning of qualifying for a period of 6 months preceding the general election for which the person seeks to qualify.

3. That the person has paid the assessment levied against him or her, if any, as a candidate for said office by the executive committee of the party of which he or she is a member.

(3) This section does not apply to a person who seeks to qualify for election pursuant to ss. 103.021 and 103.101.

Section 14. Subsections (5) and (7) of section 99.061, Florida Statutes, are amended, and subsection (11) is added to that section, to read:

99.061 Method of qualifying for nomination or election to federal, state, county, or district office.—

(5) At the time of qualifying for office, each candidate for a constitutional office shall file a full and public disclosure of financial interests pursuant to s. 8, Art. II of the State Constitution, which must be verified under oath or affirmation pursuant to s. 92.525(1)(a), and a candidate for any other office, including local elective office, shall file a statement of financial interests pursuant to s. 112.3145.

(7)(a) In order for a candidate to be qualified, the following items must be received by the filing officer by the end of the qualifying period:

1. A properly executed check drawn upon the candidate's campaign account payable to the person or entity as prescribed by the filing officer in an amount not less than the fee required by s. 99.092, unless the candidate obtained the required number of signatures on petitions or, in lieu thereof, as applicable, the copy of the notice of obtaining ballot position pursuant to s. 99.095. The filing fee for a special district candidate is not required to be drawn upon the candidate's campaign account. If a candidate's check is returned by the bank for any reason, the filing officer shall immediately notify the candidate and the candidate shall have until, the end of qualifying notwithstanding, have 48 hours from the time such notification is received, excluding Saturdays, Sundays, and legal holidays, to pay the fee with a cashier's check purchased from funds of the campaign account. Failure to pay the fee as provided in this subparagraph shall disqualify the candidate.

2. The candidate's oath required by s. 99.021, which must contain the name of the candidate as it is to appear on the ballot; the office sought, including the district or group number if applicable; and the signature of the candidate, which must be verified under oath or affirmation pursuant to s. 92.525(1)(a) duly acknowledged.

~~3. The loyalty oath required by s. 876.05, signed by the candidate and duly acknowledged.~~

3.4. If the office sought is partisan, the written statement of political party affiliation required by s. 99.021(1)(b).

4.5. The completed form for the appointment of campaign treasurer and designation of campaign depository, as required by s. 106.021.

5.6. The full and public disclosure or statement of financial interests required by subsection (5). A public officer who has filed the full and public disclosure or statement of financial interests with the Commission on Ethics or the supervisor of elections prior to qualifying for office may file a copy of that disclosure at the time of qualifying.

(b) If the filing officer receives qualifying papers during the qualifying period prescribed in this section which ~~that~~ do not include all items as required by paragraph (a) prior to the last day of qualifying, the filing officer shall make a reasonable effort to notify the candidate of the missing or incomplete items and shall inform the candidate that all required items must be received by the close of qualifying. A candidate's name as it is to appear on the ballot may not be changed after the end of qualifying.

(c) The filing officer performs a ministerial function in reviewing qualifying papers. In determining whether a candidate is qualified, the filing officer shall review the qualifying papers to determine whether all items required by paragraph (a) have been properly filed and whether each item is complete on its face, including whether items that must be verified have been properly verified pursuant to s. 92.525(1)(a). The filing officer may not determine whether the contents of the qualifying papers are accurate.

(11) The decision of the filing officer concerning whether a candidate is qualified is exempt from the provisions of chapter 120.

Section 15. Subsection (2) of section 99.063, Florida Statutes, is amended to read:

99.063 Candidates for Governor and Lieutenant Governor.—

(2) No later than 5 p.m. of the 9th day following the primary election, each designated candidate for Lieutenant Governor shall file with the Department of State:

(a) The candidate's oath required by s. 99.021, which must contain the name of the candidate as it is to appear on the ballot; the office sought; and the signature of the candidate, *which must be verified under oath or affirmation pursuant to s. 92.525(1)(a) duly acknowledged.*

~~(b) The loyalty oath required by s. 876.05, signed by the candidate and duly acknowledged.~~

~~(b)(c)~~ If the office sought is partisan, the written statement of political party affiliation required by s. 99.021(1)(b).

~~(c)(d)~~ The full and public disclosure of financial interests pursuant to s. 8, Art. II of the State Constitution. A public officer who has filed the full and public disclosure with the Commission on Ethics prior to qualifying for office may file a copy of that disclosure at the time of qualifying.

Section 16. Subsection (1) of section 99.092, Florida Statutes, is amended to read:

99.092 Qualifying fee of candidate; notification of Department of State.—

(1) Each person seeking to qualify for nomination or election to any office, except a person seeking to qualify by the petition process pursuant to s. 99.095 and except a person seeking to qualify as a write-in candidate, shall pay a qualifying fee, which shall consist of a filing fee and election assessment, to the officer with whom the person qualifies, and any party assessment levied, and shall attach the original or signed duplicate of the receipt for his or her party assessment or pay the same, in accordance with the provisions of s. 103.121, at the time of filing his or her other qualifying papers. The amount of the filing fee is 3 percent of the annual salary of the office. The amount of the election assessment is 1 percent of the annual salary of the office sought. The election assessment shall be ~~deposited into the Clearing Funds Trust Fund and transferred to the Elections Commission Trust Fund within the Department of Legal Affairs.~~ The amount of the party assessment is 2 percent of the annual salary. The annual salary of the office for purposes of computing the filing fee, election assessment, and party assessment shall be computed by multiplying 12 times the monthly salary, excluding any special qualification pay, authorized for such office as of July 1 immediately preceding the first day of qualifying. No qualifying fee shall be returned to the candidate unless the candidate withdraws his or her candidacy before the last date to qualify. If a candidate dies prior to an election and has not withdrawn his or her candidacy before the last date to qualify, the candidate's qualifying fee shall be returned to his or her designated beneficiary, and, if the filing fee or any portion thereof has been transferred to the political party of the candidate, the Secretary of State shall direct the party to return that portion to the designated beneficiary of the candidate.

Section 17. Subsection (1) of section 99.093, Florida Statutes, is amended to read:

99.093 Municipal candidates; election assessment.—

(1) Each person seeking to qualify for nomination or election to a municipal office shall pay, at the time of qualifying for office, an election assessment. The election assessment shall be an amount equal to 1 percent of the annual salary of the office sought. Within 30 days after the close of qualifying, the qualifying officer shall forward all assessments collected pursuant to this section to the *Florida Elections Commission Department of State for deposit in transfer to the Elections Commission Trust Fund within the Department of Legal Affairs.*

Section 18. Paragraph (d) is added to subsection (2) of section 99.095, Florida Statutes, to read:

99.095 Petition process in lieu of a qualifying fee and party assessment.—

(2)

(d) In a year of apportionment, any candidate for county or district office seeking ballot position by the petition process may obtain the required number of signatures from any registered voter in the respective county, regardless of district boundaries. The candidate shall obtain at least the number of signatures equal to 1 percent of the total number of registered voters, as shown by a compilation by the department for the immediately preceding general election, divided by the total number of districts of the office involved.

Section 19. Subsections (1), (3), and (5) of section 99.097, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

99.097 Verification of signatures on petitions.—

(1)(a) As determined by each supervisor, based upon local conditions, the checking of names on petitions may be based on the most inexpensive and administratively feasible of either of the following methods of verification:

~~1.(a) A name by name, signature by signature check of each petition the number of authorized signatures on the petitions; or~~

~~2.(b) A check of a random sample, as provided by the Department of State, of names and signatures on the petitions. The sample must be such that a determination can be made as to whether or not the required number of signatures has have been obtained with a reliability of at least 99.5 percent.~~

~~(b) Rules and guidelines for this method of petition verification shall be adopted promulgated by the Department of State. Rules and guidelines for a random sample method of verification, which may include a requirement that petitions bear an additional number of names and signatures, not to exceed 15 percent of the names and signatures otherwise required. If the petitions do not meet such criteria or if the petitions are prescribed by s. 100.371, then the use of the random sample method of verification is method described in this paragraph shall not be available to supervisors.~~

~~(3)(a) If all other requirements for the petition are met, a signature on a petition shall be verified and counted as valid for a registered voter if, after comparing the signature on the petition and the signature of the registered voter in the voter registration system, the supervisor is able to determine that the petition signer is the same as the registered voter, even if the name on the petition is not in substantially the same form as in the voter registration system. A name on a petition, which name is not in substantially the same form as a name on the voter registration books, shall be counted as a valid signature if, after comparing the signature on the petition with the signature of the alleged signer as shown on the registration books, the supervisor determines that the person signing the petition and the person who registered to vote are one and the same.~~

~~(b) In any situation in which this code requires the form of the petition to be prescribed by the division, no signature shall be counted toward the number of signatures required unless it is on a petition form prescribed by the division.~~

~~(c)(b) If a voter signs a petition and lists an address other than the legal residence where the voter is registered, the supervisor shall treat the signature as if the voter had listed the address where the voter is registered.~~

~~(5) The results of a verification pursuant to subparagraph (1)(a)2. paragraph (1)(b) may be contested in the circuit court by the candidate; an announced opponent; a representative of a designated political committee; or a person, party, or other organization submitting the petition. The contestant shall file a complaint, together with the fees prescribed in chapter 28, with the clerk of the circuit court in the county in which the petition is certified or in Leon County if the petition covers more than one county within 10 days after midnight of the date the petition is certified; and the complaint shall set forth the grounds on which the contestant intends to establish his or her right to require a complete check of the petition names and signatures pursuant to subparagraph (1)(a)1. paragraph (1)(a). In the event the court orders a complete check of the petition and the result is not changed as to the success or lack of success of the petitioner in obtaining the requisite number of valid sig-~~

natures, then such candidate, unless the candidate has filed the oath stating that he or she is unable to pay such charges; announced opponent; representative of a designated political committee; or party, person, or organization submitting the petition, unless such person or organization has filed the oath stating inability to pay such charges, shall pay to the supervisor of elections of each affected county for the complete check an amount calculated at the rate of 10 cents for each additional signature checked or the actual cost of checking such additional signatures, whichever is less.

(6)(a) *If any person is paid to solicit signatures on a petition, an undue burden oath may not subsequently be filed in lieu of paying the fee to have signatures verified for that petition.*

(b) *If an undue burden oath has been filed and payment is subsequently made to any person to solicit signatures on a petition, the undue burden oath is no longer valid and a fee for all signatures previously submitted to the supervisor of elections and any that are submitted thereafter shall be paid by the candidate, person, or organization that submitted the undue burden oath. If contributions as defined in s. 106.011 are received, any monetary contributions must first be used to reimburse the supervisor of elections for any signature verification fees that were not paid because of the filing of an undue burden oath.*

Section 20. Section 100.061, Florida Statutes, is amended to read:

100.061 Primary election.—In each year in which a general election is held, a primary election for nomination of candidates of political parties shall be held on the Tuesday 12 ~~10~~ weeks prior to the general election. The candidate receiving the highest number of votes cast in each contest in the primary election shall be declared nominated for such office. If two or more candidates receive an equal and highest number of votes for the same office, such candidates shall draw lots to determine which candidate is nominated.

Section 21. Section 100.101, Florida Statutes, is amended to read:

100.101 Special elections and special primary elections.—~~Except as provided in s. 100.111(2),~~ A special election or special primary election shall be held in the following cases:

- (1) If no person has been elected at a general election to fill an office which was required to be filled by election at such general election.
- (2) If a vacancy occurs in the office of state senator or member of the state house of representatives.
- (3) If it is necessary to elect presidential electors, by reason of the offices of President and Vice President both having become vacant.
- (4) If a vacancy occurs in the office of member from Florida of the House of Representatives of Congress.

Section 22. Section 100.111, Florida Statutes, is amended to read:

100.111 Filling vacancy.—

(1)(a) If any vacancy occurs in any office which is required to be filled pursuant to s. 1(f), Art. IV of the State Constitution and the remainder of the term of such office is 28 months or longer, then at the next general election a person shall be elected to fill the unexpired portion of such term, commencing on the first Tuesday after the first Monday following such general election.

(b) If such a vacancy occurs prior to the first day set by law for qualifying for election to office at such general election, any person seeking nomination or election to the unexpired portion of the term shall qualify within the time prescribed by law for qualifying for other offices to be filled by election at such general election.

(c) If such a vacancy occurs prior to the primary election but on or after the first day set by law for qualifying, the Secretary of State shall set dates for qualifying for the unexpired portion of the term of such office. Any person seeking nomination or election to the unexpired portion of the term shall qualify within the time set by the Secretary of State. If time does not permit party nominations to be made in conjunction with the primary election, the Governor may call a special primary election to select party nominees for the unexpired portion of such term.

~~(2)(a) If, in any state or county office required to be filled by election, a vacancy occurs during an election year by reason of the incumbent having qualified as a candidate for federal office pursuant to s. 99.061, no special election is required. Any person seeking nomination or election to the office so vacated shall qualify within the time prescribed by s. 99.061 for qualifying for state or county offices to be filled by election.~~

~~(b) If such a vacancy occurs in an election year other than the one immediately preceding expiration of the present term, the Secretary of State shall notify the supervisor of elections in each county served by the office that a vacancy has been created. Such notice shall be provided to the supervisor of elections not later than the close of the first day set for qualifying for state or county office. The supervisor shall provide public notice of the vacancy in any manner the Secretary of State deems appropriate.~~

(2)(~~2~~) Whenever there is a vacancy for which a special election is required pursuant to s. 100.101, the Governor, after consultation with the Secretary of State, shall fix the dates of a special primary election and a special election. Nominees of political parties shall be chosen under the primary laws of this state in the special primary election to become candidates in the special election. Prior to setting the special election dates, the Governor shall consider any upcoming elections in the jurisdiction where the special election will be held. The dates fixed by the Governor shall be specific days certain and shall not be established by the happening of a condition or stated in the alternative. The dates fixed shall provide a minimum of 2 weeks between each election. In the event a vacancy occurs in the office of state senator or member of the House of Representatives when the Legislature is in regular legislative session, the minimum times prescribed by this subsection may be waived upon concurrence of the Governor, the Speaker of the House of Representatives, and the President of the Senate. If a vacancy occurs in the office of state senator and no session of the Legislature is scheduled to be held prior to the next general election, the Governor may fix the dates for the special primary election and for the special election to coincide with the dates of the primary election and general election. If a vacancy in office occurs in any district in the state Senate or House of Representatives or in any congressional district, and no session of the Legislature, or session of Congress if the vacancy is in a congressional district, is scheduled to be held during the unexpired portion of the term, the Governor is not required to call a special election to fill such vacancy.

(a) The dates for candidates to qualify in such special election or special primary election shall be fixed by the Department of State, and candidates shall qualify not later than noon of the last day so fixed. The dates fixed for qualifying shall allow a minimum of 14 days between the last day of qualifying and the special primary election.

(b) The filing of campaign expense statements by candidates in such special elections or special primaries and by committees making contributions or expenditures to influence the results of such special primaries or special elections shall be not later than such dates as shall be fixed by the Department of State, and in fixing such dates the Department of State shall take into consideration and be governed by the practical time limitations.

(c) The dates for a candidate to qualify by the petition process pursuant to s. 99.095 in such special primary or special election shall be fixed by the Department of State. In fixing such dates the Department of State shall take into consideration and be governed by the practical time limitations. Any candidate seeking to qualify by the petition process in a special primary election shall obtain 25 percent of the signatures required by s. 99.095.

(d) The qualifying fees and party assessments of such candidates as may qualify shall be the same as collected for the same office at the last previous primary for that office. The party assessment shall be paid to the appropriate executive committee of the political party to which the candidate belongs.

(e) Each county canvassing board shall make as speedy a return of the result of such special primary elections and special elections as time will permit, and the Elections Canvassing Commission likewise shall make as speedy a canvass and declaration of the nominees as time will permit.

~~(3)(4)(a) In the event that death, resignation, withdrawal, or removal, or any other cause or event should cause a party to have a va-~~

cancy in nomination which leaves no candidate for an office from such party, the filing officer before whom the candidate qualified Department of State shall notify the chair of the appropriate state and, district, or county political party executive committee of such party; and;

1. If the vacancy in nomination is for a statewide office, the state party chair shall, within 5 days, the chair shall call a meeting of his or her executive board committee to consider designation of a nominee to fill the vacancy.

2. If the vacancy in nomination is for the office of United States Representative, state senator, state representative, state attorney, or public defender, the state party chair shall notify the appropriate county chair or chairs and, within 5 days, the appropriate county chair or chairs shall call a meeting of the members of the executive committee in the affected county or counties to consider designation of a nominee to fill the vacancy.

3. If the vacancy in nomination is for a county office, the state party chair shall notify the appropriate county chair and, within 5 days, the appropriate county chair shall call a meeting of his or her executive committee to consider designation of a nominee to fill the vacancy.

The name of any person so designated shall be submitted to the filing officer before whom the candidate qualified Department of State within 7 days after notice to the chair in order that the person designated may have his or her name on the ballot of the ensuing general election. If the name of the new nominee is submitted after the certification of results of the preceding primary election, however, the ballots shall not be changed and the former party nominee's name will appear on the ballot. Any ballots cast for the former party nominee will be counted for the person designated by the political party to replace the former party nominee. If there is no opposition to the party nominee, the person designated by the political party to replace the former party nominee will be elected to office at the general election. For purposes of this paragraph, the term "district political party executive committee" means the members of the state executive committee of a political party from those counties comprising the area involving a district office.

(b) When, under the circumstances set forth in the preceding paragraph, vacancies in nomination are required to be filled by committee nominations, such vacancies shall be filled by party rule. In any instance in which a nominee is selected by a committee to fill a vacancy in nomination, such nominee shall pay the same filing fee and take the same oath as the nominee would have taken had he or she regularly qualified for election to such office.

(c) Any person who, at the close of qualifying as prescribed in ss. 99.061 and 105.031, was qualified for nomination or election to or retention in a public office to be filled at the ensuing general election or who attempted to qualify and failed to qualify is prohibited from qualifying as a candidate to fill a vacancy in nomination for any other office to be filled at that general election, even if such person has withdrawn or been eliminated as a candidate for the original office sought. However, this paragraph does not apply to a candidate for the office of Lieutenant Governor who applies to fill a vacancy in nomination for the office of Governor on the same ticket or to a person who has withdrawn or been eliminated as a candidate and who is subsequently designated as a candidate for Lieutenant Governor under s. 99.063.

(4) A vacancy in nomination is not created if an order of a court that has become final determines that a nominee did not properly qualify or did not meet the necessary qualifications to hold the office for which he or she sought to qualify.

(5) In the event of unforeseeable circumstances not contemplated in these general election laws concerning the calling and holding of special primary elections and special elections resulting from court order or other unpredictable circumstances, the Department of State shall have the authority to provide for the conduct of orderly elections.

Section 23. Subsections (1), (3), (6), (7), and (8) of section 100.371, Florida Statutes, are amended to read:

100.371 Initiatives; procedure for placement on ballot.—

(1) Constitutional amendments proposed by initiative shall be placed on the ballot for the general election, provided the initiative petition has been filed with the Secretary of State no later than February 1 of the

year the general election is held. A petition shall be deemed to be filed with the Secretary of State upon the date the secretary determines that valid and verified petition forms have been signed by the constitutionally required number and distribution of electors under this code, subject to the right of revocation established in this section.

(3) An initiative petition form circulated for signature may not be bundled with or attached to any other petition. Each signature shall be dated when made and shall be valid for a period of 2 4 years following such date, provided all other requirements of law are met. The sponsor shall submit signed and dated forms to the appropriate supervisor of elections for the county of residence listed by the person signing the form for verification of as to the number of registered electors whose valid signatures obtained appear thereon. If a signature on a petition is from a registered voter in another county, the supervisor shall notify the petition sponsor of the misfiled petition. The supervisor shall promptly verify the signatures within 30 days after receipt of the petition forms and payment of the fee required by s. 99.097. The supervisor shall promptly record, in the manner prescribed by the Secretary of State, the date each form is received by the supervisor, and the date the signature on the form is verified as valid. The supervisor may verify that the signature on a form is valid only if:

- (a) The form contains the original signature of the purported elector.
- (b) The purported elector has accurately recorded on the form the date on which he or she signed the form.
- (c) The form accurately sets forth the purported elector's name, street address, city, county, and voter registration number or date of birth.
- (d) The purported elector is, at the time he or she signs the form and at the time the form is verified, a duly qualified and registered elector authorized to vote in the state county in which his or her signature is submitted.

The supervisor shall retain the signature forms for at least 1 year following the election in which the issue appeared on the ballot or until the Division of Elections notifies the supervisors of elections that the committee that which circulated the petition is no longer seeking to obtain ballot position.

~~(6)(a) An elector's signature on a petition form may be revoked within 150 days of the date on which he or she signed the petition form by submitting to the appropriate supervisor of elections a signed petition revocation form.~~

~~(b) The petition revocation form and the manner in which signatures are obtained, submitted, and verified shall be subject to the same relevant requirements and timeframes as the corresponding petition form and processes under this code and shall be approved by the Secretary of State before any signature on a petition revocation form is obtained.~~

~~(c) In those circumstances in which a petition revocation form for a corresponding initiative petition has not been submitted and approved, an elector may complete and submit a standard petition revocation form directly to the supervisor of elections. All other requirements and processes apply for the submission and verification of the signatures as for initiative petitions.~~

~~(d) Supervisors of elections shall provide petition revocation forms to the public at all main and branch offices.~~

~~(e) The petition revocation form shall be filed with the supervisor of elections by February 1 preceding the next general election or, if the initiative amendment is not certified for ballot position in that election, by February 1 preceding the next successive general election. The supervisor of elections shall promptly verify the signature on the petition revocation form and process such revocation upon payment, in advance, of a fee of 10 cents or the actual cost of verifying such signature, whichever is less. The supervisor shall promptly record each valid and verified signature on a petition revocation form in the manner prescribed by the Secretary of State.~~

~~(f) The division shall adopt by rule the petition revocation forms to be used under this subsection.~~

(6)(7) The Department of State may adopt rules in accordance with s. 120.54 to carry out the provisions of subsections (1)-(5) ~~(1)-(6)~~.

(7)(8) No provision of this code shall be deemed to prohibit a private person exercising lawful control over privately owned property, including property held open to the public for the purposes of a commercial enterprise, from excluding from such property persons seeking to engage in activity supporting or opposing initiative amendments.

Section 24. Effective July 1, 2012, subsections (3) and (4) of section 101.001, Florida Statutes, are amended to read:

101.001 Precincts and polling places; boundaries.—

(3)(a) Each supervisor of elections shall maintain a suitable map drawn to a scale no smaller than 3 miles to the inch and clearly delineating all major observable features such as roads, streams, and railway lines and showing the current geographical boundaries of each precinct, representative district, and senatorial district, and other type of district in the county subject to the elections process in this code.

(b) *The supervisor shall provide to the department data on all precincts in the county associated with the most recent decennial census blocks within each precinct.*

(c) *The department shall maintain a searchable database that contains the precincts and the corresponding most recent decennial census blocks within the precincts for each county, including a historical file that allows the census blocks to be traced through the prior decade.*

(d)(b) The supervisor of elections shall notify the Secretary of State in writing within 10 ~~30~~ days after any reorganization of precincts and shall furnish a copy of the map showing the current geographical boundaries and designation of each new precinct. However, if precincts are composed of whole census blocks, the supervisor may furnish, in lieu of a copy of the map, a list, in an electronic format prescribed by the Department of State, associating each census block in the county with its precinct.

(e)(e) Any precinct established or altered under the provisions of this section shall consist of areas bounded on all sides only by *census block boundaries from the most recent United States Census. If the census block boundaries split or conflict with another political boundary listed below, the boundary listed below may be used:*

~~1. Census block boundaries from the most recent United States Census;~~

~~1.2. Governmental unit boundaries reported in the most recent Boundary and Annexation Survey published by the United States Census Bureau;~~

~~2.3. Visible features that are readily distinguishable upon the ground, such as streets, railroads, tracks, streams, and lakes, and that are indicated upon current census maps, official Department of Transportation maps, official municipal maps, official county maps, or a combination of such maps;~~

~~3.4. Boundaries of public parks, public school grounds, or churches; or~~

~~4.5. Boundaries of counties, incorporated municipalities, or other political subdivisions that meet criteria established by the United States Census Bureau for block boundaries.~~

~~(d) Until July 1, 2012, a supervisor may apply for and obtain from the Secretary of State a waiver of the requirement in paragraph (e).~~

(4)(a) Within 10 days after there is any change in the division, number, or boundaries of the precincts, or the location of the polling places, the supervisor of elections shall make in writing an accurate description of any new or altered precincts, setting forth the boundary lines and shall identify the location of each new or altered polling place. A copy of the document describing such changes shall be posted at the supervisor's office.

(b) *Any changes in the county precinct data shall be provided to the department within 10 days after a change.*

(c) *Precinct data shall include all precincts for which precinct-level election results and voting history results are reported.*

Section 25. Section 101.043, Florida Statutes, is amended to read:

101.043 Identification required at polls.—

(1)(a) The precinct register, as prescribed in s. 98.461, shall be used at the polls for the purpose of identifying the elector at the polls ~~before~~ ~~prior to~~ allowing him or her to vote. The clerk or inspector shall require each elector, upon entering the polling place, to present one of the following current and valid picture identifications:

~~1.(a)~~ Florida driver's license.

~~2.(b)~~ Florida identification card issued by the Department of Highway Safety and Motor Vehicles.

~~3.(c)~~ United States passport.

~~4.(d)~~ Debit or credit card.

~~5.(e)~~ Military identification.

~~6.(f)~~ Student identification.

~~7.(g)~~ Retirement center identification.

~~8.(h)~~ Neighborhood association identification.

~~9.(i)~~ Public assistance identification.

(b) If the picture identification does not contain the signature of the elector ~~voter~~, an additional identification that provides the elector's ~~voter's~~ signature shall be required. *The address appearing on the identification presented by the elector may not be used as the basis to confirm an elector's legal residence or otherwise challenge an elector's legal residence.* The elector shall sign his or her name in the space provided on the precinct register or on an electronic device provided for recording the elector's ~~voter's~~ signature. The clerk or inspector shall compare the signature with that on the identification provided by the elector and enter his or her initials in the space provided on the precinct register or on an electronic device provided for that purpose and allow the elector to vote if the clerk or inspector is satisfied as to the identity of the elector.

(c) *Once a person has presented his or her picture identification to the clerk or inspector, the person may not be asked to provide additional information or recite his or her home address.*

(2) If the elector fails to furnish the required identification, the elector shall be allowed to vote a provisional ballot. The canvassing board shall determine the validity of the ballot pursuant to s. 101.048(2).

Section 26. Section 101.045, Florida Statutes, is amended to read:

101.045 Electors must be registered in precinct; provisions for change of residence or name.—

(1) ~~A No person is not shall be~~ permitted to vote in any election precinct or district other than the one in which the person has his or her legal residence and in which the person is registered. However, a person temporarily residing outside the county shall be registered in the precinct in which the main office of the supervisor, as designated by the supervisor, is located when the person has no permanent address in the county and it is the person's intention to remain a resident of Florida and of the county in which he or she is registered to vote. Such persons who are registered in the precinct in which the main office of the supervisor, as designated by the supervisor, is located and who are residing outside the county with no permanent address in the county shall not be registered electors of a municipality and therefore shall not be permitted to vote in any municipal election.

(2)(a) An elector who moves from the precinct in which the elector is registered may be permitted to vote in the precinct to which he or she has moved his or her legal residence, *if the change of residence is within the same county and the provided such* elector completes an affirmation in substantially the following form:

Change of Legal Residence of Registered Voter

Under penalties for false swearing, I, (Name of voter), swear (or affirm) that the former address of my legal residence was (Address of legal residence) in the municipality of ..., in ... County, Florida, and I was registered to vote in the ... precinct of ... County, Florida; that I have not voted in the precinct of my former registration in this election; that I now reside at (Address of legal residence) in the Municipality of ..., in ... County, Florida, and am therefore eligible to vote in the ... precinct of ... County, Florida; and I further swear (or affirm) that I am otherwise legally registered and entitled to vote.

(Signature of voter whose address of legal residence has changed)

(b) Except for an active uniformed services voter or a member of his or her family, an elector whose change of address is from outside the county may not change his or her legal residence at the polling place and vote a regular ballot; however, such elector is entitled to vote a provisional ballot.

(c)(b) An elector whose name changes because of marriage or other legal process may be permitted to vote, provided such elector completes an affirmation in substantially the following form:

Change of Name of Registered Voter

Under penalties for false swearing, I, (New name of voter), swear (or affirm) that my name has been changed because of marriage or other legal process. My former name and address of legal residence appear on the registration records of precinct ... as follows:

Name
Address
Municipality
County
Florida, Zip
My present name and address of legal residence are as follows:
Name
Address
Municipality
County
Florida, Zip

and I further swear (or affirm) that I am otherwise legally registered and entitled to vote.

(Signature of voter whose name has changed)

(d)(e) Instead of the affirmation contained in paragraph (a) or paragraph (c) (b), an elector may complete a voter registration application that indicates the change of name or change of address of legal residence.

(e)(d) Such affirmation or application, when completed and presented at the precinct in which such elector is entitled to vote, and upon verification of the elector's registration, shall entitle such elector to vote as provided in this subsection. If the elector's eligibility to vote cannot be determined, he or she shall be entitled to vote a provisional ballot, subject to the requirements and procedures in s. 101.048. Upon receipt of an affirmation or application certifying a change in address of legal residence or name, the supervisor shall as soon as practicable make the necessary changes in the statewide voter registration system to indicate the change in address of legal residence or name of such elector.

Section 27. Subsection (2) of section 101.131, Florida Statutes, is amended, and subsections (4) and (5) are added to that section, to read:

101.131 Watchers at polls.—

(2) Each party, each political committee, and each candidate requesting to have poll watchers shall designate, in writing to the supervisors of elections, on a form prescribed by the division, before prior to noon of the second Tuesday preceding the election poll watchers for each

polling room on election day. Designations of poll watchers for early voting areas shall be submitted in writing to the supervisor of elections, on a form prescribed by the division, before noon at least 14 days before early voting begins. The poll watchers for each polling rooms room shall be approved by the supervisor of elections on or before the Tuesday before the election. Poll watchers for early voting areas shall be approved by the supervisor of elections no later than 7 days before early voting begins. The supervisor shall furnish to each election board a list of the poll watchers designated and approved for such polling rooms room or early voting areas area. Designation of poll watchers shall be made by the chair of the county executive committee of a political party, the chair of a political committee, or the candidate requesting to have poll watchers.

(4) All poll watchers shall be allowed to enter and watch polls in all polling rooms and early voting areas within the county in which they have been designated if the number of poll watchers at any particular polling place does not exceed the number provided in this section.

(5) The supervisor of elections shall provide to each designated poll watcher, no later than 7 days before early voting begins, a poll watcher identification badge that identifies the poll watcher by name. Each poll watcher must wear his or her identification badge while in the polling room or early voting area.

Section 28. Subsections (1), (2), and (3) of section 101.151, Florida Statutes, are amended to read:

101.151 Specifications for ballots.—

(1)(a) Marksense ballots shall be printed on paper of such thickness that the printing cannot be distinguished from the back and shall meet the specifications of the voting system that will be used to tabulate the ballots.

(b) Early voting sites may employ a ballot-on-demand production system to print individual marksense ballots, including provisional ballots, for eligible electors pursuant to s. 101.657. Ballot-on-demand technology may be used to produce marksense absentee and election-day ballots. Not later than 30 days before an election, the Secretary of State may also authorize in writing the use of ballot on demand technology for the production of election day ballots.

(2)(a) The ballot shall have the following office titles headings under which shall appear the names of the offices and the names of the candidates for the respective offices in the following order:

1. The office titles of heading "President and Vice President" and thereunder the names of the candidates for President and Vice President of the United States nominated by the political party that received the highest vote for Governor in the last general election of the Governor in this state. Then shall appear the names of other candidates for President and Vice President of the United States who have been properly nominated.

2. The office titles Then shall follow the heading "Congressional" and thereunder the offices of United States Senator and Representative in Congress;

3. The office titles then the heading "State" and thereunder the offices of Governor and Lieutenant Governor; Attorney General; Chief Financial Officer; Commissioner of Agriculture; State Attorney, with the applicable judicial circuit; and Public Defender, with the applicable judicial circuit.

4. together with the names of the candidates for each office and the title of the office which they seek; then the heading "Legislative" and thereunder The office titles offices of State Senator and State Representative, with the applicable district for the office printed beneath; then the heading "County" and thereunder

5. The office titles of Clerk of the Circuit Court, or Clerk of the Circuit Court and Comptroller (whichever is applicable and when authorized by law), Clerk of the County Court (when authorized by law), Sheriff, Property Appraiser, Tax Collector, District Superintendent of Schools, and Supervisor of Elections.

6. The office titles Thereafter follows: members of the Board of County Commissioners, with the applicable district printed beneath each office, and such other county and district offices as are involved in the

election, in the order fixed by the Department of State, followed, in the year of their election, by "Party Offices," and thereunder the offices of state and county party executive committee members.

(b) In a general election, in addition to the names printed on the ballot, a blank space shall be provided under each heading for an office for which a write-in candidate has qualified. With respect to write-in candidates, if two or more candidates are seeking election to one office, only one blank space shall be provided.

(c)(b) When more than one candidate is nominated for office, the candidates for such office shall qualify and run in a group or district, and the group or district number shall be printed beneath the name of the office. Each nominee of a political party chosen in a primary shall appear on the general election ballot in the same numbered group or district as on the primary election ballot.

(d)(e) If in any election all the offices as set forth in paragraph (a) are not involved, those offices not to be filled shall be omitted and the remaining offices shall be arranged on the ballot in the order named.

(3)(a) The names of the candidates of the party that received the highest number of votes for Governor in the last election in which a Governor was elected shall be placed first under the heading for each office on the general election ballot, together with an appropriate abbreviation of the party name; the names of the candidates of the party that received the second highest vote for Governor shall be placed second under the heading for each office, together with an appropriate abbreviation of the party name.

(b) Minor political party candidates and candidates with no party affiliation shall have their names appear on the general election ballot following the names of recognized political parties, in the same order as they were qualified, certified followed by the names of candidates with no party affiliation, in the order as they were qualified.

Section 29. Section 101.161, Florida Statutes, is amended to read:

101.161 Referenda; ballots.—

(1) Whenever a constitutional amendment or other public measure is submitted to the vote of the people, a ballot summary the substance of such amendment or other public measure shall be printed in clear and unambiguous language on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the proposal and a "no" vote will indicate rejection. The ballot summary wording of the substance of the amendment or other public measure and the ballot title to appear on the ballot shall be embodied in the joint resolution, constitutional revision commission proposal, constitutional convention proposal, taxation and budget reform commission proposal, or enabling resolution or ordinance. The ballot summary Except for amendments and ballot language proposed by joint resolution, the substance of the amendment or other public measure shall be an explanatory statement, not exceeding 75 words in length, of the chief purpose of the measure. In addition, for every amendment proposed by initiative, the ballot shall include, following the ballot summary, a separate financial impact statement concerning the measure prepared by the Financial Impact Estimating Conference in accordance with s. 100.371(5). The ballot title shall consist of a caption, not exceeding 15 words in length, by which the measure is commonly referred to or spoken of. This subsection does not apply to constitutional amendments or revisions proposed by joint resolution.

(2) The ballot summary substance and ballot title of a constitutional amendment proposed by initiative shall be prepared by the sponsor and approved by the Secretary of State in accordance with rules adopted pursuant to s. 120.54. The Department of State shall give each proposed constitutional amendment a designating number for convenient reference. This number designation shall appear on the ballot. Designating numbers shall be assigned in the order of filing or certification and in accordance with rules adopted by the Department of State. The Department of State shall furnish the designating number, the ballot title, and, unless otherwise specified in a joint resolution, the ballot summary the substance of each amendment to the supervisor of elections of each county in which such amendment is to be voted on.

(3)(a) Each joint resolution that proposes a constitutional amendment or revision shall include one or more ballot statements set forth in order of priority. Each ballot statement shall consist of a ballot title, by which the measure is commonly referred to or spoken of, not exceeding 15 words in length, and either a ballot summary that describes the chief purpose of the amendment or revision in clear and unambiguous language, or the full text of the amendment or revision. The Department of State shall furnish a designating number pursuant to subsection (2) and the appropriate ballot statement to the supervisor of elections of each county. The ballot statement shall be printed on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the amendment or revision and a "no" vote will indicate rejection.

(b)1. Any action for a judicial determination that one or more ballot statements embodied in a joint resolution are defective must be commenced by filing a complaint or petition with the appropriate court within 30 days after the joint resolution is filed with the Secretary of State. The complaint or petition shall assert all grounds for challenge to each ballot statement. Any ground not asserted within 30 days after the joint resolution is filed with the Secretary of State is waived.

2. The court, including any appellate court, shall accord an action described in subparagraph 1. priority over other pending cases and render a decision as expeditiously as possible. If the court finds that all ballot statements embodied in a joint resolution are defective and further appeals are declined, abandoned, or exhausted, unless otherwise provided in the joint resolution, the Attorney General shall, within 10 days, prepare and submit to the Department of State a revised ballot title or ballot summary that corrects the deficiencies identified by the court, and the Department of State shall furnish a designating number and the revised ballot title or ballot summary to the supervisor of elections of each county for placement on the ballot. The court shall retain jurisdiction over challenges to a revised ballot title or ballot summary prepared by the Attorney General, and any challenge to a revised ballot title or ballot summary must be filed within 10 days after a revised ballot title or ballot summary is submitted to the Department of State.

3. A ballot statement that consists of the full text of an amendment or revision shall be presumed to be a clear and unambiguous statement of the substance and effect of the amendment or revision, providing fair notice to the electors of the content of the amendment or revision and sufficiently advising electors of the issue upon which they are to vote.

(4)(3)(a) For any general election in which the Secretary of State, for any circuit, or the supervisor of elections, for any county, has certified the ballot position for an initiative to change the method of selection of judges, the ballot for any circuit must contain the statement in paragraph (b) or paragraph (c) and the ballot for any county must contain the statement in paragraph (d) or paragraph (e).

(b) In any circuit where the initiative is to change the selection of circuit court judges to selection by merit selection and retention, the ballot shall state: "Shall the method of selecting circuit court judges in the _____ (number of the circuit) _____ judicial circuit be changed from election by a vote of the people to selection by the judicial nominating commission and appointment by the Governor with subsequent terms determined by a retention vote of the people?" This statement must be followed by the word "yes" and also by the word "no."

(c) In any circuit where the initiative is to change the selection of circuit court judges to election by the voters, the ballot shall state: "Shall the method of selecting circuit court judges in the _____ (number of the circuit) _____ judicial circuit be changed from selection by the judicial nominating commission and appointment by the Governor with subsequent terms determined by a retention vote of the people to election by a vote of the people?" This statement must be followed by the word "yes" and also by the word "no."

(d) In any county where the initiative is to change the selection of county court judges to merit selection and retention, the ballot shall state: "Shall the method of selecting county court judges in _____ (name of county) _____ be changed from election by a vote of the people to selection by the judicial nominating commission and appointment by the Governor with subsequent terms determined by a retention vote of the people?" This statement must be followed by the word "yes" and also by the word "no."

(e) In any county where the initiative is to change the selection of county court judges to election by the voters, the ballot shall state: "Shall the method of selecting county court judges in (name of the county) be changed from selection by the judicial nominating commission and appointment by the Governor with subsequent terms determined by a retention vote of the people to election by a vote of the people?" This statement must be followed by the word "yes" and also by the word "no."

Section 30. *The amendment of section 101.161, Florida Statutes, made by this act applies retroactively to all joint resolutions adopted by the Legislature during the 2011 Regular Session, except that any legal action challenging a ballot title or ballot summary embodied in such joint resolution or challenging placement on the ballot of the full text of the proposed amendment or revision to the State Constitution as specified in such joint resolution must be commenced within 30 days after the effective date of this act or within 30 days after the joint resolution to which a challenge relates is filed with the Secretary of State, whichever occurs later.*

Section 31. Paragraph (a) of subsection (2) of section 101.5605, Florida Statutes, is amended to read:

101.5605 Examination and approval of equipment.—

(2)(a) Any person owning or interested in an electronic or electromechanical voting system may submit it to the Department of State for examination. The vote counting segment shall be certified after a satisfactory evaluation testing has been performed according to *the standards adopted under s. 101.015(1) electronic industry standards*. This testing shall include, but is not limited to, testing of all software required for the voting system's operation; the ballot reader; the rote processor, especially in its logic and memory components; the digital printer; the fail-safe operations; the counting center environmental requirements; and the equipment reliability estimate. For the purpose of assisting in examining the system, the department shall employ or contract for services of at least one individual who is expert in one or more fields of data processing, mechanical engineering, and public administration and shall require from the individual a written report of his or her examination.

Section 32. Subsection (11) of section 101.5606, Florida Statutes, is amended to read

101.5606 Requirements for approval of systems.—No electronic or electromechanical voting system shall be approved by the Department of State unless it is so constructed that:

(11) It is capable of automatically producing precinct totals in printed, ~~marked, or punched form, or a combination thereof.~~

Section 33. Paragraph (a) of subsection (4) of section 101.5612, Florida Statutes, is amended to read:

101.5612 Testing of tabulating equipment.—

(4)(a)1. For electronic or electromechanical voting systems configured to include electronic or electromechanical tabulation devices which are distributed to the precincts, all or a sample of the devices to be used in the election shall be publicly tested. If a sample is to be tested, the sample shall consist of a random selection of at least 5 percent *or 10 of the devices for an optical scan system or 2 percent of the devices for a touchscreen system or 10 of the devices for either system, as applicable, whichever is greater. For touchscreen systems used for voters having a disability, a sample of at least 2 percent of the devices must be tested.* The test shall be conducted by processing a group of ballots, causing the device to output results for the ballots processed, and comparing the output of results to the results expected for the ballots processed. The group of ballots shall be produced so as to record a predetermined number of valid votes for each candidate and on each measure and to include for each office one or more ballots which have activated voting positions in excess of the number allowed by law in order to test the ability of the tabulating device to reject such votes.

2. If any tested tabulating device is found to have an error in tabulation, it shall be deemed unsatisfactory. For each device deemed unsatisfactory, the canvassing board shall take steps to determine the cause of the error, shall attempt to identify and test other devices that could reasonably be expected to have the same error, and shall test a

number of additional devices sufficient to determine that all devices are satisfactory. Upon deeming any device unsatisfactory, the canvassing board may require all devices to be tested or may declare that all devices are unsatisfactory.

3. If the operation or output of any tested tabulation device, such as spelling or the order of candidates on a report, is in error, such problem shall be reported to the canvassing board. The canvassing board shall then determine if the reported problem warrants its deeming the device unsatisfactory.

Section 34. Subsection (4) of section 101.5614, Florida Statutes, is amended to read:

101.5614 Canvass of returns.—

(4) ~~If ballot cards are used, and separate write-in ballots or envelopes for casting write-in votes are used, write-in ballots or the envelopes on which write-in ballots have been cast shall be serially numbered, starting with the number one, and the same number shall be placed on the ballot card of the voter. This process may be completed at either the precinct by the election board or at the central counting location.~~ For each ballot or ballot ~~image and ballot envelope~~ on which write-in votes have been cast, the canvassing board shall compare the write-in votes with the votes cast on the ballot ~~card~~; if the total number of votes for any office exceeds the number allowed by law, ~~a notation to that effect, specifying the office involved, shall be entered on the back of the ballot card or in a margin if voting areas are printed on both sides of the ballot card.~~ such votes shall not be counted. All valid votes shall be tallied by the canvassing board.

Section 35. Subsection (6) is added to section 101.591, Florida Statutes, to read:

101.591 Voting system audit.—

(6) *If a manual recount is undertaken pursuant to s. 102.166, the canvassing board is not required to perform the audit provided for in this section.*

Section 36. Paragraphs (a) and (b) of subsection (1) and subsections (3) and (4) of section 101.62, Florida Statutes, are amended to read:

101.62 Request for absentee ballots.—

(1)(a) The supervisor shall accept a request for an absentee ballot from an elector in person or in writing. One request shall be deemed sufficient to receive an absentee ballot for all elections through *the end of the calendar year of the second ensuing next* regularly scheduled general election, unless the elector or the elector's designee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(b) The supervisor may accept a written or telephonic request for an absentee ballot from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian. For purposes of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(c) ~~(4)(b)~~. The person making the request must disclose:

1. The name of the elector for whom the ballot is requested.
2. The elector's address.
3. The elector's date of birth.
4. The requester's name.
5. The requester's address.
6. The requester's driver's license number, if available.
7. The requester's relationship to the elector.
8. The requester's signature (written requests only).

(3) For each request for an absentee ballot received, the supervisor shall record the date the request was made, the date the absentee ballot was delivered to the voter or the voter's designee or the date the absentee ballot was delivered to the post office or other carrier, the date the ballot was received by the supervisor, and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by rule adopted by the division. The information shall be updated and made available no later than 8 a.m. noon of each day, *including weekends*, beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from the provisions of s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees or registered committees of continuous existence, for political purposes only.

(4)(a) No later than 45 days before each *presidential preference primary election, primary election, and general election*, the supervisor of elections shall send an absentee ballot as provided in subparagraph (c)2. ~~(b)2.~~ to each absent uniformed services voter and to each overseas voter who has requested an absentee ballot.

(b) *The supervisor of elections shall mail an absentee ballot to each absent qualified voter, other than those listed in paragraph (a), who has requested such a ballot, between the 35th and 28th days before the presidential preference primary election, primary election, and general election. Except as otherwise provided in subsection (2) and after the period described in this paragraph, the supervisor shall mail absentee ballots within 2 business days after receiving a request for such a ballot.*

(c)~~(b)~~ The supervisor shall provide an absentee ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector's current mailing address on file with the supervisor ~~or, unless the elector specifies in the request that:~~

~~a. The elector is absent from the county and does not plan to return before the day of the election;~~

~~b. The elector is temporarily unable to occupy the residence because of hurricane, tornado, flood, fire, or other emergency or natural disaster; or~~

~~c. The elector is in a hospital, assisted living facility, nursing home, short-term medical or rehabilitation facility, or correctional facility,~~

~~in which case the supervisor shall mail the ballot by nonforwardable, return-if-undeliverable mail to any other address the elector specifies in the request.~~

2. By forwardable mail, e-mail, or facsimile machine transmission to absent uniformed services voters and overseas voters. The absent uniformed services voter or overseas voter may designate in the absentee ballot request the preferred method of transmission. If the voter does not designate the method of transmission, the absentee ballot shall be mailed.

3. By personal delivery before 7 p.m. on election day to the elector, upon presentation of the identification required in s. 101.043.

4. By delivery to a designee on election day or up to 5 days prior to the day of an election. Any elector may designate in writing a person to pick up the ballot for the elector; however, the person designated may not pick up more than two absentee ballots per election, other than the designee's own ballot, except that additional ballots may be picked up for members of the designee's immediate family. For purposes of this section, "immediate family" means the designee's spouse or the parent, child, grandparent, or sibling of the designee or of the designee's spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of

the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

Section 37. Section 101.65, Florida Statutes, is amended to read:

101.65 Instructions to absent electors.—The supervisor shall enclose with each absentee ballot separate printed instructions in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

1. VERY IMPORTANT. In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the day of the election.

2. Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one candidate, your vote in that race will not be counted.

4. Place your marked ballot in the enclosed secrecy envelope.

5. Insert the secrecy envelope into the enclosed mailing envelope which is addressed to the supervisor.

6. Seal the mailing envelope and completely fill out the Voter's Certificate on the back of the mailing envelope.

7. VERY IMPORTANT. In order for your absentee ballot to be counted, you must sign your name on the line above (Voter's Signature). *An absentee ballot will be considered illegal and not be counted if the signature on the voter's certificate does not match the signature on record. The signature on file at the start of the canvass of the absentee ballots is the signature that will be used to verify your signature on the voter's certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received no later than the start of the canvassing of absentee ballots, which occurs no earlier than the 15th day before election day.*

8. VERY IMPORTANT. If you are an overseas voter, you must include the date you signed the Voter's Certificate on the line above (Date) or your ballot may not be counted.

9. Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed.

10. FELONY NOTICE. It is a felony under Florida law to accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

Section 38. Subsection (1) of section 101.657, Florida Statutes, is amended to read:

101.657 Early voting.—

(1)(a) As a convenience to the voter, the supervisor of elections shall allow an elector to vote early in the main or branch office of the supervisor. The supervisor shall mark, code, indicate on, or otherwise track the voter's precinct for each early voted ballot. In order for a branch office to be used for early voting, it shall be a permanent facility of the supervisor and shall have been designated and used as such for at least 1 year prior to the election. The supervisor may also designate any city hall or permanent public library facility as early voting sites; however, if so designated, the sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable. The results or tabulation of votes cast during early voting may not be made before the close of the polls on election day. Results shall be reported by precinct.

(b) The supervisor shall designate each early voting site by no later than the 30th day prior to an election and shall designate an early voting area, as defined in s. 97.021, at each early voting site.

(c) All early voting sites in a county shall be open on the same days for the same amount of time and shall allow any person in line at the closing of an early voting site to vote.

(d) Early voting shall begin on the 7th ~~15th~~ day before an election *which contains state or federal races* and end on the 2nd day before the ~~an~~ election *and. For purposes of a special election held pursuant to s. 100.101, early voting shall begin on the 8th day before an election and end on the 2nd day before an election.* Early voting shall be provided for 8 hours per weekday and 8 hours in the aggregate each weekend at each site during the applicable periods. *The supervisor of elections may provide early voting for elections that are not held in conjunction with a state or federal election. However, the supervisor has the discretion to determine the hours of operation of early voting sites in those elections. Early voting sites shall open no sooner than 7 a.m. and close no later than 7 p.m. on each applicable day.*

(e) Notwithstanding the requirements of s. 100.3605, municipalities may provide early voting in municipal elections that are not held in conjunction with county or state elections. If a municipality provides early voting, it may designate as many sites as necessary and shall conduct its activities in accordance with the provisions of paragraphs (a)-(c). The supervisor is not required to conduct early voting if it is provided pursuant to this subsection.

(f) Notwithstanding the requirements of s. 189.405, special districts may provide early voting in any district election not held in conjunction with county or state elections. If a special district provides early voting, it may designate as many sites as necessary and shall conduct its activities in accordance with the provisions of paragraphs (a)-(c). The supervisor is not required to conduct early voting if it is provided pursuant to this subsection.

Section 39. Paragraph (a) of subsection (2) of section 101.68, Florida Statutes, is amended to read:

101.68 Canvassing of absentee ballot.—

(2)(a) The county canvassing board may begin the canvassing of absentee ballots at 7 a.m. on the 15th ~~sixth~~ day before the election, but not later than noon on the day following the election. In addition, for any county using electronic tabulating equipment, the processing of absentee ballots through such tabulating equipment may begin at 7 a.m. on the 15th ~~sixth~~ day before the election. However, notwithstanding any such authorization to begin canvassing or otherwise processing absentee ballots early, no result shall be released until after the closing of the polls in that county on election day. Any supervisor of elections, deputy supervisor of elections, canvassing board member, election board member, or election employee who releases the results of a canvassing or processing of absentee ballots prior to the closing of the polls in that county on election day commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 40. Subsection (2) of section 101.6923, Florida Statutes, is amended to read:

101.6923 Special absentee ballot instructions for certain first-time voters.—

(2) A voter covered by this section shall be provided with printed instructions with his or her absentee ballot in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the date of the election.

2. Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one, your vote in that race will not be counted.

4. Place your marked ballot in the enclosed secrecy envelope and seal the envelope.

5. Insert the secrecy envelope into the enclosed envelope bearing the Voter's Certificate. Seal the envelope and completely fill out the Voter's Certificate on the back of the envelope.

a. You must sign your name on the line above (Voter's Signature).

b. If you are an overseas voter, you must include the date you signed the Voter's Certificate on the line above (Date) or your ballot may not be counted.

c. *An absentee ballot will be considered illegal and will not be counted if the signature on the Voter's Certificate does not match the signature on record. The signature on file at the start of the canvass of the absentee ballots is the signature that will be used to verify your signature on the Voter's Certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received no later than the start of canvassing of absentee ballots, which occurs no earlier than the 15th day before election day.*

6. Unless you meet one of the exemptions in Item 7., you must make a copy of one of the following forms of identification:

a. Identification which must include your name and photograph: United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; or public assistance identification; or

b. Identification which shows your name and current residence address: current utility bill, bank statement, government check, paycheck, or government document (excluding voter identification card).

7. The identification requirements of Item 6. do not apply if you meet one of the following requirements:

a. You are 65 years of age or older.

b. You have a temporary or permanent physical disability.

c. You are a member of a uniformed service on active duty who, by reason of such active duty, will be absent from the county on election day.

d. You are a member of the Merchant Marine who, by reason of service in the Merchant Marine, will be absent from the county on election day.

e. You are the spouse or dependent of a member referred to in paragraph c. or paragraph d. who, by reason of the active duty or service of the member, will be absent from the county on election day.

f. You are currently residing outside the United States.

8. Place the envelope bearing the Voter's Certificate into the mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope. **DO NOT PUT YOUR IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR BALLOT WILL NOT COUNT.**

9. Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed.

10. **FELONY NOTICE.** It is a felony under Florida law to accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

Section 41. Subsection (3) of section 101.75, Florida Statutes, is amended to read:

101.75 Municipal elections; change of dates for cause.—

(3) Notwithstanding any provision of local law or municipal charter, the governing body of a municipality may, by ordinance, move the date of any municipal election to a date concurrent with any statewide or countywide election. The dates for qualifying for the election moved by the passage of such ordinance shall be specifically provided for in the ordinance ~~and shall run for no less than 14 days~~. The term of office for any elected municipal official shall commence as provided by the relevant municipal charter or ordinance.

Section 42. Subsection (4) of section 102.141, Florida Statutes, is amended to read:

102.141 County canvassing board; duties.—

(4) The canvassing board shall ~~report all early voting and all tabulated absentee results to the Department of State within 30 minutes after the polls close. Thereafter, the canvassing board shall report, with the exception of provisional ballot results, updated precinct election results to the department at least every 45 minutes until all results are completely reported. The supervisor of elections shall notify the department immediately of any circumstances that do not permit periodic updates as required. Results shall be submitted in a format prescribed by the department submit by 11:59 p.m. on election night the preliminary returns it has received to the Department of State in a format provided by the department.~~

Section 43. Subsection (4) of section 102.168, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

102.168 Contest of election.—

(4) The ~~county~~ canvassing board responsible for canvassing the election is an indispensable ~~and proper~~ party defendant in county and local elections; The Elections Canvassing Commission is an indispensable ~~and proper~~ party defendant in federal, state, and multicounty elections and in elections for justice of the Supreme Court, judge of a district court of appeal, and judge of a circuit court. ~~race; and~~ The successful candidate is an indispensable party to any action brought to contest the election or nomination of a candidate.

(8) In any contest that requires a review of the canvassing board's decision on the legality of an absentee ballot pursuant to s. 101.68 based upon a comparison of the signature on the voter's certificate and the signature of the elector in the registration records, the circuit court may not review or consider any evidence other than the signatures on the voter's certificate and the signature of the elector in the registration records. The court's review of such issue shall be to determine only if the canvassing board abused its discretion in making its decision.

Section 44. Paragraph (a) of subsection (4) of section 103.021, Florida Statutes, is amended to read:

103.021 Nomination for presidential electors.—Candidates for presidential electors shall be nominated in the following manner:

(4)(a) A minor political party that is affiliated with a national party holding a national convention to nominate candidates for President and Vice President of the United States may have the names of its candidates for President and Vice President of the United States printed on the general election ballot by filing with the Department of State a certificate naming the candidates for President and Vice President and listing the required number of persons to serve as electors. Notification to the Department of State under this subsection shall be made by September 1 of the year in which the election is held. When the Department of State has been so notified, it shall order the names of the candidates nominated by the minor political party to be included on the ballot and shall permit the required number of persons to be certified as electors in the same manner as other party candidates. As used in this section, the term "national party" means a political party that is registered with and recognized as a qualified national committee of a political party by the Federal Election Commission established and admitted to the ballot in at least one state other than Florida.

Section 45. Section 103.095, Florida Statutes, is created to read:

103.095 Minor political parties.—

(1) Any group of citizens organized for the general purposes of electing to office qualified persons and determining public issues under the democratic processes of the United States may become a minor political party of this state by filing with the department a certificate showing the name of the organization, the names and addresses of its current officers, including the members of its executive committee, accompanied by a completed uniform statewide voter registration application as specified in s. 97.052 for each of its current officers and members of its executive committee which reflect their affiliation with the proposed minor political party, and a copy of its constitution, bylaws, and rules and regulations.

(2) Each elector registered to vote in the minor political party in which he or she has so designated has a fundamental right to fully and meaningfully participate in the business and affairs of the minor political party without any monetary encumbrance. The constitution, bylaws, rules, regulations, or other equivalent documents must reflect this fundamental right and must provide for and contain reasonable provisions that, at a minimum, prescribe procedures to: prescribe its membership; conduct its meetings according to generally accepted parliamentary practices; timely notify its members as to the time, date, and place of all of its meetings; timely publish notice on its public and functioning website as to the time, date, and place of all of its meetings; elect its officers; remove its officers; make party nominations when required by law; conduct campaigns for party nominees; raise and expend party funds; select delegates to its national convention, if applicable; select presidential electors, if applicable; and alter or amend all of its governing documents.

(3) The members of the executive committee must elect a chair, vice chair, secretary, and treasurer, all of whom shall be members of the minor political party and no member may hold more than one office, except that one person may hold the offices of secretary and treasurer.

(4) Upon approval of the minor political party's filing, the department shall process the voter registration applications submitted by the minor political party's officers and members of its executive committee. It shall be the duty of the minor political party to notify the department of any changes in the filing certificate within 5 days after such changes.

(5) The Division of Elections shall adopt rules to prescribe the manner in which political parties, including minor political parties, may have their filings with the Department of State canceled. Such rules shall, at a minimum, provide for:

(a) Notice, which must contain the facts and conduct that warrant the intended action, including, but not limited to, the failure to have any voters registered in the party, the failure to notify the department of replacement officers, the failure to file campaign finance reports, the failure to adopt and file with the department all governing documents containing the provisions specified in subsection (2), and limited activity.

(b) Adequate opportunity to respond.

(c) Appeal of the decision to the Florida Elections Commission. Such appeals are exempt from the confidentiality provisions of s. 106.25.

(6) The requirements of this section are retroactive for any minor political party registered with the department on July 1, 2011, and must be complied with within 180 days after the department provides notice to the minor political party of the requirements contained in this section. Failure of the minor political party to comply with the requirements within 180 days after receipt of the notice shall automatically result in the cancellation of the minor political party's registration.

Section 46. Section 103.101, Florida Statutes, is amended to read:

103.101 Presidential preference primary.—

(1)(a) There shall be a Presidential Preference Primary Date Selection Committee composed of the Secretary of State, who shall be a nonvoting chair; three members, no more than two of whom may be from the same political party, appointed by the Governor; three members, no more than two of whom may be from the same political party, appointed by the Speaker of the House of Representatives; and three members, no more than two of whom may be from the same political party, appointed by the President of the Senate. No later than October 1 of the year preceding the presidential preference primary, the committee shall meet and set a date for the presidential preference primary. The date selected may be no earlier than the first Tuesday in January and no later than the first

of the court to which he or she seeks election; that he or she is qualified under the constitution and laws of Florida to hold the judicial office to which he or she desires to be elected or in which he or she desires to be retained; ~~that he or she has taken the oath required by ss. 876.05-876.10, Florida Statutes;~~ that he or she has qualified for no other public office in the state, the term of which office or any part thereof runs concurrent to the office he or she seeks; ~~and that he or she has resigned from any office which he or she is required to resign pursuant to s. 99.012, Florida Statutes;~~ and that he or she will support the Constitution of the United States and the Constitution of the State of Florida.

(Signature of candidate)

(Address)

Sworn to and subscribed before me this day of, _____ (year), at County, Florida.

(Signature and title of officer administering oath)

Section 51. Subsection (3), paragraph (b) of subsection (5), subsection (15), and paragraph (c) of subsection (16) of section 106.011, Florida Statutes, are amended to read:

106.011 Definitions.—As used in this chapter, the following terms have the following meanings unless the context clearly indicates otherwise:

(3) “Contribution” means:

(a) A gift, subscription, conveyance, deposit, loan, payment, or distribution of money or anything of value, including contributions in kind having an attributable monetary value in any form, made for the purpose of influencing the results of an election or making an electioneering communication.

(b) A transfer of funds between political committees, between committees of continuous existence, between electioneering communications organizations, or between any combination of these groups.

(c) The payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to a candidate or political committee without charge to the candidate or committee for such services.

(d) The transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, and the term includes any interest earned on such account or certificate.

Notwithstanding the foregoing meanings of “contribution,” the term may ~~word shall~~ not be construed to include services, including, but not limited to, legal and accounting services, provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee. ~~This definition shall not be construed to include~~ editorial endorsements.

(5)

(b) An expenditure for the purpose of expressly advocating the election or defeat of a candidate which is made by the national, state, or county executive committee of a political party, including any subordinate committee of a national, state, or county committee of a political party, or by any political committee or committee of continuous existence, or any other person, shall not be considered an independent expenditure if the committee or person:

1. Communicates with the candidate, the candidate’s campaign, or an agent of the candidate acting on behalf of the candidate, including any pollster, media consultant, advertising agency, vendor, advisor, or staff member, concerning the preparation of, use of, or payment for, the specific expenditure or advertising campaign at issue; or

2. Makes a payment in cooperation, consultation, or concert with, at the request or suggestion of, or pursuant to any general or particular understanding with the candidate, the candidate’s campaign, a political committee supporting the candidate, or an agent of the candidate relating to the specific expenditure or advertising campaign at issue; or

3. Makes a payment for the dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign material prepared by the candidate, the candidate’s campaign, or an agent of the candidate, including any pollster, media consultant, advertising agency, vendor, advisor, or staff member; or

4. Makes a payment based on information about the candidate’s plans, projects, or needs communicated to a member of the committee or person by the candidate or an agent of the candidate, provided the committee or person uses the information in any way, in whole or in part, either directly or indirectly, to design, prepare, or pay for the specific expenditure or advertising campaign at issue; or

5. After the last day of the qualifying period prescribed for the candidate ~~for statewide or legislative office~~, consults about the candidate’s plans, projects, or needs in connection with the candidate’s pursuit of election to office and the information is used in any way to plan, create, design, or prepare an independent expenditure or advertising campaign, with:

a. Any officer, director, employee, or agent of a national, state, or county executive committee of a political party that has made or intends to make expenditures in connection with or contributions to the candidate; or

b. Any person whose professional services have been retained by a national, state, or county executive committee of a political party that has made or intends to make expenditures in connection with or contributions to the candidate; or

6. After the last day of the qualifying period prescribed for the candidate ~~for statewide or legislative office~~, retains the professional services of any person also providing those services to the candidate in connection with the candidate’s pursuit of election to office; or

7. Arranges, coordinates, or directs the expenditure, in any way, with the candidate or an agent of the candidate.

(15) “Unopposed candidate” means a candidate for nomination or election to an office who, after the last day on which any person, including a write-in candidate, may qualify, is without opposition in the election at which the office is to be filled or who is without such opposition after such date as a result of any primary election or of withdrawal by other candidates seeking the same office. A candidate is not an unopposed candidate if there is a vacancy to be filled under s. 100.111(3) ~~or 100.111(4)~~, if there is a legal proceeding pending regarding the right to a ballot position for the office sought by the candidate, or if the candidate is seeking retention as a justice or judge.

(16) “Candidate” means any person to whom any one or more of the following apply:

(c) Any person who receives contributions or makes expenditures, or consents for any other person to receive contributions or make expenditures, with a view to bring about his or her nomination or election to, or retention in, public office. However, this definition does not include any candidate for a political party executive committee. *Expenditures related to potential candidate polls as provided in s. 106.17 are not contributions or expenditures for purposes of this subsection.*

Section 52. Subsection (3) of section 106.021, Florida Statutes, is amended to read:

106.021 Campaign treasurers; deputies; primary and secondary depositories.—

(3) No contribution or expenditure, including contributions or expenditures of a candidate or of the candidate’s family, shall be directly or indirectly made or received in furtherance of the candidacy of any person for nomination or election to political office in the state or on behalf of any political committee except through the duly appointed campaign treasurer of the candidate or political committee, subject to the following exceptions:

(a) Independent expenditures;

(b) Reimbursements to a candidate or any other individual for expenses incurred in connection with the campaign or activities of the

political committee by a check drawn upon the campaign account and reported pursuant to s. 106.07(4). ~~After July 1, 2004,~~ The full name ~~and address~~ of each person to whom the candidate or other individual made payment for which reimbursement was made by check drawn upon the campaign account shall be reported pursuant to s. 106.07(4), together with the purpose of such payment;

(c) Expenditures made indirectly through a treasurer for goods or services, such as communications media placement or procurement services, campaign signs, insurance, or other expenditures that include multiple integral components as part of the expenditure and reported pursuant to s. 106.07(4)(a)13.; or

(d) Expenditures made directly by any political committee or political party regulated by chapter 103 for obtaining time, space, or services in or by any communications medium for the purpose of jointly endorsing three or more candidates, and any such expenditure shall not be considered a contribution or expenditure to or on behalf of any such candidates for the purposes of this chapter.

Section 53. Section 106.022, Florida Statutes, is amended to read:

106.022 Appointment of a registered agent; duties.—

(1) Each political committee, committee of continuous existence, or electioneering communications organization shall have and continuously maintain in this state a registered office and a registered agent and must file with the ~~filing officer division~~ a statement of appointment for the registered office and registered agent. The statement of appointment must:

(a) Provide the name of the registered agent and the street address and phone number for the registered office;

(b) Identify the entity for whom the registered agent serves;

(c) Designate the address the registered agent wishes to use to receive mail;

(d) Include the entity's undertaking to inform the ~~filing officer division~~ of any change in such designated address;

(e) Provide for the registered agent's acceptance of the appointment, which must confirm that the registered agent is familiar with and accepts the obligations of the position as set forth in this section; and

(f) Contain the signature of the registered agent and the entity engaging the registered agent.

(2) An entity may change its appointment of registered agent and registered office under this section by executing a written statement of change ~~and filing it with the filing officer. The statement must satisfy that identifies the former registered agent and registered address and also satisfies~~ all of the requirements of subsection (1).

(3) A registered agent may resign his or her appointment as registered agent by executing a written statement of resignation and filing it with the ~~filing officer division~~. An entity without a registered agent may not make expenditures or accept contributions until it files a written statement of change as required in subsection (2).

Section 54. Subsection (1) of section 106.023, Florida Statutes, is amended to read:

106.023 Statement of candidate.—

(1) Each candidate must file a statement with the qualifying officer within 10 days after filing the appointment of campaign treasurer and designation of campaign depository, stating that the candidate has read and understands the requirements of this chapter. Such statement shall be provided by the filing officer and shall be in substantially the following form:

STATEMENT OF CANDIDATE

I, ..., candidate for the office of ..., have ~~been provided access to received,~~ read, and understand the requirements of Chapter 106, Florida Statutes.

(Signature of candidate)

(Date)

Willful failure to file this form is a violation of ss. 106.19(1)(c) and 106.25(3), F.S.

Section 55. Paragraph (c) of subsection (1) of section 106.025, Florida Statutes, is amended to read:

106.025 Campaign fund raisers.—

(1)

(c) Any tickets or advertising for such a campaign fund raiser ~~is exempt from the requirements of s. 106.143 shall contain the following statement: "The purchase of a ticket for, or a contribution to, the campaign fund raiser is a contribution to the campaign of _____ (name of the candidate for whose benefit the campaign fund raiser is held) _____." Such tickets or advertising shall also comply with other provisions of this chapter relating to political advertising.~~

Section 56. Subsection (1) and paragraph (d) of subsection (3) of section 106.03, Florida Statutes, are amended to read:

106.03 Registration of political committees and electioneering communications organizations.—

(1)(a) Each political committee that ~~receives anticipates receiving~~ contributions or ~~makes making~~ expenditures during a calendar year in an aggregate amount exceeding \$500 or that ~~seeks is seeking~~ the signatures of registered electors in support of an initiative shall file a statement of organization as provided in subsection (3) within 10 days after its organization or, if later, within 10 days after the date on which it ~~has information that causes the committee to anticipate that it will receive contributions or make expenditures in excess of \$500.~~ If a political committee is organized within 10 days of any election, it shall immediately file the statement of organization required by this section.

(b)1. Each ~~group electioneering communications organization that receives contributions or makes expenditures during a calendar year in an aggregate amount exceeding \$5,000 shall file a statement of organization as an electioneering communications organization provided in subparagraph 2. by expedited delivery within 24 hours after its organization or, if later, within 24 hours after the date on which it receives contributions or makes expenditures for an electioneering communication in excess of \$5,000, if such expenditures are made within the timeframes specified in s. 106.011(18)(a)2. If the group makes expenditures for an electioneering communication in excess of \$5,000 before the timeframes specified in s. 106.011(18)(a)2., it shall file the statement of organization within 24 hours after the 30th day before a primary or special primary election, or within 24 hours after the 60th day before any other election, whichever is applicable.~~

2.a. In a statewide, legislative, or multicounty election, an electioneering communications organization shall file a statement of organization with the Division of Elections.

b. In a countywide election or any election held on less than a countywide basis, except as described in sub-subparagraph c., an electioneering communications organization shall file a statement of organization with the supervisor of elections of the county in which the election is being held.

c. In a municipal election, an electioneering communications organization shall file a statement of organization with the officer before whom municipal candidates qualify.

d. Any electioneering communications organization that would be required to file a statement of organization in two or more locations ~~by reason of the organization's intention to support or oppose candidates at state or multicounty and local levels of government~~ need only file a statement of organization with the Division of Elections.

(3)

(d) Any political committee which would be required under this subsection to file a statement of organization in two or more locations ~~by reason of the committee's intention to support or oppose candidates or issues at state or multicounty and local levels of government~~ need file only with the Division of Elections.

Section 57. Subsection (4) of section 106.04, Florida Statutes, is amended, present subsections (7) and (8) of that section are amended and renumbered as subsections (8) and (9), respectively, and a new subsection (7) is added to that section, to read:

106.04 Committees of continuous existence.—

(4)(a) Each committee of continuous existence shall file an annual report with the Division of Elections during the month of January. Such annual reports shall contain the same information and shall be accompanied by the same materials as original applications filed pursuant to subsection (2). However, the charter or bylaws need not be filed if the annual report is accompanied by a sworn statement by the chair that no changes have been made to such charter or bylaws since the last filing.

(b)1. Each committee of continuous existence shall file regular reports with the Division of Elections at the same times and subject to the same filing conditions as are established by s. 106.07(1) and (2) for candidates' reports. *In addition, when a special election is called to fill a vacancy in office, a committee of continuous existence that makes a contribution or expenditure to influence the results of such special election or the preceding special primary election must file campaign finance reports with the filing officer on the dates set by the Department of State pursuant to s. 100.111.*

2. Any committee of continuous existence failing to so file a report with the Division of Elections or applicable filing officer pursuant to this paragraph on the designated due date shall be subject to a fine for late filing as provided by this section.

(c) All committees of continuous existence shall file their reports with the Division of Elections. Reports shall be filed in accordance with s. 106.0705 and shall contain the following information:

1. The full name, address, and occupation of each person who has made one or more contributions, including contributions that represent the payment of membership dues, to the committee during the reporting period, together with the amounts and dates of such contributions. For corporations, the report must provide as clear a description as practicable of the principal type of business conducted by the corporation. However, if the contribution is \$100 or less, the occupation of the contributor or principal type of business need not be listed. However, for any contributions that represent the payment of dues by members in a fixed amount aggregating no more than \$250 per calendar year, pursuant to the schedule on file with the Division of Elections, only the aggregate amount of such contributions need be listed, together with the number of members paying such dues and the amount of the membership dues.

2. The name and address of each political committee or committee of continuous existence from which the reporting committee received, or the name and address of each political committee, committee of continuous existence, or political party to which it made, any transfer of funds, together with the amounts and dates of all transfers.

3. Any other receipt of funds not listed pursuant to subparagraph 1. or subparagraph 2., including the sources and amounts of all such funds.

4. The name and address of, and office sought by, each candidate to whom the committee has made a contribution during the reporting period, together with the amount and date of each contribution.

5. The full name and address of each person to whom expenditures have been made by or on behalf of the committee within the reporting period; the amount, date, and purpose of each such expenditure; and the name and address, and office sought by, each candidate on whose behalf such expenditure was made.

6. The full name and address of each person to whom an expenditure for personal services, salary, or reimbursement for authorized expenses has been made, including the full name and address of each entity to whom the person made payment for which reimbursement was made by check drawn upon the committee account, together with the amount and purpose of such payment.

7. Transaction information from each credit card purchase statement that will be included in the next report following receipt thereof by the committee. Receipts for each credit card purchase shall be retained by the treasurer with the records for the committee account.

8. The total sum of expenditures made by the committee during the reporting period.

(d) The treasurer of each committee shall certify as to the correctness of each report and shall bear the responsibility for its accuracy and veracity. Any treasurer who willfully certifies to the correctness of a report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(7) *Any change in information previously submitted to the division shall be reported within 10 days following the change.*

(8)(7) If a committee of continuous existence ceases to meet the criteria prescribed by subsection (1), the Division of Elections shall revoke its certification ~~until such time as the criteria are again met~~. The Division of Elections shall ~~adopt~~ promulgate rules to prescribe the manner in which ~~the~~ such certification of a committee of continuous existence shall be revoked. Such rules shall, at a minimum, provide for:

(a) Notice, which ~~must~~ ~~shall~~ contain the facts and conduct that warrant the intended action.

(b) Adequate opportunity to respond.

(c) Appeal of the decision to the Florida Elections Commission. Such appeals ~~are~~ ~~shall~~ be exempt from the confidentiality provisions of s. 106.25.

(9)(8)(a) Any committee of continuous existence failing to file a report on the designated due date ~~is~~ ~~shall~~ be subject to a fine. The fine shall be \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. *However, for the reports immediately preceding each primary and general election, including a special primary election and a special general election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report.* The fine shall be assessed by the filing officer, and the moneys collected shall be deposited into:

1. ~~In~~ The General Revenue Fund, in the case of fines collected by the Division of Elections.

2. *The general revenue fund of the political subdivision, in the case of fines collected by a county or municipal filing officer.* No separate fine shall be assessed for failure to file a copy of any report required by this section.

(b) Upon determining that a report is late, the filing officer shall immediately notify the treasurer of the committee or the committee's registered agent as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. Upon receipt of the report, the filing officer shall determine the amount of fine which is due and shall notify the treasurer of the committee. *Notice is deemed complete upon proof of delivery of written notice to the mailing or street address on record with the filing officer.* The filing officer shall determine the amount of the fine due based upon the earliest of the following:

1. When the report is actually received by such officer.

2. When the report is postmarked.

3. When the certificate of mailing is dated.

4. When the receipt from an established courier company is dated.

Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due, unless appeal is made to the Florida Elections Commission pursuant to paragraph (c). An officer or member of a committee ~~is~~ ~~shall~~ not be personally liable for such fine.

(c) Any treasurer of a committee may appeal or dispute the fine, based upon unusual circumstances surrounding the failure to file on the designated due date, and may request and ~~is~~ ~~shall~~ be entitled to a hearing before the Florida Elections Commission, which ~~may~~ ~~shall~~ have the authority to waive the fine in whole or in part. Any such request ~~must~~ ~~shall~~ be made within 20 days after receipt of the notice of payment due. ~~In such case, the treasurer of~~ The committee shall file the appeal

~~with, within the 20-day period, notify the filing officer in writing of his or her intention to bring the matter before the commission, with a copy provided to the filing officer.~~

(d) The filing officer shall notify the Florida Elections Commission of the repeated late filing by a committee of continuous existence, the failure of a committee of continuous existence to file a report after notice, or the failure to pay the fine imposed.

Section 58. Section 106.07, Florida Statutes, is amended to read:

106.07 Reports; certification and filing.—

(1) Each campaign treasurer designated by a candidate or political committee pursuant to s. 106.021 shall file regular reports of all contributions received, and all expenditures made, by or on behalf of such candidate or political committee. ~~Except for the third calendar quarter immediately preceding a general election,~~ reports shall be filed on the 10th day following the end of each calendar quarter from the time the campaign treasurer is appointed, except that, if the 10th day following the end of a calendar quarter occurs on a Saturday, Sunday, or legal holiday, the report shall be filed on the next following day which is not a Saturday, Sunday, or legal holiday. Quarterly reports shall include all contributions received and expenditures made during the calendar quarter which have not otherwise been reported pursuant to this section.

(a) Except as provided in paragraph (b), ~~following the last day of qualifying for office,~~ the reports shall also be filed on the 32nd, 18th, and 4th days immediately preceding the primary and on the 46th, 32nd, 18th, and 4th days immediately preceding the election, for a candidate who is opposed in seeking nomination or election to any office, for a political committee, or for a committee of continuous existence.

(b) ~~Following the last day of qualifying for office,~~ Any statewide candidate who has requested to receive contributions pursuant to ~~from the Florida Election Campaign Financing Act Trust Fund~~ or any statewide candidate in a race with a candidate who has requested to receive contributions pursuant to ~~from the act trust fund~~ shall also file reports on the 4th, 11th, 18th, 25th, and 32nd days prior to the primary election, and on the 4th, 11th, 18th, 25th, 32nd, 39th, 46th, and 53rd days prior to the general election.

(c) Following the last day of qualifying for office, any unopposed candidate need only file a report within 90 days after the date such candidate became unopposed. Such report shall contain all previously unreported contributions and expenditures as required by this section and shall reflect disposition of funds as required by s. 106.141.

(d)1. When a special election is called to fill a vacancy in office, all political committees ~~and committees of continuous existence~~ making contributions or expenditures to influence the results of such special election or the preceding special primary election shall file campaign treasurers' reports with the filing officer on the dates set by the Department of State pursuant to s. 100.111.

2. When an election is called for an issue to appear on the ballot at a time when no candidates are scheduled to appear on the ballot, all political committees making contributions or expenditures in support of or in opposition to such issue shall file reports on the 18th and 4th days prior to such election.

(e) The filing officer shall provide each candidate with a schedule designating the beginning and end of reporting periods as well as the corresponding designated due dates.

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated shall be deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service shall be deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the United States Postal Service at the time of mailing, or a receipt from an es-

tablished courier company, which bears a date on or before the date on which the report is due, shall be proof of mailing in a timely manner. Reports shall contain information of all previously unreported contributions received and expenditures made as of the preceding Friday, except that the report filed on the Friday immediately preceding the election shall contain information of all previously unreported contributions received and expenditures made as of the day preceding that designated due date. All such reports shall be open to public inspection.

2. This subsection does not prohibit the governing body of a political subdivision, by ordinance or resolution, from imposing upon its own officers and candidates electronic filing requirements not in conflict with s. 106.0705. Expenditure of public funds for such purpose is deemed to be for a valid public purpose.

(b)1. Any report ~~that which~~ is deemed to be incomplete by the officer with whom the candidate qualifies shall be accepted on a conditional basis, ~~and~~ The campaign treasurer shall be notified by ~~certified registered mail or by another method using a common carrier that provides a proof of delivery of the notice as to why the report is incomplete and within 7 be given 3 days after from~~ receipt of such notice ~~must to~~ file an addendum to the report providing all information necessary to complete the report in compliance with this section. Failure to file a complete report after such notice constitutes a violation of this chapter.

2. ~~Notice is deemed complete upon proof of delivery of a written notice to the mailing or street address of the campaign treasurer or registered agent of record with the filing officer. In lieu of the notice by registered mail as required in subparagraph 1., the qualifying officer may notify the campaign treasurer by telephone that the report is incomplete and request the information necessary to complete the report. If, however, such information is not received by the qualifying officer within 3 days after the telephone request therefor, notice shall be sent by registered mail as provided in subparagraph 1.~~

(3) Reports required of a political committee shall be filed with the agency or officer before whom such committee registers pursuant to s. 106.03(3) and shall be subject to the same filing conditions as established for candidates' reports. Incomplete reports by political committees shall be treated in the manner provided for incomplete reports by candidates in subsection (2).

(4)(a) Each report required by this section ~~must shall~~ contain:

1. The full name, address, and occupation, if any of each person who has made one or more contributions to or for such committee or candidate within the reporting period, together with the amount and date of such contributions. For corporations, the report must provide as clear a description as practicable of the principal type of business conducted by the corporation. However, if the contribution is \$100 or less or is from a relative, as defined in s. 112.312, provided that the relationship is reported, the occupation of the contributor or the principal type of business need not be listed.

2. The name and address of each political committee from which the reporting committee or the candidate received, or to which the reporting committee or candidate made, any transfer of funds, together with the amounts and dates of all transfers.

3. Each loan for campaign purposes to or from any person or political committee within the reporting period, together with the full names, addresses, and occupations, and principal places of business, if any, of the lender and endorsers, if any, and the date and amount of such loans.

4. A statement of each contribution, rebate, refund, or other receipt not otherwise listed under subparagraphs 1. through 3.

5. The total sums of all loans, in-kind contributions, and other receipts by or for such committee or candidate during the reporting period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

6. The full name and address of each person to whom expenditures have been made by or on behalf of the committee or candidate within the reporting period; the amount, date, and purpose of each such expenditure; and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made. However, ex-

penditures made from the petty cash fund provided by s. 106.12 need not be reported individually.

7. The full name and address of each person to whom an expenditure for personal services, salary, or reimbursement for authorized expenses as provided in s. 106.021(3) has been made and which is not otherwise reported, including the amount, date, and purpose of such expenditure. However, expenditures made from the petty cash fund provided for in s. 106.12 need not be reported individually. *Receipts for reimbursement for authorized expenditures shall be retained by the treasurer along with the records for the campaign account.*

8. The total amount withdrawn and the total amount spent for petty cash purposes pursuant to this chapter during the reporting period.

9. The total sum of expenditures made by such committee or candidate during the reporting period.

10. The amount and nature of debts and obligations owed by or to the committee or candidate, which relate to the conduct of any political campaign.

11. *Transaction information for each credit card purchase. A copy of each credit card statement which shall be included in the next report following receipt thereof by the candidate or political committee.* Receipts for each credit card purchase shall be retained by the treasurer with the records for the campaign account.

12. The amount and nature of any separate interest-bearing accounts or certificates of deposit and identification of the financial institution in which such accounts or certificates of deposit are located.

13. The primary purposes of an expenditure made indirectly through a campaign treasurer pursuant to s. 106.021(3) for goods and services such as communications media placement or procurement services, campaign signs, insurance, and other expenditures that include multiple components as part of the expenditure. The primary purpose of an expenditure shall be that purpose, including integral and directly related components, that comprises 80 percent of such expenditure.

(b) The filing officer shall make available to any candidate or committee a reporting form which the candidate or committee may use to indicate contributions received by the candidate or committee but returned to the contributor before deposit.

(5) The candidate and his or her campaign treasurer, in the case of a candidate, or the political committee chair and campaign treasurer of the committee, in the case of a political committee, shall certify as to the correctness of each report; and each person so certifying shall bear the responsibility for the accuracy and veracity of each report. Any campaign treasurer, candidate, or political committee chair who willfully certifies the correctness of any report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(6) ~~The campaign depository shall return all checks drawn on the account to the campaign treasurer who shall retain the records pursuant to s. 106.06.~~ The records maintained by the campaign depository with respect to any campaign account regulated by this chapter are such account shall be subject to inspection by an agent of the Division of Elections or the Florida Elections Commission at any time during normal banking hours, and such depository shall furnish certified copies of any of such records to the Division of Elections or Florida Elections Commission upon request.

(7) Notwithstanding any other provisions of this chapter, in any reporting period during which a candidate, political committee, or committee of continuous existence has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the next report filed must specify that the report covers the entire period between the last submitted report and the report being filed, and any candidate, political committee, or committee of continuous existence not reporting by virtue of this subsection on dates prescribed elsewhere in this chapter shall notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.

(8)(a) Any candidate or political committee failing to file a report on the designated due date ~~is shall~~ be subject to a fine as provided in

paragraph (b) for each late day, and, in the case of a candidate, such fine shall be paid only from personal funds of the candidate. The fine shall be assessed by the filing officer and the moneys collected shall be deposited:

1. In the General Revenue Fund, in the case of a candidate for state office or a political committee that registers with the Division of Elections; or

2. In the general revenue fund of the political subdivision, in the case of a candidate for an office of a political subdivision or a political committee that registers with an officer of a political subdivision.

No separate fine shall be assessed for failure to file a copy of any report required by this section.

(b) Upon determining that a report is late, the filing officer shall immediately notify the candidate or chair of the political committee as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine shall be \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each *special primary election, special election, primary election, and general election*, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For reports required under s. 106.141(7), the fine is \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Upon receipt of the report, the filing officer shall determine the amount of the fine which is due and shall notify the candidate or chair or registered agent of the political committee. The filing officer shall determine the amount of the fine due based upon the earliest of the following:

1. When the report is actually received by such officer.

2. When the report is postmarked.

3. When the certificate of mailing is dated.

4. When the receipt from an established courier company is dated.

5. When the electronic receipt issued pursuant to s. 106.0705 or other electronic filing system authorized in this section is dated.

Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due, unless appeal is made to the Florida Elections Commission pursuant to paragraph (c). *Notice is deemed complete upon proof of delivery of written notice to the mailing or street address on record with the filing officer.* In the case of a candidate, such fine shall not be an allowable campaign expenditure and shall be paid only from personal funds of the candidate. An officer or member of a political committee shall not be personally liable for such fine.

(c) Any candidate or chair of a political committee may appeal or dispute the fine, based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the Florida Elections Commission, which shall have the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in s. 106.265(1) when determining the amount of a fine, if any, to be waived. Any such request shall be made within 20 days after receipt of the notice of payment due. In such case, the candidate or chair of the political committee shall, within the 20-day period, notify the filing officer in writing of his or her intention to bring the matter before the commission.

(d) The appropriate filing officer shall notify the Florida Elections Commission of the repeated late filing by a candidate or political committee, the failure of a candidate or political committee to file a report after notice, or the failure to pay the fine imposed. The commission shall investigate only those alleged late filing violations specifically identified by the filing officer and as set forth in the notification. Any other alleged violations must be separately stated and reported by the division to the commission under s. 106.25(2).

(9) The Department of State may prescribe by rule the requirements for filing campaign treasurers' reports as set forth in this chapter.

Section 59. Subsections (8) and (9) of section 106.0703, Florida Statutes, are amended to read:

106.0703 Electioneering communications organizations; reporting requirements; certification and filing; penalties.—

~~(8) An electioneering communications organization shall, within 2 days after receiving its initial password or secure sign-on from the Department of State allowing confidential access to the department's electronic campaign finance filing system, electronically file the periodic reports that would have been required pursuant to this section for reportable activities that occurred since the date of the last general election.~~

~~(8)(9) Electioneering communications organizations shall not use credit cards.~~

Section 60. Paragraphs (a) and (c) of subsection (2) and subsections (3) and (7) of section 106.0705, Florida Statutes, are amended to read:

106.0705 Electronic filing of campaign treasurer's reports.—

(2)(a) Each *individual candidate* who is required to file reports *with the division* pursuant to s. 106.07 or s. 106.141 ~~with the division~~ must file such reports ~~with the division~~ by means of the division's electronic filing system.

(c) Each person or organization that is required to file reports with the division under s. 106.071 must file such reports ~~with the division~~ by means of the division's electronic filing system.

(3) Reports filed pursuant to this section shall be completed and filed through the electronic filing system not later than midnight of the day designated. Reports not filed by midnight of the day designated are late filed and are subject to the penalties under s. 106.04(9) ~~s. 106.04(8)~~, s. 106.07(8), s. 106.0703(7), or s. 106.29(3), as applicable.

~~(7) Notwithstanding anything in law to the contrary, any report required to have been filed under this section for the period ended March 31, 2005, shall be deemed to have been timely filed if the report is filed under this section on or before June 1, 2005.~~

Section 61. Subsections (3) and (6) of section 106.08, Florida Statutes, are amended to read:

106.08 Contributions; limitations on.—

(3)(a) Any contribution received by a candidate with opposition in an election or by the campaign treasurer or a deputy campaign treasurer of such a candidate on the day of that election or less than 5 days prior to the day of that election must be returned by him or her to the person or committee contributing it and may not be used or expended by or on behalf of the candidate.

(b) Except as otherwise provided in paragraph (c), any contribution received by a candidate or by the campaign treasurer or a deputy campaign treasurer of a candidate after the date at which the candidate withdraws his or her candidacy, or after the date the candidate is defeated, becomes unopposed, or is elected to office must be returned to the person or committee contributing it and may not be used or expended by or on behalf of the candidate.

~~(c) With respect to any campaign for an office in which an independent or minor party candidate has filed as required in s. 99.0955 or s. 99.096, but whose qualification is pending a determination by the Department of State or supervisor of elections as to whether or not the required number of petition signatures was obtained:~~

~~1. The department or supervisor shall, no later than 3 days after that determination has been made, notify in writing all other candidates for that office of that determination.~~

~~2. Any contribution received by a candidate or the campaign treasurer or deputy campaign treasurer of a candidate after the candidate has been notified in writing by the department or supervisor that he or she has become unopposed as a result of an independent or minor party candidate failing to obtain the required number of petition signatures shall be returned to the person, political committee, or committee of~~

~~continuous existence contributing it and shall not be used or expended by or on behalf of the candidate.~~

(6)(a) A political party may not accept any contribution that has been specifically designated for the partial or exclusive use of a particular candidate. Any contribution so designated must be returned to the contributor and may not be used or expended by or on behalf of the candidate.

(b)1. A political party may not accept any in-kind contribution that fails to provide a direct benefit to the political party. A "direct benefit" includes, but is not limited to, fundraising or furthering the objectives of the political party.

2.a. An in-kind contribution to a state political party may be accepted only by the chairperson of the state political party or by the chairperson's designee or designees whose names are on file with the division in a form acceptable to the division prior to the date of the written notice required in sub-subparagraph b. An in-kind contribution to a county political party may be accepted only by the chairperson of the county political party or by the county chairperson's designee or designees whose names are on file with the supervisor of elections of the respective county prior to the date of the written notice required in sub-subparagraph b.

b. A person making an in-kind contribution to a state political party or county political party must provide prior written notice of the contribution to a person described in sub-subparagraph a. The prior written notice must be signed and dated and may be provided by an electronic or facsimile message. However, prior written notice is not required for an in-kind contribution that consists of food and beverage in an aggregate amount not exceeding \$1,500 which is consumed at a single sitting or event if such in-kind contribution is accepted in advance by a person specified in sub-subparagraph a.

c. A person described in sub-subparagraph a. may accept an in-kind contribution requiring prior written notice only in a writing that is signed and dated before the in-kind contribution is made. Failure to obtain the required written acceptance of an in-kind contribution to a state or county political party constitutes a refusal of the contribution.

d. A copy of each prior written acceptance required under sub-subparagraph c. must be filed ~~with the division~~ at the time the regular reports of contributions and expenditures required under s. 106.29 are filed by the state executive committee and county executive committee. *A state executive committee and an affiliated party committee must file with the division. A county executive committee must file with the county's supervisor of elections.*

e. An in-kind contribution may not be given to a state or county political party unless the in-kind contribution is made as provided in this subparagraph.

Section 62. Section 106.09, Florida Statutes, is amended to read:

106.09 Cash contributions and contribution by cashier's checks.—

(1)(a) A person may not make ~~an aggregate or accept~~ a cash contribution or contribution by means of a cashier's check ~~to the same candidate or committee~~ in excess of \$50 per election.

(b) *A person may not accept an aggregate cash contribution or contribution by means of a cashier's check from the same contributor in excess of \$50 per election.*

(2)(a) Any person who makes or accepts a contribution in ~~excess of \$50~~ in violation of ~~subsection (1) this section~~ commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Any person who knowingly and willfully makes or accepts a contribution in excess of \$5,000 in violation of ~~subsection (1) this section~~ commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 63. Paragraph (b) of subsection (1) and paragraph (a) of subsection (2) of section 106.11, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

106.11 Expenses of and expenditures by candidates and political committees.—Each candidate and each political committee which des-

ignates a primary campaign depository pursuant to s. 106.021(1) shall make expenditures from funds on deposit in such primary campaign depository only in the following manner, with the exception of expenditures made from petty cash funds provided by s. 106.12:

- (1)
- (b) The checks for such account shall contain, as a minimum, the following information:
 1. The statement "~~Campaign Account of~~ _____ (name of candidate or political committee) *Campaign Account.*"
 2. The account number and the name of the bank.
 3. The exact amount of the expenditure.
 4. The signature of the campaign treasurer or deputy treasurer.
 5. The exact purpose for which the expenditure is authorized.
 6. The name of the payee.

(2)(a) For purposes of this section, debit cards are considered bank checks, if:

1. Debit cards are obtained from the same bank that has been designated as the candidate's or political committee's primary campaign depository.
2. Debit cards are issued in the name of the treasurer, deputy treasurer, or authorized user and state "~~Campaign Account of~~ _____ (name of candidate or political committee) *Campaign Account.*"
3. No more than three debit cards are requested and issued.
- ~~4. Before a debit card is used, a list of all persons authorized to use the card is filed with the division.~~
- ~~5. All debit cards issued to a candidate's campaign or a political committee expire no later than midnight of the last day of the month of the general election.~~
- ~~4.6.~~ The person using the debit card does not receive cash as part of, or independent of, any transaction for goods or services.
- ~~5.7.~~ All receipts for debit card transactions contain:
 - a. The last four digits of the debit card number.
 - b. The exact amount of the expenditure.
 - c. The name of the payee.
 - d. The signature of the campaign treasurer, deputy treasurer, or authorized user.
 - e. The exact purpose for which the expenditure is authorized.

Any information required by this subparagraph but not included on the debit card transaction receipt may be handwritten on, or attached to, the receipt by the authorized user before submission to the treasurer.

(6) A candidate who makes a loan to his or her campaign and reports the loan as required by s. 106.07 may be reimbursed for the loan at any time the campaign account has sufficient funds to repay the loan and satisfy its other obligations.

Section 64. Subsection (4) of section 106.141, Florida Statutes, is amended to read:

106.141 Disposition of surplus funds by candidates.—

(4)(a) Except as provided in paragraph (b), any candidate required to dispose of funds pursuant to this section shall, at the option of the candidate, dispose of such funds by any of the following means, or any combination thereof:

1. Return pro rata to each contributor the funds that have not been spent or obligated.

2. Donate the funds that have not been spent or obligated to a charitable organization or organizations that meet the qualifications of s. 501(c)(3) of the Internal Revenue Code.

3. Give ~~not more than \$10,000~~ of the funds that have not been spent or obligated to the political party of which such candidate is a member, ~~except that a candidate for the Florida Senate may give not more than \$30,000 of such funds to the political party of which the candidate is a member.~~

4. Give the funds that have not been spent or obligated:

- a. In the case of a candidate for state office, to the state, to be deposited in either the Election Campaign Financing Trust Fund or the General Revenue Fund, as designated by the candidate; or
- b. In the case of a candidate for an office of a political subdivision, to such political subdivision, to be deposited in the general fund thereof.

(b) Any candidate required to dispose of funds pursuant to this section who has received contributions pursuant to ~~from~~ the Florida Election Campaign Financing Act ~~Trust Fund~~ shall, after all monetary commitments pursuant to s. 106.11(5)(b) and (c) have been met, return all surplus campaign funds to the General Revenue ~~Election Campaign Financing Trust Fund~~.

Section 65. Section 106.143, Florida Statutes, is amended to read:

106.143 Political advertisements circulated prior to election; requirements.—

(1)(a) Any political advertisement that is paid for by a candidate, except a write-in candidate, and that is published, displayed, or circulated before, or on the day of, any election must prominently state:

1. "Political advertisement paid for and approved by _____ (name of candidate), _____ (party affiliation), for _____ (office sought)"; or
2. "Paid by _____ (name of candidate), _____ (party affiliation), for _____ (office sought)."

(b) Any political advertisement that is paid for by a write-in candidate and that is published, displayed, or circulated before, or on the day of, any election must prominently state:

1. "Political advertisement paid for and approved by _____ (name of candidate), write-in candidate, for _____ (office sought)"; or
2. "Paid by _____ (name of candidate), write-in candidate, for _____ (office sought)."

(c)~~(b)~~ Any other political advertisement published, displayed, or circulated before, or on the day of, any election must prominently:

1. Be marked "paid political advertisement" or with the abbreviation "pd. pol. adv."
2. State the name and address of the persons paying for ~~sponsoring~~ the advertisement.

3.a.~~(f)~~ State whether the advertisement and the cost of production is paid for or provided in kind by or at the expense of the entity publishing, displaying, broadcasting, or circulating the political advertisement, ~~or~~

~~(II) State who provided or paid for the advertisement and cost of production, if different from the source of sponsorship.~~

~~b. This subparagraph does not apply if the source of the sponsorship is patently clear from the content or format of the political advertisement.~~

~~(d)(e)~~ Any political advertisement made pursuant to s. 106.021(3)(d) must be marked "paid political advertisement" or with the abbreviation "pd. pol. adv." and must prominently state the name and address of the political committee or political party paying for the advertisement, ~~"Paid for and sponsored by _____ (name of person paying for political advertisement) Approved by _____ (names of persons, party affiliation, and offices sought in the political advertisement)."~~

(2) *Political advertisements made as in-kind contributions from a political party must prominently state: "Paid political advertisement paid for by in-kind by _____ (name of political party). Approved by _____ (name of person, party affiliation, and office sought in the political advertisement)."*

(3)(2) Any political advertisement of a candidate running for partisan office shall express the name of the political party of which the candidate is seeking nomination or is the nominee. If the candidate for partisan office is running as a candidate with no party affiliation, any political advertisement of the candidate must state that the candidate has no party affiliation. *A political advertisement of a candidate running for nonpartisan office may not state the candidate's political party affiliation. This section does not prohibit a political advertisement from stating the candidate's partisan-related experience. A candidate for nonpartisan office is prohibited from campaigning based on party affiliation.*

(4)(3) It is unlawful for any candidate or person on behalf of a candidate to represent that any person or organization supports such candidate, unless the person or organization so represented has given specific approval in writing to the candidate to make such representation. However, this subsection does not apply to:

(a) Editorial endorsement by any newspaper, radio or television station, or other recognized news medium.

(b) Publication by a party committee advocating the candidacy of its nominees.

(5)(4)(a) Any political advertisement *not paid for by a candidate*, including those paid for by a political party, other than an independent expenditure, offered ~~by or~~ on behalf of a candidate must be approved in advance by the candidate. Such political advertisement must expressly state that the content of the advertisement was approved by the candidate, *unless the political advertisement is published, displayed, or circulated in compliance with subparagraph (1)(a)2., and must state who paid for the advertisement. The candidate shall provide a written statement of authorization to the newspaper, radio station, television station, or other medium for each such advertisement submitted for publication, display, broadcast, or other distribution.*

(b) Any person who makes an independent expenditure for a political advertisement shall provide a written statement that no candidate has approved the advertisement to the newspaper, radio station, television station, or other medium for each such advertisement submitted for publication, display, broadcast, or other distribution. The advertisement must also contain a statement that no candidate has approved the advertisement.

~~(c) This subsection does not apply to campaign messages used by a candidate and his or her supporters if those messages are designed to be worn by a person.~~

(6)(5) No political advertisement of a candidate who is not an incumbent of the office for which the candidate is running shall use the word "re-elect." Additionally, such advertisement must include the word "for" between the candidate's name and the office for which the candidate is running, in order that incumbency is not implied. This subsection does not apply to bumper stickers or items designed to be worn by a person.

(7) *Political advertisements paid for by a political party or an affiliated party committee may use names and abbreviations as registered under s. 103.081 in the disclaimer.*

(8)(6) This section does not apply to novelty items having a retail value of \$10 or less which support, but do not oppose, a candidate or issue.

(9)(7) Any political advertisement which is published, displayed, or produced in a language other than English may provide the information required by this section in the language used in the advertisement.

(10)(8) This section does not apply to any campaign message or political advertisement used by a candidate and the candidate's supporters or by a political committee if the message or advertisement is:

(a) Designed to be worn by a person.

(b) Placed as a paid link on an Internet website, provided the message or advertisement is no more than 200 characters in length and the link directs the user to another Internet website that complies with subsection (1).

(c) Placed as a graphic or picture link where compliance with the requirements of this section is not reasonably practical due to the size of the graphic or picture link and the link directs the user to another Internet website that complies with subsection (1).

(d) Placed at no cost on an Internet website for which there is no cost to post content for public users.

(e) Placed or distributed on an unpaid profile or account which is available to the public without charge or on a social networking Internet website, as long as the source of the message or advertisement is patently clear from the content or format of the message or advertisement. A candidate or political committee may prominently display a statement indicating that the website or account is an official website or account of the candidate or political committee and is approved by the candidate or political committee. A website or account may not be marked as official without prior approval by the candidate or political committee.

(f) Distributed as a text message or other message via Short Message Service, provided the message is no more than 200 characters in length or requires the recipient to sign up or opt in to receive it.

(g) Connected with or included in any software application or accompanying function, provided that the user signs up, opts in, downloads, or otherwise accesses the application from or through a website that complies with subsection (1).

(h) Sent by a third-party user from or through a campaign or committee's website, provided the website complies with subsection (1).

(i) Contained in or distributed through any other technology-related item, service, or device for which compliance with subsection (1) is not reasonably practical due to the size or nature of such item, service, or device as available, or the means of displaying the message or advertisement makes compliance with subsection (1) impracticable.

(11)(9) Any person who willfully violates any provision of this section is subject to the civil penalties prescribed in s. 106.265.

Section 66. Section 106.1437, Florida Statutes, is amended to read:

106.1437 Miscellaneous advertisements.—Any advertisement, other than a political advertisement, independent expenditure, or electioneering communication, on billboards, bumper stickers, radio, or television, or in a newspaper, a magazine, or a periodical, intended to influence public policy or the vote of a public official, shall clearly designate the sponsor of such advertisement by including a clearly readable statement of sponsorship. If the advertisement is broadcast on television, the advertisement shall also contain a verbal statement of sponsorship. This section ~~shall~~ not apply to an editorial endorsement. *For purposes of this chapter, an expenditure made for, or in furtherance of, a miscellaneous advertisement is not considered to be a contribution to or on behalf of a candidate, and does not constitute an independent expenditure. Such expenditures are not subject to the limitations applicable to independent expenditures.*

Section 67. Section 106.17, Florida Statutes, is amended to read:

106.17 Polls and surveys relating to candidacies.—Any candidate, political committee, committee of continuous existence, electioneering communication organization, or state or county executive committee of a political party may authorize or conduct a political poll, survey, index, or measurement of any kind relating to candidacy for public office so long as the candidate, political committee, committee of continuous existence, electioneering communication organization, or political party maintains complete jurisdiction over the poll in all its aspects. *State and county executive committees of a political party or an affiliated party committee may authorize and conduct political polls for the purpose of determining the viability of potential candidates. Such poll results may be shared with potential candidates, and expenditures incurred by state and county executive committees or an affiliated party committee for potential candidate polls are not contributions to the potential candidates.*

Section 68. Subsection (4) is added to section 106.19, Florida Statutes, to read:

106.19 Violations by candidates, persons connected with campaigns, and political committees.—

(4) *Except as otherwise expressly stated, the failure by a candidate to comply with the requirements of this chapter has no effect upon whether the candidate has qualified for the office the candidate is seeking.*

Section 69. Subsections (2) and (3), paragraph (i) of subsection (4), and subsection (5) of section 106.25, Florida Statutes, are amended to read:

106.25 Reports of alleged violations to Florida Elections Commission; disposition of findings.—

(2) The commission shall investigate all violations of this chapter and chapter 104, but only after having received either a sworn complaint or information reported to it under this subsection by the Division of Elections. Such sworn complaint must be based upon personal information or information other than hearsay. Any person, other than the division, having information of any violation of this chapter or chapter 104 shall file a sworn complaint with the commission. The commission shall investigate only those alleged violations specifically contained within the sworn complaint. If any complainant fails to allege all violations that arise from the facts or allegations alleged in a complaint, the commission shall be barred from investigating a subsequent complaint from such complainant that is based upon such facts or allegations that were raised or could have been raised in the first complaint. If the complaint includes allegations of violations relating to expense items reimbursed by a candidate, committee, or organization to the campaign account before a sworn complaint is filed, the commission shall be barred from investigating such allegations. Such sworn complaint shall state whether a complaint of the same violation has been made to any state attorney. Within 5 days after receipt of a sworn complaint, the commission shall transmit a copy of the complaint to the alleged violator. *The respondent shall have 14 days after receipt of the complaint to file an initial response, and the executive director may not determine the legal sufficiency of the complaint during that time period.* If the executive director finds that the complaint is legally sufficient, the respondent shall be notified of such finding by letter, which sets forth the statutory provisions alleged to have been violated and the alleged factual basis that supports the finding. All sworn complaints alleging violations of the Florida Election Code over which the commission has jurisdiction shall be filed with the commission within 2 years after the alleged violations. The period of limitations is tolled on the day a sworn complaint is filed with the commission. The complainant may withdraw the sworn complaint at any time prior to a probable cause hearing if good cause is shown. Withdrawal shall be requested in writing, signed by the complainant, and witnessed by a notary public, stating the facts and circumstances constituting good cause. The executive director shall prepare a written recommendation regarding disposition of the request which shall be given to the commission together with the request. "Good cause" shall be determined based upon the legal sufficiency or insufficiency of the complaint to allege a violation and the reasons given by the complainant for wishing to withdraw the complaint. If withdrawal is permitted, the commission must close the investigation and the case. No further action may be taken. The complaint will become a public record at the time of withdrawal.

(3) For the purposes of commission jurisdiction, a violation shall mean the willful performance of an act prohibited by this chapter or chapter 104 or the willful failure to perform an act required by this chapter or chapter 104. *The commission may not by rule determine what constitutes willfulness or further define the term "willful" for purposes of this chapter or chapter 104.* Willfulness is a determination of fact; however, at the request of the respondent at any time after probable cause is found, willfulness may be considered and determined in an informal hearing before the commission.

(4) The commission shall undertake a preliminary investigation to determine if the facts alleged in a sworn complaint or a matter initiated by the division constitute probable cause to believe that a violation has occurred.

(i)1. Upon a commission finding of probable cause, the counsel for the commission shall attempt to reach a consent agreement with the re-

spondent. *At any time, the commission may enter into a consent order with a respondent without requiring the respondent to admit to a violation of law within the jurisdiction of the commission.*

2. A consent agreement is not binding upon either party unless and until it is signed by the respondent and by counsel for the commission upon approval by the commission.

3. Nothing herein shall be construed to prevent the commission from entering into a consent agreement with a respondent prior to a commission finding of probable cause if a respondent indicates in writing a desire to enter into negotiations directed towards reaching such a consent agreement. Any consent agreement reached under this subparagraph is subject to the provisions of subparagraph 2. and shall have the same force and effect as a consent agreement reached after the commission finding of probable cause.

In a case where probable cause is found, the commission shall make a preliminary determination to consider the matter or to refer the matter to the state attorney for the judicial circuit in which the alleged violation occurred. Notwithstanding any other provisions of this section, the commission may, at its discretion, dismiss any complaint at any stage of disposition if it determines that the public interest would not be served by proceeding further, in which case the commission shall issue a public report stating with particularity its reasons for the dismissal.

(5) ~~Unless~~ A person alleged by the Elections Commission to have committed a violation of this chapter or chapter 104 *may elect, as a matter of right elects*, within 30 days after the date of the filing of the commission's allegations, to have a formal *administrative or informal* hearing conducted ~~before the commission, or elects to resolve the complaint by consent order, such person shall be entitled to a formal administrative hearing conducted~~ by an administrative law judge in the Division of Administrative Hearings. The administrative law judge in such proceedings shall enter a final order, *which may include the imposition of civil penalties*, subject to appeal as provided in s. 120.68. *If the person does not elect to have a hearing by an administrative law judge and does not elect to resolve the complaint by a consent order, the person is entitled to a formal or informal hearing conducted before the commission.*

Section 70. Subsection (1) of section 106.26, Florida Statutes, is amended to read:

106.26 Powers of commission; rights and responsibilities of parties; findings by commission.—

(1) The commission shall, pursuant to rules adopted and published in accordance with chapter 120, consider all sworn complaints filed with it and all matters reported to it by the Division of Elections. In order to carry out the responsibilities prescribed by this chapter, the commission is empowered to subpoena and bring before it, or its duly authorized representatives, any person in the state, or any person doing business in the state, or any person who has filed or is required to have filed any application, document, papers, or other information with an office or agency of this state or a political subdivision thereof and to require the production of any papers, books, or other records relevant to any investigation, including the records and accounts of any bank or trust company doing business in this state. Duly authorized representatives of the commission are empowered to administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear before them concerning any relevant matter. Should any witness fail to respond to the lawful subpoena of the commission or, having responded, fail to answer all lawful inquiries or to turn over evidence that has been subpoenaed, the commission may file a complaint *in the before any* circuit court *where the witness resides of the state* setting up such failure on the part of the witness. On the filing of such complaint, the court shall take jurisdiction of the witness and the subject matter of said complaint and shall direct the witness to respond to all lawful questions and to produce all documentary evidence in the witness's possession which is lawfully demanded. The failure of any witness to comply with such order of the court shall constitute a direct and criminal contempt of court, and the court shall punish said witness accordingly. However, the refusal by a witness to answer inquiries or turn over evidence on the basis that such testimony or material will tend to incriminate such witness shall not be deemed refusal to comply with the provisions of this chapter. The sheriffs in the several counties shall make such service and execute all process or orders when required by the commission. Sheriffs shall be

paid for these services by the commission as provided for in s. 30.231. Any person who is served with a subpoena to attend a hearing of the commission also shall be served with a general statement informing him or her of the subject matter of the commission's investigation or inquiry and a notice that he or she may be accompanied at the hearing by counsel of his or her own choosing.

Section 71. Subsections (1) through (4) of section 106.265, Florida Statutes, are amended and renumbered, and present subsection (5) of that section is renumbered as subsection (6), to read:

106.265 Civil penalties.—

(1) The commission *or, in cases referred to the Division of Administrative Hearings pursuant to s. 106.25(5), the administrative law judge* is authorized upon the finding of a violation of this chapter or chapter 104 to impose civil penalties in the form of fines not to exceed \$1,000 per count, *or, if applicable, to impose a civil penalty as provided in s. 104.271 or s. 106.19.*

(2) In determining the amount of such civil penalties, the commission *or administrative law judge* shall consider, among other mitigating and aggravating circumstances:

(a) The gravity of the act or omission;

(b) Any previous history of similar acts or omissions;

(c) The appropriateness of such penalty to the financial resources of the person, political committee, committee of continuous existence, *electioneering communications organization*, or political party; and

(d) Whether the person, political committee, committee of continuous existence, *electioneering communications organization*, or political party has shown good faith in attempting to comply with the provisions of this chapter or chapter 104.

~~(3)(2)~~ If any person, political committee, committee of continuous existence, *electioneering communications organization*, or political party fails or refuses to pay to the commission any civil penalties assessed pursuant to the provisions of this section, the commission shall be responsible for collecting the civil penalties resulting from such action.

~~(4)(3)~~ Any civil penalty collected pursuant to the provisions of this section shall be deposited into the *General Revenue Fund Election Campaign Financing Trust Fund*.

~~(5)(4)~~ ~~Notwithstanding any other provisions of this chapter, Any fine assessed pursuant to the provisions of this chapter shall, which fine is designated to be deposited or which would otherwise be deposited into the General Revenue Fund of the state, shall be deposited into the Election Campaign Financing Trust Fund.~~

Section 72. Subsection (1) and paragraph (b) of subsection (3) of section 106.29, Florida Statutes, are amended to read:

106.29 Reports by political parties; restrictions on contributions and expenditures; penalties.—

(1) The state executive committee and each county executive committee of each political party regulated by chapter 103 shall file regular reports of all contributions received and all expenditures made by such committee. *However, the reports need not include contributions and expenditures that are reported to the Federal Election Commission. In addition, when a special election is called to fill a vacancy in office, each state executive committee, each affiliated party committee, and each county executive committee making contributions or expenditures to influence the results of the special election or the preceding special primary election must file campaign treasurers' reports on the dates set by the Department of State pursuant to s. 100.111.* Such reports shall contain the same information as do reports required of candidates by s. 106.07 and shall be filed on the 10th day following the end of each calendar quarter, except that, during the period from the last day for candidate qualifying until the general election, such reports shall be filed on the Friday immediately preceding *each special primary election, special election, both the primary election, and the general election.* In addition to the reports filed under this section, the state executive committee and each county executive committee shall file a copy of each prior written acceptance of an in-kind contribution given by the committee during the

preceding calendar quarter as required under s. 106.08(6). Each state executive committee shall file ~~the original and one copy of~~ its reports with the Division of Elections. Each county executive committee shall file its reports with the supervisor of elections in the county in which such committee exists. Any state or county executive committee failing to file a report on the designated due date shall be subject to a fine as provided in subsection (3). No separate fine shall be assessed for failure to file a copy of any report required by this section.

(3)

(b) Upon determining that a report is late, the filing officer shall immediately notify the chair of the executive committee as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine shall be \$1,000 for a state executive committee, and \$50 for a county executive committee, per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, if an executive committee fails to file a report on the Friday immediately preceding the *special election or general election*, the fine shall be \$10,000 per day for each day a state executive committee is late and \$500 per day for each day a county executive committee is late. Upon receipt of the report, the filing officer shall determine the amount of the fine which is due and shall notify the chair. *Notice is deemed complete upon proof of delivery of written notice to the mailing or street address on record with the filing officer.* The filing officer shall determine the amount of the fine due based upon the earliest of the following:

1. When the report is actually received by such officer.

2. When the report is postmarked.

3. When the certificate of mailing is dated.

4. When the receipt from an established courier company is dated.

5. When the electronic receipt issued pursuant to s. 106.0705 is dated.

Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due, unless appeal is made to the Florida Elections Commission pursuant to paragraph (c). An officer or member of an executive committee shall not be personally liable for such fine.

Section 73. Subsection (5) of section 106.35, Florida Statutes, is amended to read:

106.35 Distribution of funds.—

(5) The division shall adopt rules providing for the weekly reports and certification and distribution of funds pursuant thereto required by this section. Such rules shall, at a minimum, provide ~~for~~:

~~(a) Specifications for printed campaign treasurer's reports outlining the format for such reports, including size of paper, typeface, color of print, and placement of required information on the form.~~

~~(b) specifications for electronically transmitted campaign treasurer's reports outlining communication parameters and protocol, data record formats, and provisions for ensuring security of data and transmission.~~

~~2. All electronically transmitted campaign treasurer's reports must also be filed in printed format. Printed format shall not include campaign treasurer's reports submitted by electronic facsimile transmission.~~

Section 74. Paragraph (b) of subsection (12) of section 112.312, Florida Statutes, is amended to read:

112.312 Definitions.—As used in this part and for purposes of the provisions of s. 8, Art. II of the State Constitution, unless the context otherwise requires:

(12)

(b) "Gift" does not include:

1. Salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the donee's employment, business, or service as an officer or director of a corporation or organization.

2. Contributions or expenditures reported pursuant to chapter 106, *contributions or expenditures reported pursuant to federal election law*, campaign-related personal services provided without compensation by individuals volunteering their time, or any other contribution or expenditure by a political party.

3. An honorarium or an expense related to an honorarium event paid to a person or the person's spouse.

4. An award, plaque, certificate, or similar personalized item given in recognition of the donee's public, civic, charitable, or professional service.

5. An honorary membership in a service or fraternal organization presented merely as a courtesy by such organization.

6. The use of a public facility or public property, made available by a governmental agency, for a public purpose.

7. Transportation provided to a public officer or employee by an agency in relation to officially approved governmental business.

8. Gifts provided directly or indirectly by a state, regional, or national organization which promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff, to members of that organization or officials or staff of a governmental agency that is a member of that organization.

Section 75. Paragraph (d) of subsection (1) of section 112.3215, Florida Statutes, is amended to read:

112.3215 Lobbying before the executive branch or the Constitution Revision Commission; registration and reporting; investigation by commission.—

(1) For the purposes of this section:

(d) "Expenditure" means a payment, distribution, loan, advance, reimbursement, deposit, or anything of value made by a lobbyist or principal for the purpose of lobbying. The term "expenditure" does not include contributions or expenditures reported pursuant to chapter 106 or *contributions or expenditures reported pursuant to federal election law*, campaign-related personal services provided without compensation by individuals volunteering their time, any other contribution or expenditure made by or to a political party, or any other contribution or expenditure made by an organization that is exempt from taxation under 26 U.S.C. s. 527 or s. 501(c)(4).

Section 76. Subsection (1) of section 876.05, Florida Statutes, is amended to read:

876.05 Public employees; oath.—

(1) All persons who now or hereafter are employed by or who now or hereafter are on the payroll of the state, or any of its departments and agencies, subdivisions, counties, cities, school boards and districts of the free public school system of the state or counties, or institutions of higher learning, ~~and all candidates for public office~~, except candidates for federal office, are required to take an oath before any person duly authorized to take acknowledgments of instruments for public record in the state in the following form:

I, ..., a citizen of the State of Florida and of the United States of America, and being employed by or an officer of ... and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida.

Section 77. *Section 876.07, Florida Statutes, is repealed.*

Section 78. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 79. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to elections; amending s. 97.012, F.S.; expanding the list of responsibilities of the Secretary of State when acting in his or her capacity as chief election officer; amending s. 97.021, F.S.; redefining the term "minor political party"; amending s. 97.025, F.S.; replacing a requirement for the Department of State to print copies of a pamphlet containing the Election Code with a requirement that the pamphlet be made available; amending s. 97.0575, F.S.; requiring that third-party voter registration organizations register with the Division of Elections and provide the division with certain information; requiring that the division or a supervisor of elections make voter registration forms available to third-party voter registration organizations; requiring that such forms contain certain information; requiring that the division maintain a database of certain information; requiring supervisors of elections to provide specified information to the division in a format and at times required by the division; requiring that such information be updated and made public daily at a specified time; requiring third-party voter registration organizations to deliver collected voter registration applications within a specified period; revising penalty provisions to conform; specifying grounds for an affirmative defense to a violation of timely submission requirements; providing for the referral of violations to the Attorney General; authorizing the Attorney General to initiate a civil action; providing that an action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order; requiring that the division adopt rules for specified purposes; providing for retroactive application of certain requirements applicable to third-party voter registration organizations; deleting provisions providing for fines to be in addition to criminal penalties; deleting provisions providing a continuing appropriation of the proceeds of fines; amending s. 97.071, F.S.; requiring that voter information cards contain the address of the polling place of the registered voter; requiring a supervisor of elections to issue a new voter information card to a voter upon a change in a voter's address of legal residence or a change in a voter's polling place address; providing instructions for implementation by the supervisors of elections; amending s. 97.073, F.S.; requiring a supervisor to notify an applicant within 5 business days regarding disposition of the voter registration applications; amending s. 97.1031, F.S.; revising the methods by which a person must update his or her voter registration due to a change of address; revising procedures for an elector to change his or her party affiliation; requiring an elector to notify the supervisor of elections when the elector changes his or her name; amending s. 98.075, F.S.; revising procedures for the removal of deceased persons and other potentially ineligible persons from the statewide voter registration system; amending s. 98.093, F.S.; revising requirements for the Department of Corrections to provide the Department of State with information relating to convicted felons; requiring the Florida Parole Commission to regularly furnish data to the Department of State relating to persons who have been granted clemency; amending s. 98.0981, F.S.; providing timeframes and formats for voting history information to be sent by the supervisors of elections to the department; providing timeframes and formats for voting history information to be sent by the department to the President of the Senate, the Speaker of the House of Representatives, and the respective minority leaders; requiring submission of precinct-level information in a certain format by a time certain; amending s. 99.012, F.S.; providing that a person may not be qualified as a candidate for an election or appear on the ballot unless the person complies with certain requirements; amending s. 99.021, F.S.; revising the candidate oath requirement for a person seeking to qualify for nomination or election or as a candidate of a political party; removing a requirement for the qualifying officer to provide a printed copy of the candidate oath; removing a requirement for taking the public employee oath; clarifying that candidates for Unites States President and Vice President need not subscribe certain oaths; correcting references for other oaths; amending s. 99.061, F.S.; revising the timeframe for a candidate to pay a qualifying fee under certain circumstances; requiring checks to be payable as prescribed by the filing officer; requiring signatures on certain oaths to be verified; removing a requirement for a public employee oath; requiring the filing of a verified notarized financial disclosure statement; clarifying the time for qualifying papers to be received; providing that the qualifying officer performs a ministerial duty only; exempting a decision by the qualifying officer from the Administrative Procedure Act; amending s. 99.063, F.S.; requiring a can-

candidate's oath to be verified; deleting a requirement for a candidate to file a loyalty oath with the Department of State by a certain date; amending s. 99.092, F.S.; providing for the transfer of the election assessment to the Elections Commission Trust Fund; amending s. 99.093, F.S.; providing for the election assessments paid by a person seeking to qualify for a municipal office to be forwarded by the qualifying officer to the Florida Elections Commission; amending s. 99.095, F.S.; allowing a candidate to obtain the required number of signatures from any registered voter regardless of district boundaries in a year of apportionment; amending s. 99.097, F.S.; providing for the Department of State to adopt rules to verify petitions through random sampling; creating exceptions for certain petitions from the authorization to use random sampling to verify petitions; revising criteria that a supervisor of elections must use to determine whether a petition may be counted as valid; providing that an exemption from paying fees to verify petitions does not apply if a person has been paid to solicit signatures; providing that contributions received after the filing of an undue burden oath must first be used to pay fees for verifying petitions; amending s. 100.061, F.S.; increasing the time period between a primary election and a general election; amending s. 100.101, F.S.; conforming a provision to changes made by the act; amending s. 100.111, F.S.; deleting provisions relating to vacancies in a state or county office because an incumbent qualified as a candidate for federal office; providing for a filing officer, rather than the Department of State, to notify a political party that it may nominate a person for office if certain events cause the party to have a vacancy in nomination; revising provisions relating to the filling of a vacancy in a nomination; deleting a defined term; providing that a vacancy in nomination is not created as the result of certain court orders; amending s. 100.371, F.S.; deleting provisions relating to a right to revoke a signature on an initiative petition; reducing the time period for which a signed and dated initiative petition form is valid; requiring an initiative sponsor to submit an initiative form to the supervisor of elections for the county of residence of the person signing the form for verification; providing procedures for misfiled petitions; revising criteria for a supervisor of elections to verify a signature on an initiative petition form; deleting provisions relating to petition signature revocations; amending s. 101.001, F.S.; requiring the supervisors of elections to provide the department with precinct data including specified information; requiring the department to maintain a searchable database containing certain precinct and census block information; requiring supervisors of elections to notify the department of precinct changes within a specified time; deleting a waiver; amending s. 101.043, F.S.; replacing references to the word "voter" with "elector"; providing that the address on an elector's identification may not be used to confirm or challenge an elector's legal residence; prohibiting a clerk or inspector from requesting additional information from a person once the person has presented his or her picture identification; amending s. 101.045, F.S.; permitting a change of residence at the polling place for a person changing residence within a county; providing that a person whose change of address is from outside the county may not change his or her legal residence at the polling place or vote a regular ballot but may vote a provisional ballot; providing an exception; amending s. 101.131, F.S.; revising procedures for the designation of poll watchers; requiring that the Division of Elections prescribe a form for the designation of poll watchers; providing conditions under which poll watchers are authorized to enter polling areas and watch polls; requiring that a supervisor of elections provide identification to poll watchers by a specified period before early voting begins; requiring that poll watchers display such identification while in a polling place; amending s. 101.151, F.S.; authorizing the use of ballot-on-demand technology to produce election-day ballots; deleting a requirement that the use of such technology be authorized in writing by the Secretary of State; revising provisions relating to ballot headings and the order of candidates appearing on a ballot; amending s. 101.161, F.S.; requiring the Department of State to provide the supervisors of elections either a ballot summary to a joint resolution to amend the State Constitution or the full text of the amendment or revision if a ballot summary is not included in the joint resolution; providing that a joint resolution may include multiple ballot statements set forth in order of priority; providing requirements for ballot statements; detailing responsibilities of the Department of State with respect to providing ballot information to supervisors of elections; prescribing the styling of ballot statements; specifying a time period and procedures to initiate an action to challenge an amendment to the State Constitution proposed by the Legislature; requiring the court, including an appellate court, to accord the case priority over other cases; requiring the Attorney General to revise a ballot title or ballot summary for an amendment proposed by the Legislature under certain circumstances; requiring the Department of State to forward modified ballot language to

supervisors of elections; creating a presumption of validity of a ballot statement that contains the full text of an amendment or revision; providing for retroactive application of the amendments to s. 101.161, F.S.; amending s. 101.5605, F.S.; requiring an electromechanical voting system to satisfy the standards for certification adopted by rule of the Department of State; amending s. 101.5606, F.S.; deleting requirements for electromechanical voting systems to have the capability to produce precinct totals in marked or punched form; amending s. 101.5612, F.S.; revising the sample size of electromechanical voting systems that include the electronic or electromechanical tabulation devices to be tested; amending s. 101.5614, F.S.; deleting provisions relating to the use of ballot cards and write-in ballots or envelopes; amending s. 101.591, F.S.; removing the audit requirement by the canvassing board if a manual recount is undertaken; amending s. 101.62, F.S.; extending the validity of an absentee ballot request to include all elections to the end of the calendar year of the second ensuing regularly scheduled general election; revising the timeframe for supervisors to electronically update absentee ballot request information; specifying types of elections for which a supervisor of elections must send an absentee ballot to uniformed services voters and overseas voters; specifying a time period during which a supervisor of elections must begin mailing absentee ballots; removing requirements that an elector provide certain information when requesting an absentee ballot from the county supervisor of elections; amending s. 101.65, F.S.; revising the form of the instructions to absent electors; stating that an absentee ballot is considered illegal if the signature on the voter's certificate does not match the signature on record; providing instructions for updating a signature on a voter registration application; amending s. 101.657, F.S.; reducing the early voting period for elections with state or federal races; removing timetables with respect to early voting in special elections; removing restrictions with respect to daily hours of operation of early voting sites; authorizing a supervisor of elections to provide early voting for elections not held in conjunction with a state or federal election; amending s. 101.68, F.S.; extending the time for canvassing and processing absentee ballots to 15 days before the election; amending s. 101.6923, F.S.; revising the form of the special absentee ballot instructions for certain first-time voters; stating that an absentee ballot is considered illegal if the signature on the voter's certificate does not match the signature on record; providing instructions for updating a signature on a voter registration application; amending s. 101.75, F.S.; deleting a requirement for the dates of the qualifying period for certain municipal elections to run for no less than 14 days; amending s. 102.141, F.S.; requiring the canvassing board to report all early voting and all tabulated absentee results to the department by a time certain; requiring periodic updates; amending s. 102.168, F.S.; revising provisions specifying indispensable parties in a contest of an election; providing that in an election contest involving the review of a signature on an absentee ballot by a canvassing board, a circuit court may not review or consider evidence other than the signature on the voter's certificate and the elector's signatures in the registration records; providing for the reversal of the determination by the canvassing board if the court determines that the board abused its discretion; amending s. 103.021, F.S.; revising a definition; creating s. 103.095, F.S.; providing a procedure for the registration of a minor political party; requiring the Division of Elections to adopt rules to prescribe the manner in which political parties may have their filings cancelled; amending s. 103.101, F.S.; creating a Presidential Preference Primary Date Selection Committee; providing membership; requiring for the committee to meet by a date certain and to set a date for the presidential preference primary; modifying timing requirements with respect to the number and selection of delegates for presidential preference primary candidates; deleting certain requirements governing party rules involving such delegates; amending s. 103.141, F.S.; revising procedures for the removal of an officer, county committeeman, county committeewoman, precinct committeeman, precinct committeewoman, or member of a county executive committee; repealing s. 103.161, F.S., which relates to the removal or suspension of officers or members of a state or county executive committee; amending s. 104.29, F.S.; revising provisions authorizing persons to view whether ballots are being correctly reconciled; amending s. 105.031, F.S.; revising the oath for candidates for judicial office; amending s. 106.011, F.S.; revising the definitions of the terms "contribution," "independent expenditure," "unopposed candidate," and "candidate"; conforming a cross-reference to changes made by the act; amending s. 106.021, F.S.; deleting requirements to report the address of certain persons receiving a reimbursement by a check drawn on a campaign account; amending s. 106.022, F.S.; requiring a political committee, committee of continuous existence, or electioneering communications organization to file a statement of appointment with the

filing officer rather than with the Division of Elections; authorizing an entity to change its appointment of registered agent or registered office by filing a written statement with the filing officer; requiring a registered agent who resigns to execute a written statement of resignation and file it with the filing officer; amending s. 106.023, F.S.; revising the form of the statement of candidate to require a candidate to acknowledge that he or she has been provided access to and understands the requirements of ch. 106, F.S.; amending s. 106.025, F.S.; exempting tickets or advertising for a campaign fundraiser from requirements of s. 106.143, F.S.; amending s. 106.03, F.S.; revising requirements for groups making expenditures for electioneering communications to file a statement of organization; amending s. 106.04, F.S.; transferring a requirement that certain committees of continuous existence file campaign finance reports in special elections; subjecting a committee of continuous existence that fails to file a report or to timely file a report with the Division of Elections or a county or municipal filing officer to a fine; requiring a committee of continuous existence to include transaction information from credit card purchases in a report filed with the Division of Elections; requiring a committee of continuous existence to report changes in information previously reported to the Division of Elections within 10 days after the change; requiring the Division of Elections to revoke the certification of a committee of continuous existence that fails to file or report certain information; requiring the division to adopt rules to prescribe the manner in which the certification is revoked; increasing the amount of a fine to be levied on a committee of continuous existence that fails to timely file certain reports; providing for the deposit of the proceeds of the fines; including the registered agent of a committee of continuous existence as a person whom the filing officer may notify that a report has not been filed; providing criteria for deeming delivery complete of a notice of fine; requiring a committee of continuous existence that appeals a fine to provide a copy of the appeal with the filing officer; amending s. 106.07, F.S.; creating an exception for reports due in the third calendar quarter immediately preceding a general election from a requirement that the campaign treasurer report contributions received and expenditures made on the 10th day following the end of each calendar quarter; revising reporting requirements for a statewide candidate who receives funding under the Florida Election Campaign Financing Act and candidates in a race with a candidate who has requested funding under that act; deleting a requirement for a committee of continuous existence to file a campaign treasurer's report relating to contributions or expenditures to influence the results of a special election; revising the methods by which a campaign treasurer may be notified of the determination that a report is incomplete to include certified mail and other methods using a common carrier that provides proof of delivery of the notice; extending the time the campaign treasurer has to file an addendum to the report after receipt of notice of why the report is incomplete; providing criteria for deeming delivery complete of a notice of incomplete report; deleting a provision allowing for notification by telephone of an incomplete report; revising the information that must be included in a report to include transaction information for credit card purchases; deleting a requirement for a campaign depository to return checks drawn on the account to the campaign treasurer; specifying the amount of a fine for the failure to timely file reports after a special primary election or special election; specifying that the registered agent of a political committee is a person whom a filing officer may notify of the amount of the fine for filing a late report; providing criteria for deeming delivery complete of a notice of late report and resulting fine; amending s. 106.0703, F.S.; deleting a requirement that an electioneering communications organization file electronically file certain periodic reports with the Department of State; amending s. 106.0705, F.S.; requiring certain individuals to electronically file certain reports with the Division of Elections; conforming a cross-reference to changes made by the act; deleting an obsolete provision; amending s. 106.08, F.S.; deleting a requirement for the Department of State to notify candidates as to whether an independent or minor party candidate has obtained the required number of petition signatures; deleting a requirement for certain unopposed candidates to return contributions; specifying the entities with which a political party's state executive committee and county executive committees and affiliated party committees must file a written acceptance of an in-kind contribution; amending s. 106.09, F.S.; specifying that the limitations on contributions by cash or cashier's check apply to the aggregate amount of contributions to a candidate or committee per election; amending s. 106.11, F.S.; revising the statement that must be contained on checks from a campaign account; deleting requirements relating to the use of debit cards; authorizing a campaign for a candidate to reimburse the candidate's loan to the campaign when the campaign account has sufficient funds; amending s. 106.141, F.S.; deleting a limit

on the amount of surplus funds that a candidate may give to his or her political party; requiring candidates receiving public financing to return all surplus funds to the General Revenue Fund after paying certain monetary obligations and expenses; amending s. 106.143, F.S.; specifying disclosure statements that must be included in political advertisements paid for by a write-in candidate; revising the disclosure statements that must be included in certain political advertisements; clarifying the type of political advertisements that must be approved in advance by a candidate; deleting an exemption from the requirement to obtain a candidate's approval for messages designed to be worn; authorizing a disclaimer for paid political advertisements to contain certain registered names and abbreviations; amending s. 106.1437, F.S.; providing that expenditures for a miscellaneous advertisement are not considered to be a contribution to or on behalf of a candidate and do not constitute an independent expenditure; amending s. 106.17, F.S.; providing that the cost of certain polls are not contributions to a candidate; amending s. 106.19, F.S.; providing that a candidate's failure to comply with ch. 106, F.S., has no effect on whether the candidate has qualified for office; amending s. 106.25, F.S.; authorizing a person who is the subject of a complaint filed with the Florida Elections Commission to file a response before the executive director of the commission determines whether the complaint is legally sufficient; prohibiting the commission from determining by rule what constitutes willfulness or defining the term "willful"; authorizing the commission to enter into consent orders without requiring the respondent to admit to a violation of law; authorizing an administrative law judge to impose civil penalties for violations of ch. 104 or ch. 106, F.S.; amending s. 106.26, F.S.; requiring the commission to enforce certain witness subpoenas in the circuit court where the witness resides; amending s. 106.265, F.S.; authorizing an administrative law judge to assess civil penalties upon a finding of a violation of the election code or campaign financing laws; providing for civil penalties to be assessed against an electioneering communications organization; removing reference to the expired Election Campaign Financing Trust Fund; directing that moneys from penalties and fines be deposited into the General Revenue Fund; amending s. 106.29, F.S.; requiring state and county executive committees and affiliated party committees that make contributions or expenditures to influence the results of a special election or special primary election to file campaign treasurer's reports; amending campaign finance reporting dates, to conform; deleting a requirement that each state executive committee file the original and one copy of its reports with the Division of Elections; revising the due date for filing a report; providing criteria for deeming delivery complete of a notice of fine; amending s. 106.35, F.S.; deleting a requirement that the Division of Election adopt rules relating to the format and filing of certain printed campaign treasurer's reports; amending s. 112.312, F.S.; excluding contributions or expenditures reported pursuant to federal election law from the definition of the term "gift"; amending s. 112.3215, F.S.; excluding contributions or expenditures reported pursuant to federal election law from the definition of the term "expenditure"; amending s. 876.05, F.S.; deleting a requirement for all candidates for public office to record an oath to support the Constitution of the United States and of the State of Florida; repealing s. 876.07, F.S., relating to a requirement that a person make an oath to support the Constitution of the United States and of the State of Florida in order to be qualified as a candidate for office; providing for severability of the act; providing effective dates.

Senator Braynon moved the following amendment to **Amendment 1** which failed:

Amendment 1A (185162) (with title amendment)—Delete lines 47-200.

And the title is amended as follows:

Delete lines 3931-3962 and insert: the pamphlet be made available; amending s. 97.071, F.S.; requiring

Senator Ring moved the following amendment to **Amendment 1** which failed:

Amendment 1B (593948) (with title amendment)—Delete lines 80-200 and insert:

(3) *A third-party voter registration organization shall turn in each voter registration application received from its authorized registration agents regardless of whether the third-party voter registration organization believes the voter registration application may be invalid or in-*

complete. If, when submitting a voter registration application, a third-party voter registration organization also submits information stating why the organization believes the application may be invalid or incomplete, the third-party voter registration organization shall be presumed to be in compliance with this section.

~~(1) Prior to engaging in any voter registration activities, a third-party voter registration organization shall name a registered agent in the state and submit to the division, in a form adopted by the division, the name of the registered agent and the name of those individuals responsible for the day to day operation of the third-party voter registration organization, including, if applicable, the names of the entity's board of directors, president, vice president, managing partner, or such other individuals engaged in similar duties or functions. On or before the 15th day after the end of each calendar quarter, each third-party voter registration organization shall submit to the division a report providing the date and location of any organized voter registration drives conducted by the organization in the prior calendar quarter.~~

~~(2) The failure to submit the information required by subsection (1) does not subject the third-party voter registration organization to any civil or criminal penalties for such failure, and the failure to submit such information is not a basis for denying such third-party voter registration organization with copies of voter registration application forms.~~

~~(4)(a)(2) A third-party voter registration organization that collects voter registration applications serves as a fiduciary to the applicant, ensuring that any voter registration application entrusted to the third-party voter registration organization, irrespective of party affiliation, race, ethnicity, or gender, shall be promptly delivered to the division or the supervisor of elections within 48 hours after the applicant completes it or the next business day if the appropriate office is closed for that 48-hour period. If a voter registration application collected by any third-party voter registration organization is not promptly delivered to the division or supervisor of elections, the third-party voter registration organization is shall be liable for the following fines:~~

~~1.(a) A fine in the amount of \$50 for each application received by the division or the supervisor of elections more than 48 hours 10 days after the applicant delivered the completed voter registration application to the third-party voter registration organization or any person, entity, or agent acting on its behalf or the next business day, if the office is closed. A fine in the amount of \$250 for each application received if the third-party voter registration organization or person, entity, or agency acting on its behalf acted willfully.~~

~~2.(b) A fine in the amount of \$100 for each application collected by a third-party voter registration organization or any person, entity, or agent acting on its behalf, before prior to book closing for any given election for federal or state office and received by the division or the supervisor of elections after the book-closing book-closing deadline for such election. A fine in the amount of \$500 for each application received if the third-party registration organization or person, entity, or agency acting on its behalf acted willfully.~~

~~3.(c) A fine in the amount of \$500 for each application collected by a third-party voter registration organization or any person, entity, or agent acting on its behalf, which is not submitted to the division or supervisor of elections. A fine in the amount of \$1,000 for any application not submitted if the third-party voter registration organization or person, entity, or agency acting on its behalf acted willfully.~~

The aggregate fine pursuant to this ~~paragraph subsection~~ which may be assessed against a third-party voter registration organization, including affiliate organizations, for violations committed in a calendar year is shall be \$1,000.

~~(b) A showing by the fines provided in this subsection shall be reduced by three fourths in cases in which the third-party voter registration organization that the failure to deliver the voter registration application within the required timeframe is based upon force majeure or impossibility of performance shall be an affirmative defense to a violation of this subsection has complied with subsection (1). The secretary may shall waive the fines described in this subsection upon a showing that the failure to deliver the voter registration application promptly is based upon force majeure or impossibility of performance.~~

(5) If the Secretary of State reasonably believes that a person has committed a violation of this section, the secretary may refer the matter to the Attorney General for enforcement. The Attorney General may institute a civil action for a violation of this section or to prevent a violation of this section. An action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order.

~~(6)(4)(a) The division shall adopt by rule a form to elicit specific information concerning the facts and circumstances from a person who claims to have been registered to vote by a third-party voter registration organization but who does not appear as an active voter on the voter registration rolls. The division shall also adopt rules to ensure the integrity of the registration process, including rules requiring third-party voter registration organizations to account for all state and federal registration forms used by their registration agents.~~

(b) The division may investigate any violation of this section. Civil fines shall be assessed by the division and enforced through any appropriate legal proceedings.

~~(7)(5) The date on which an applicant signs a voter registration application is presumed to be the date on which the third-party voter registration organization received or collected the voter registration application.~~

~~(8)(6) The civil fines provided in this section are in addition to any applicable criminal penalties.~~

~~(9)(7) Fines collected pursuant to this section shall be annually appropriated by the Legislature to the department for enforcement of this section and for voter education.~~

~~(10)(8) The division may adopt rules to administer this section.~~

And the title is amended as follows:

Delete lines 3944-3962 and insert: and made public daily at a specified time; requiring submission of all voter registration applications received by a third-party voter registration organization; providing circumstances under which a third-party voter registration organization shall be deemed to be in compliance with the law when submitting voter registration applications; amending s. 97.071, F.S.; requiring

Senator Braynon moved the following amendment to **Amendment 1** which failed:

Amendment 1C (959948) (with title amendment)—Delete lines 107-117 and insert: division or the supervisor of elections. If a voter registration application collected by any third-party voter registration organization is not promptly delivered to the division or supervisor of elections, the third-party voter registration organization is shall be liable for the following fines:

~~1.(a) A fine in the amount of \$50 for each application received by the division or the supervisor of elections more than 10 days after the applicant delivered the~~

And the title is amended as follows:

Delete lines 3944-3948 and insert: and made public daily at a specified time; specifying grounds for an affirmative

Senator Diaz de la Portilla moved the following amendments to **Amendment 1** which were adopted:

Amendment 1D (585536)—Delete lines 499-542 and insert:

(2)(a) **PRECINCT-LEVEL ELECTION RESULTS.**—Within 30 45 days after certification by the Elections Canvassing Commission the date of a presidential preference primary election, a special election, primary election, or a general election, the supervisors of elections shall collect and submit to the department precinct-level election results for the election in a uniform electronic format specified by paragraph (c) the department. The precinct-level election results shall be compiled separately for the primary or special primary election that preceded the general or special general election, respectively. The results shall specifically include for each precinct the aggregate total of all ballots cast for each candidate or nominee to fill a national, state, county, or district office or proposed constitutional amendment, with subtotals for each

candidate and ballot type, unless fewer than 10 voters voted a ballot type. "All ballots cast" means ballots cast by voters who cast a ballot whether at a precinct location, by absentee ballot including overseas absentee ballots, during the early voting period, or by provisional ballot.

(b) The department shall make such information available on a searchable, sortable, and downloadable database via its website that also includes the file layout and codes. The database shall be searchable and sortable by county, precinct, and candidate. The database shall be downloadable in a tab-delimited format. The database shall be available for download county-by-county and also as a statewide file. Such report shall also be made available upon request.

(c) The files containing the precinct-level election results shall be created in accordance with the applicable file specification:

1. The precinct-level results file shall be created or converted into a tab-delimited text file.

2. The row immediately before the first data record shall contain the column names of the data elements that make up the data records. There shall be one header record followed by multiple data records.

3. The data records shall include the following columns: County Name, Election Number, Election Date, Unique Precinct Identifier, Precinct Polling Location, Total Registered Voters, Total Registered Republicans, Total Registered Democrats, Total Registered All Other Parties, Contest Name, Candidate/Retention/Issue Name, Candidate Florida Voter Registration System ID Number, Division of Elections Unique Candidate Identifying Number, Candidate Party, District, Undervote Total, Overvote Total, Write-in Total, and Vote Total.

Amendment 1E (365494) (with title amendment)—Delete lines 543-552 and insert:

Section 12. Subsections (5) and (7) of section 99.012, Florida Statutes, are amended to read:

99.012 Restrictions on individuals qualifying for public office.—

(5) If an order of a court that has become final determines that a person did not comply with this section, the person shall not be qualified as a candidate for election and his or her name may not appear on the ballot. ~~The name of any person who does not comply with this section may be removed from every ballot on which it appears when ordered by a circuit court upon the petition of an elector or the Department of State.~~

(7) Nothing contained in subsection (3) relates to persons holding any federal office or seeking the office of President or Vice President.

And the title is amended as follows:

Delete lines 3997-4000 and insert: time certain; amending s. 99.012, F.S., relating to restrictions on individuals qualifying for public office; providing that if a final court order determines that a person did not comply with specified provisions, the person is not qualified as a candidate and his or her name may not appear on ballot; providing for nonapplicability to presidential and vice presidential candidates; amending s.

Senator Margolis moved the following amendment to **Amendment 1** which failed:

Amendment 1F (567474) (with title amendment)—Delete lines 1097-1101 and insert:

(3) An initiative petition form circulated for signature may not be bundled with or attached to any other petition. Each signature shall be dated when made and shall be valid for a period of 4 years following such date if, provided all other requirements of law are met. The sponsor shall submit signed and

And the title is amended as follows:

Delete lines 4062-4064 and insert: initiative petition; requiring an initiative sponsor to submit an

Senator Rich offered the following amendment to **Amendment 1** which was moved by Senator Sachs and failed:

Amendment 1G (965660)—Delete line 141 and insert: The aggregate fine pursuant to this subsection which

Senator Negron moved the following amendment to **Amendment 1** which was adopted:

Amendment 1H (877216) (with title amendment)—Delete lines 1273-1276 and insert:

(c) When an elector presents his or her picture identification to the clerk or inspector and the elector's address on the picture identification matches the elector's address in the supervisor's records, the elector may not be asked to provide additional information or to recite his or her home address.

And the title is amended as follows:

Delete lines 4083-4086 and insert: an elector's legal residence; amending s. 101.043, F.S.; providing that the elector may not be asked to provide additional information or to recite his or her home address under certain circumstances; amending s. 101.045, F.S.;

Senator Joyner moved the following amendment to **Amendment 1** which failed:

Amendment 1I (978536) (with title amendment)—Delete lines 1281-1366.

And the title is amended as follows:

Delete lines 4086-4093 and insert: picture identification; amending s. 101.131, F.S.; revising

Senator Sobel moved the following amendment to **Amendment 1** which failed:

Amendment 1J (565080) (with title amendment)—Delete lines 1285-1299 and insert:

(1)(a) ~~A No person is not shall be~~ permitted to vote in any election precinct or district other than the one in which the person has his or her legal residence and in which the person is registered. However, a person temporarily residing outside the county shall be registered in the precinct in which the main office of the supervisor, as designated by the supervisor, is located when the person has no permanent address in the county and it is the person's intention to remain a resident of Florida and of the county in which he or she is registered to vote. Such persons who are registered in the precinct in which the main office of the supervisor, as designated by the supervisor, is located and who are residing outside the county with no permanent address in the county shall not be registered electors of a municipality and therefore shall not be permitted to vote in any municipal election.

(b) If a person attempts to vote in an election precinct or district other than the one in which the person is registered, the clerk or inspector must provide the address of the correct polling place in writing to the person.

And the title is amended as follows:

Between lines 4086 and 4087 insert: requiring a clerk or inspector to provide the address of the correct polling place to a person who attempts to vote in an incorrect precinct or district;

Senator Joyner moved the following amendment to **Amendment 1** which failed:

Amendment 1K (134950) (with title amendment)—Delete lines 1321-1325 and insert:

(b) Except for an active uniformed services voter, a member of the active uniformed services voter's family, or a college or university student, an elector whose change of address is from outside the county may not change his or her legal residence at the polling place and vote a regular ballot; however, such elector is entitled to vote a provisional ballot.

And the title is amended as follows:

Delete lines 4092 and 4093 and insert: ballot but may vote a provisional ballot; providing exceptions; amending s. 101.131, F.S.; revising

Senator Smith moved the following amendments to **Amendment 1** which failed:

Amendment 1L (912552) (with title amendment)—Delete lines 1488-1632.

And the title is amended as follows:

Delete lines 4109-4133.

Amendment 1M (433580) (with title amendment)—Delete line 1580 and insert:

(4) *If the Supreme Court finds in an advisory opinion issued pursuant to s. 3(b)(10), Art. IV of the State Constitution that the ballot title or ballot summary embodied in a constitutional amendment proposed by citizen initiative is defective, the sponsor of the initiative may, within 10 days, prepare and submit to the Department of State a revised ballot title or ballot summary that corrects the deficiencies identified by the court. The court shall retain jurisdiction over challenges to a revised ballot title or ballot summary prepared by the initiative sponsor, and any challenge to a revised ballot title or ballot summary must be filed within 10 days after a revised ballot title or ballot summary is submitted to the Department of State.*

(5)(a) For any general election in which the Secretary

And the title is amended as follows:

Delete line 4132 and insert: amendment or revision; authorizing the sponsor of a citizen initiative amendment to the State Constitution to revise the ballot title or ballot summary that is found to be defective by the Supreme Court; requiring an action to challenge a revised ballot title or ballot summary of a citizen initiative to be initiated within a certain time; providing for retroactive

Senator Diaz de la Portilla moved the following amendment to **Amendment 1** which was adopted:

Amendment 1N (376082) (with title amendment)—Between lines 1660 and 1661 insert:

Section 33. Subsection (4) is added to section 101.56075, Florida Statutes, to read:

101.56075 Voting methods.—

(4) *By December 31, 2013, all voting systems utilized by voters during a state election shall permit placement on the ballot of the full text of a constitutional amendment or revision containing stricken or underlined text.*

And the title is amended as follows:

Delete line 4140 and insert: totals in marked or punched form; amending s. 101.56075, F.S.; providing that all voting systems utilized after a certain time shall permit placement on the ballot of the full text of a constitutional amendment or revision; amending s.

Senator Siplin moved the following amendment to **Amendment 1** which failed:

Amendment 1O (341186) (with title amendment)—Delete lines 1886-1940 and insert:

Section 38. Paragraph (d) of subsection (1) of section 101.657, Florida Statutes, is amended to read:

101.657 Early voting.—

(1)

(d) Early voting shall begin on the 15th day before an election *that contains state or federal races* and end on the 2nd day before the ~~an~~ election. For purposes of a special election held pursuant to s. 100.101, early voting shall begin on the 8th day before an election and end on the 2nd day before an election. Early voting shall be provided for 8 hours per weekday and 8 hours in the aggregate each weekend at each site during the applicable periods. *The supervisor of elections may provide early voting for elections that are not held in conjunction with a state or federal*

election. However, the supervisor has the discretion to determine the hours of operation of early voting sites in those elections. Early voting sites shall open no sooner than 7 a.m. and close no later than 7 p.m. on each applicable day.

And the title is amended as follows:

Delete lines 4168-4174 and insert: F.S.; clarifying the early voting period for elections with state or federal races; authorizing a supervisor of elections to provide early voting for elections not held in conjunction with a state or federal election;

Senator Joyner moved the following amendment to **Amendment 1** which failed:

Amendment 1P (536956) (with title amendment)—Delete lines 1886-1940 and insert:

Section 38. Subsection (1) of section 101.657, Florida Statutes, is amended to read:

101.657 Early voting.—

(1)(a) As a convenience to the voter, the supervisor of elections shall allow an elector to vote early in the main or branch office of the supervisor. The supervisor shall mark, code, indicate on, or otherwise track the voter's precinct for each early voted ballot. ~~In order for a branch office to be used for early voting, it shall be a permanent facility of the supervisor and shall have been designated and used as such for at least 1 year prior to the election.~~

(b) *The supervisor shall also designate any city hall as an early voting site. The supervisor may also designate any permanent public library facility, any polling place to be used on election day, any college or university, or any other facility open to the public as an early voting site. In any general election in which a candidate for President of the United States appears on the ballot, the supervisor of elections shall designate at least one early voting site for every 40,000 registered voters within the county. In any general election in which a candidate for President of the United States does not appear on the ballot, the supervisor shall designate at least one early voting site for every 80,000 registered voters within the county. To the extent practicable, the designated sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot. The supervisor may also designate any city hall or permanent public library facility as early voting sites; however, if so designated, the sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable. The results or tabulation of votes cast during early voting may not be made before the close of the polls on election day. Results shall be reported by precinct.*

(c)(b) The supervisor shall designate each early voting site by no later than the 30th day prior to an election and shall designate an early voting area, as defined in s. 97.021, at each early voting site.

(d)(e) All early voting sites in a county shall be open on the same days for the same amount of time and shall allow any person in line at the closing of an early voting site to vote.

(e)(d) Early voting shall begin on the 15th day before an election and end on the 2nd day before an election. For purposes of a special election held pursuant to s. 100.101, early voting shall begin on the 8th day before an election and end on the 2nd day before an election. Early voting shall be provided for 8 hours per weekday and 8 hours in the aggregate each weekend at each site during the applicable periods. Early voting sites shall open no sooner than 7 a.m. and close no later than 7 p.m. on each applicable day.

(f)(e) Notwithstanding the requirements of s. 100.3605, municipalities may provide early voting in municipal elections that are not held in conjunction with county or state elections. If a municipality provides early voting, it may designate as many sites as necessary and shall conduct its activities in accordance with the provisions of paragraphs (a)-(d) ~~(a)-(e)~~. The supervisor is not required to conduct early voting if it is provided pursuant to this subsection.

(g)(f) Notwithstanding the requirements of s. 189.405, special districts may provide early voting in any district election not held in conjunction with county or state elections. If a special district provides early

voting, it may designate as many sites as necessary and shall conduct its activities in accordance with the provisions of paragraphs (a)-(d) ~~(a)-(e)~~. The supervisor is not required to conduct early voting if it is provided pursuant to this subsection.

And the title is amended as follows:

Delete lines 4168-4174 and insert: F.S.; revising and expanding early voting locations;

Senators Gaetz and Diaz de la Portilla offered the following amendment to **Amendment 1** which was moved by Senator Gaetz and adopted:

Amendment 1Q (624028) (with title amendment)—Delete lines 1907-1924 and insert: early voting site. *The supervisor shall provide to the division no later than the 30th day before an election the address of each early voting site and the hours that early voting will occur at each site.*

(c) All early voting sites in a county shall ~~be open on the same days for the same amount of time and shall~~ allow any person in line at the closing of an early voting site to vote.

(d) Early voting shall begin on the ~~10th 15th~~ day before an election ~~that contains state or federal races and end on the 3rd 2nd~~ day before ~~the an election, and. For purposes of a special election held pursuant to s. 100.101, early voting shall begin on the 8th day before an election and end on the 2nd day before an election. Early voting shall be provided for no less than 6 8 hours and no more than 12 hours per day weekday and 8 hours in the aggregate each weekend at each site during the applicable period periods. The supervisor of elections may provide early voting for elections that are not held in conjunction with a state or federal election. However, the supervisor has the discretion to determine the hours of operation of early voting sites in those elections. Early voting sites shall open no sooner than 7 a.m. and close no later than 7 p.m. on each applicable day.~~

And the title is amended as follows:

Delete line 4168 and insert: F.S.; requiring the supervisor of elections to provide to the division the address and hours of operation of early voting sites; reducing the early voting period for elections

Senator Rich offered the following amendment to **Amendment 1** which was moved by Senator Sachs and failed:

Amendment 1R (515416) (with title amendment)—Delete lines 1911-1918 and insert:

(d) Early voting shall begin on the 15th day before an election ~~that contains state or federal races and end on the 2nd day before the an election and. For purposes of a special election held pursuant to s. 100.101, early voting shall begin on the 8th day before an election and end on the 2nd day before an election. Early voting shall be provided for 8 hours per day, including Saturday and Sunday, weekday and 8 hours in the aggregate each weekend~~ at each site during the applicable periods. *The supervisor of elections may*

And the title is amended as follows:

Delete lines 4168-4172 and insert: F.S.; clarifying the early voting period for elections having state or federal races; removing timetables with respect to early voting in special elections; removing restrictions with respect to days and hours of operation of early voting sites; authorizing a supervisor of

Senator Sachs moved the following amendments to **Amendment 1** which failed:

Amendment 1S (196564) (with title amendment)—Delete lines 2188-2302 and insert:

Section 46. Subsections (1), (2), (3), and (6) of section 103.101, Florida Statutes, are amended to read:

103.101 Presidential preference primary.—

(1) Each political party other than a minor political party shall, on the ~~first last~~ Tuesday in ~~March January~~ in each year the number of which is a multiple of 4, elect one person to be the candidate for nomination of such party for President of the United States or select delegates to the national nominating convention, as provided by party rule.

(2)(a) There shall be a Presidential Candidate Selection Committee composed of the Secretary of State, who shall be a nonvoting chair; the Speaker of the House of Representatives; the President of the Senate; the minority leader of each house of the Legislature; and the chair of each political party required to have a presidential preference primary under this section.

(b) By ~~December October~~ 31 of the year preceding the *Florida* presidential preference primary, each political party shall submit to the Secretary of State a list of its presidential candidates to be placed on the presidential preference primary ballot or candidates entitled to have delegates appear on the presidential preference primary ballot. The Secretary of State shall prepare and publish a list of the names of the presidential candidates submitted. The Secretary of State shall submit such list of names of presidential candidates to the selection committee on the first Tuesday after the first Monday in ~~January each November of the year that a preceding the~~ presidential preference primary ~~election is held~~. Each person designated as a presidential candidate shall have his or her name appear, or have his or her delegates' names appear, on the presidential preference primary ballot unless all committee members of the same political party as the candidate agree to delete such candidate's name from the ballot.

(c) The selection committee shall meet in Tallahassee on the first Tuesday after the first Monday in ~~January each November of the year that a preceding the~~ presidential preference primary ~~is held~~. The selection committee shall publicly announce and submit to the Department of State no later than 5 p.m. on the following day the names of presidential candidates who shall have their names appear, or who are entitled to have their delegates' names appear, on the presidential preference primary ballot. The Department of State shall immediately notify each presidential candidate designated by the committee. Such notification shall be in writing, by registered mail, with return receipt requested.

(3) A candidate's name shall be printed on the presidential preference primary ballot unless the candidate submits to the Department of State, prior to the second Tuesday after the first Monday in ~~January November of the year preceding the presidential preference primary~~, an affidavit stating that he or she is not now, and does not presently intend to become, a candidate for President at the upcoming nominating convention. If a candidate withdraws pursuant to this subsection, the Department of State shall notify the state executive committee that the candidate's name will not be placed on the ballot. The Department of State shall, no later than the third Tuesday after the first Monday in ~~January November of the year preceding the presidential preference primary~~, certify to each supervisor of elections the name of each candidate for political party nomination to be printed on the ballot.

(6) Delegates must qualify no later than the second Friday in ~~January November of the year preceding the presidential preference primary~~ in the manner provided by party rule.

And the title is amended as follows:

Delete lines 4206-4214 and insert: filings cancelled; amending s. 103.101, F.S.; revising dates relating to the presidential preference primary;

The vote was:

Yeas—15

Braynon	Joyner	Simmons
Detert	Margolis	Siplin
Dockery	Montford	Smith
Hays	Rich	Sobel
Hill	Sachs	Storms

Nays—20

Mr. President	Altman	Benacquisto
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Bennett	Gaetz	Oelrich
Bogdanoff	Gardiner	Richter
Dean	Jones	Ring
Diaz de la Portilla	Lynn	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Vote after roll call:

Yea to Nay—Hays, Storms

Amendment 1T (527862) (with title amendment)—Delete lines 3398-3403 and insert: affiliation. *A political advertisement of a candidate running for nonpartisan office may not state the candidate's political party affiliation. This section does not prohibit a political advertisement from stating the candidate's partisan-related experience; however, a judicial candidate's political advertisement may not state his or her partisan-related experience. A candidate for nonpartisan office is prohibited from campaigning based on party affiliation.*

And the title is amended as follows:

Delete line 4355 and insert: candidate; providing requirements for political advertisements; deleting an exemption from the requirement

Senator Diaz de la Portilla moved the following amendment to **Amendment 1** which was adopted:

Amendment 1U (284784) (with title amendment)—Delete lines 3753 and 3754 and insert: expenditures made by such committee. *However, the reports shall not include contributions and expenditures that are reported to*

And the title is amended as follows:

Delete line 4392 and insert: 106.29, F.S.; creating an exemption from state reporting requirements for certain contributions and expenditures by political parties; requiring state and county executive

Senator Fasano moved the following amendment to **Amendment 1** which failed:

Amendment 1V (735764) (with title amendment)—Between lines 3908 and 3909 insert:

Section 78. *Section 103.092, Florida Statutes, as created by chapter 2011-6, Laws of Florida, is repealed.*

And the title is amended as follows:

Delete line 4419 and insert: be qualified as a candidate for office; repealing s. 103.092, F.S., relating to affiliated party committees; providing for

Senator Diaz de la Portilla moved the following amendment to **Amendment 1** which was adopted:

Amendment 1W (947360) (with title amendment)—In title, delete line 4128 and insert: circumstances; providing a 10-day deadline and procedures for challenging revised ballot titles or summaries; requiring the Department of State to

MOTION

On motion by Senator Margolis, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Margolis moved the following amendment to **Amendment 1** which failed:

Amendment 1X (885824) (with title amendment)—Delete lines 1907-1924 and insert: early voting site. *The supervisor shall provide to the division no later than the 30th day before an election the address of each early voting site and the hours that early voting will occur at each site.*

(c) All early voting sites in a county shall ~~be open on the same days for the same amount of time and shall~~ allow any person in line at the closing of an early voting site to vote.

(d) Early voting shall begin on the ~~10th 15th~~ day before an election ~~that contains state or federal races and end on the 3rd 2nd~~ day before ~~the~~ an election, ~~and—For purposes of a special election held pursuant to s. 100.101, early voting shall begin on the 8th day before an election and end on the 2nd day before an election.~~ Early voting shall be provided for ~~no less than 6 8~~ hours and ~~no more than 12~~ hours per day ~~weekday and 8 hours in the aggregate each weekend~~ at each site during the applicable period, ~~except that counties having 1 million or more registered voters as of the book closing date for the election must provide early voting for 12 hours per day periods.~~ *The supervisor of elections may provide early voting for elections that are not held in conjunction with a state or federal election. However, the supervisor has the discretion to determine the hours of operation of early voting sites in those elections. Early voting sites shall open no sooner than 7 a.m. and close no later than 7 p.m. on each applicable day.*

And the title is amended as follows:

Delete lines 4168-4174 and insert: F.S.; requiring the supervisor of elections to provide to the division the address and hours of operation of early voting sites; reducing the early voting period for elections with state or federal races; providing an exception with regard to hours of operation for certain counties for early voting; removing timetables with respect to early voting in special elections; removing restrictions with respect to daily hours of operation of early voting sites; authorizing a supervisor of elections to provide early voting for elections not held in conjunction with a state or federal election;

Amendment 1 as amended was adopted.

Pursuant to Rule 4.19, **CS for CS for HB 1355** as amended was placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for CS for SB 866** and **CS for SB 1340** were withdrawn from the Committee on Budget.

MOTIONS

On motion by Senator Thrasher, by two-thirds vote **CS for SB 34**, **CS for SB 46**, and **CS for SB 506** were placed on the Special Order Calendar; and **HB 7253** was withdrawn from the Committee on Rules and placed on the Special Order Calendar.

SPECIAL ORDER CALENDAR

CS for CS for SB 556—A bill to be entitled An act relating to drug screening of potential and existing beneficiaries of temporary cash assistance; creating s. 414.0652, F.S.; providing legislative intent; requiring the Department of Children and Family Services to establish a drug-screening program; requiring consent to drug screening as a condition to eligibility for or receipt of temporary cash assistance; limiting screening to certain persons; providing definitions; providing for notice; providing terms of disqualification for temporary cash assistance; requiring the department to supply information concerning substance abuse treatment; providing screening procedures; providing for the preservation of screening and confirmatory testing specimens; directing the department to submit a report to the Governor and Legislature; amending s. 414.095, F.S.; revising requirements for determination of eligibility for temporary cash assistance to conform to changes made by the act; providing an effective date.

—was read the second time by title.

Amendments were considered and failed and an amendment was considered and adopted to conform **CS for CS for SB 556** to **CS for CS for CS for CS for HB 353**.

Pending further consideration of CS for CS for SB 556 as amended, on motion by Senator Oelrich, by two-thirds vote CS for CS for CS for CS for HB 353 was withdrawn from the Committees on Criminal Justice; Budget Subcommittee on Health and Human Services Appropriations; and Budget.

On motion by Senator Oelrich—

CS for CS for CS for CS for HB 353—A bill to be entitled An act relating to drug screening of potential and existing beneficiaries of Temporary Assistance for Needy Families; creating s. 414.0652, F.S.; requiring the Department of Children and Family Services to perform a drug test on an applicant for Temporary Assistance for Needy Families benefits; requiring such individual to bear the cost of the drug test; requiring the department to provide, and the applicant to acknowledge receipt of, notice of the drug-screening policy; requiring the department to increase the amount of the initial TANF benefit by the amount paid by the individual for the drug testing; providing procedures for testing and retesting; requiring the department to provide information concerning local substance abuse treatment programs to an individual who tests positive; providing conditions for an individual to reapply for Temporary Assistance for Needy Families benefits; providing that, if a parent is ineligible as a result of failing a drug test, the eligibility of the children is not affected; providing conditions for designating another protective payee; providing rulemaking authority to the department; providing an effective date.

—a companion measure, was substituted for CS for CS for SB 556 as amended and read the second time by title.

SENATOR BENNETT PRESIDING

THE PRESIDENT PRESIDING

Senators Siplin, Smith, Braynon, Hill, Sachs, Wise, Storms, and Margolis offered the following amendment which was moved by Senator Siplin and failed:

Amendment 1 (128120) (with title amendment)—Delete line 35 and insert: section includes any parent or caretaker relative who has pled guilty or nolo contendere to, or has been found guilty under federal or state law, of any offense that is classified as a felony by federal or state law, that is related to the possession, use, or distribution of a controlled substance, as defined in s. 102(6) of the controlled substance act, 21 U.S.C. s. 802(6), schedules I-VI of title 21 C.F.R. part 1308, or chapter 893 and who is

And the title is amended as follows:

Delete line 7 and insert: Needy Families benefits; providing that certain persons are a part of the cash assistance group making them subject to drug testing; requiring such individual to bear

The vote was:

Yeas—18

Altman	Hill	Ring
Braynon	Joyner	Sachs
Detert	Lynn	Siplin
Dockery	Margolis	Smith
Flores	Montford	Sobel
Garcia	Rich	Wise

Nays—20

Mr. President	Fasano	Norman
Alexander	Gaetz	Oelrich
Benacquisto	Gardiner	Richter
Bennett	Hays	Simmons
Bogdanoff	Jones	Storms
Dean	Latvala	Thrasher
Diaz de la Portilla	Negron	

Vote after roll call:

Nay to Yea—Storms

Pursuant to Rule 4.19, CS for CS for CS for CS for HB 353 was placed on the calendar of Bills on Third Reading.

On motion by Senator Rich, by unanimous consent—

CS for SB 1902—A bill to be entitled An act relating to independent living; amending s. 39.013, F.S.; requiring the court to retain jurisdiction over a child until the child is 21 years of age if the child elects to receive Foundations First Program services; providing for an annual judicial review; amending s. 39.6012, F.S.; requiring assurance in a child's case plan that efforts were made to avoid a change in the child's school; requiring that the case plan contain procedures for an older child to directly access and manage a personal allowance; creating s. 39.6015, F.S.; providing purpose and legislative intent with respect to the provision of services for older children who are in licensed care; requiring the documentation of assurances that school stability is considered when a child in care is moved; providing for the same assurances for children with disabilities; defining the term "school of origin"; requiring that the Department of Children and Family Services or the community-based provider provide reimbursement for the costs of transportation provided for a child in care; requiring changes in a child's school to be minimally disruptive; specifying criteria to be considered by the department and community-based provider during the transition of a child to another school; requiring children in care to attend school; requiring scheduled appointments to consider the child's school attendance; providing penalties for caregivers who refuse or fail to ensure that the child attends school regularly; specifying who may serve as an education advocate; requiring documentation that an education advocate or surrogate parent has been designated or appointed for a child in care; requiring a child in middle school to complete an electronic personal academic and career plan; requiring caregivers to attend school meetings; specifying requirements for individual education transition plan meetings for children with disabilities; requiring that a child be provided with information relating to the Road-to-Independence Program; requiring that the caregiver or education advocate attend parent-teacher conferences; requiring that a caregiver be provided with access to school resources in order to enable a child to achieve educational success; requiring the delivery of a curriculum model relating to self-advocacy; requiring documentation of a child's progress, the services needed, and the party responsible for providing services; specifying choices for a child with respect to diplomas and certificates for high school graduation or completion; providing that a child with a disability may stay in school until 22 years of age under certain circumstances; requiring caregivers to remain involved in the academic life of child in high school; requiring documentation of a child's progress, the services needed, and the party who is responsible for providing services; providing for a child to be exposed to job-preparatory instruction, enrichment activities, and volunteer and service opportunities, including activities and services offered by the Agency for Workforce Innovation; requiring that children in care be afforded opportunities to participate in the usual activities of school, community, and family life; requiring caregivers to encourage and support a child's participation in extracurricular activities; requiring that transportation be provided for a child; providing for the development of a transition plan; specifying the contents of a transition plan; requiring that the plan be reviewed by the court; requiring that a child be provided with specified documentation; requiring that the transition plan be coordinated with the case plan and a transition plan prepared pursuant to the Individuals with Disabilities Education Act for a child with disabilities; requiring the creation of a notice that specifies the options that are available to the child; requiring that community-based care lead agencies and contracted providers report specified data to the department and Legislature; amending s. 39.701, F.S.; conforming terminology; specifying the required considerations during judicial review of a child under the jurisdiction of the court; specifying additional documents that must be provided to a child and that must be verified at the judicial review; requiring judicial review of a transition plan; amending s. 409.1451, F.S., relating to the Road-to-Independence Program; creating the Foundations First Program for young adults who want to remain in care after reaching 18 years of age; providing eligibility, termination, and reentry requirements for the program; requiring a court hearing before termination; providing for the development of a transition plan; specifying the contents of the transition plan; requiring that a young adult be provided with specified documentation; re-

quiring that the transition plan be coordinated with the case plan and a transition plan prepared pursuant to the Individuals with Disabilities Education Act for a young adult with disabilities; requiring the creation of a notice that specifies the options that are available to the young adult; requiring annual judicial reviews; creating the College Bound Program for young adults who have completed high school and have been admitted to an eligible postsecondary institution; providing eligibility requirements; providing for a stipend; requiring satisfactory academic progress for continuation of the stipend; providing for reinstatement of the stipend; providing for portability of services for a child or young adult who moves out of the county or out of state; specifying data required to be reported to the department and Legislature; conforming terminology relating to the Independent Living Services Advisory Council; providing rulemaking authority to the Department of Children and Family Services; amending s. 409.903, F.S.; conforming a cross-reference; requiring the department to amend the case plan and judicial social service review formats; providing for young adults receiving transition services to continue to receive existing services until their eligibility for that benefit program expires; requiring the department to develop a request for proposal for the creation of an education advocacy system; requiring the department to contract with a national nonprofit organization to administer the Road-to-Independence Program; providing an effective date.

—was taken up out of order and read the second time by title.

Senator Rich moved the following amendments which were adopted:

Amendment 1 (785140)—Delete line 975 and insert: *from remaining in care longer. The provision of services under this subsection is intended to supplement, not supplant, services available under any other program for which the young adult is eligible, including, but not limited to, Medicaid waiver services, vocational rehabilitation programs, or school system programs. For purposes of this section, the term "child" means an individual who has not attained 21 years of age, and the term "young adult" means a child who has attained 18 years of age but who has not attained 21 years of age.*

Amendment 2 (449790)—Delete lines 977-979 and insert:

1. *A young adult who was living in licensed care on his or her 18th birthday or who is currently living in licensed care, or who after reaching 16 years of age was adopted from licensed care or placed with a court-approved dependency guardian, and has spent a minimum of 6 months in licensed care within the 12 months immediately preceding such placement or adoption, is eligible for the Foundations First Program if he or she is:*

Amendment 3 (705924)—Delete lines 1136-1140 and insert:

(a) *Purpose.—This program is designed for young adults who are 18 years of age but are not yet 23 years of age, have graduated from high school, have been accepted into a college, a Florida College System institution, or a vocational school, and need minimal support from the state other than the financial resources to attend college.*

Amendment 4 (777704)—Delete lines 1150-1154 and insert:

a. *Was living in care on his or her 18th birthday or is currently living in care, or, after reaching 16 years of age, was adopted from care or placed with a court-approved dependency guardian and has spent a minimum of 6 months in care within the 12 months immediately preceding such placement or adoption; and*

Amendment 5 (403092) (with title amendment)—Delete lines 1404-1432 and insert:

Section 8. *Effective October 1, 2011, a child or young adult who is a participant in the Road-to-Independence Program may continue in the program as it exists through December 31, 2011. Effective January 1, 2012, a child or young adult who is a participant in the program shall transfer to the program services provided in this act and his or her monthly stipend may not be reduced, the method of payment of the monthly stipend may not be changed, and the young adult may not be required to change his or her living arrangement. These conditions shall remain in effect for a child or young adult until he or she ceases to meet the eligibility requirements under which he or she entered the Road-to-Independence Program. A child or young adult applying or reapplying for*

the Road-to-Independence Program on or after October 1, 2011, may apply for program services only as provided in this act.

And the title is amended as follows:

Delete lines 120-125 and insert: existing services until December 31, 2011; providing exceptions; providing

On motion by Senator Rich, by two-thirds vote **CS for SB 1902** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CLAIM BILL CALENDAR

SENATOR BENNETT PRESIDING

On motion by Senator Dean, by unanimous consent—

CS for SB 34—A bill to be entitled An act for the relief of Angela Isham by the City of Ft. Lauderdale; providing for an appropriation to compensate Angela Isham, individually, and as co-personal representative of the Estate of David Isham, deceased, for the death of Mr. Isham, which was due to the negligence of employees of the City of Ft. Lauderdale; providing a limitation on the payment of fees and costs; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 34**, on motion by Senator Dean, by two-thirds vote **HB 185** was withdrawn from the Special Master on Claim Bills; and the Committee on Rules.

On motion by Senator Dean, by two-thirds vote—

HB 185—A bill to be entitled An act for the relief of Angela Isham by the City of Ft. Lauderdale; providing for an appropriation to compensate Angela Isham, individually, and as co-personal representative of the Estate of David Isham, deceased, for the death of Mr. Isham, which was due to the negligence of employees of the City of Ft. Lauderdale; providing a limitation on the payment of fees and costs; providing an effective date.

—a companion measure, was substituted for **CS for SB 34** and by two-thirds vote read the second time by title.

On motion by Senator Dean, by two-thirds vote **HB 185** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dean	Flores
Alexander	Detert	Gaetz
Altman	Diaz de la Portilla	Garcia
Benacquisto	Dockery	Gardiner
Bogdanoff	Evers	Hays
Braynon	Fasano	Hill

Jones	Norman	Smith
Joyner	Rich	Sobel
Latvala	Richter	Storms
Lynn	Ring	Thrasher
Margolis	Sachs	Wise
Montford	Simmons	
Negron	Siplin	

Nays—2

Bennett Oelrich

Vote after roll call:

Yea to Nay—Gaetz

On motion by Senator Haridopolos, by unanimous consent—

CS for SB 46—A bill to be entitled An act for the relief of William Dillon, who was wrongfully incarcerated for 27 years and exonerated by a court after DNA testing; providing an appropriation to compensate Mr. Dillon for his wrongful incarceration; directing the Chief Financial Officer to draw a warrant for the purchase of an annuity; providing for a waiver of certain tuition and fees; providing conditions for payment; providing that the act does not waive certain defenses or increase the state’s liability; providing a limitation on the payment of fees and costs; providing that certain benefits are void upon a finding that Mr. Dillon is not innocent of the alleged crime; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator Haridopolos, by two-thirds vote **CS for SB 46** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SPECIAL ORDER CALENDAR

THE PRESIDENT PRESIDING

On motion by Senator Bogdanoff, by unanimous consent—

CS for SB 2170—A bill to be entitled An act relating to judicial nominating commissions; amending s. 43.291, F.S.; providing for termination of the terms of all current members of judicial nominating commissions; providing for staggered terms of newly appointed members; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 2170**, on motion by Senator Bogdanoff, by two-thirds vote **HB 7101** was withdrawn from the Committees on Judiciary; and Rules.

On motion by Senator Bogdanoff, the rules were waived and—

HB 7101—A bill to be entitled An act relating to judicial nominating commissions; repealing s. 43.291, F.S., relating to judicial nominating

commissions; creating s. 43.292, F.S.; providing for judicial nominating commissions; specifying membership and composition; providing for appointment of members by the Governor; providing for terms; requiring the Governor to consider racial, ethnic, gender, and geographic diversity in making appointments; providing for suspension of a member of a judicial nominating commission; establishing a quorum; providing for administrative support; abolishing prior offices; permitting reappointment of former officeholders; providing an effective date.

—a companion measure, was substituted for **CS for SB 2170** and read the second time by title.

On motion by Senator Bogdanoff, further consideration of **HB 7101** was deferred.

On motion by Senator Bennett, by unanimous consent—

CS for CS for SB 1382—A bill to be entitled An act relating to rulemaking; amending s. 120.54, F.S.; requiring that an agency include in its notice of intended rulemaking a statement as to whether the proposed rule will require legislative ratification; providing for modification or withdrawal of an adopted rule that is not ratified by the Legislature; clarifying that certain proposed rules are effective only when ratified by the Legislature; amending s. 120.541, F.S.; reducing the time before an agency files a rule for adoption within which the agency must notify the person who submitted a lower cost alternative and the Administrative Procedures Committee; excluding rules adopting federal standards and emergency rulemaking from certain provisions; amending s. 120.56, F.S.; reducing the time within which a substantially affected person may seek an administrative determination of the invalidity of a rule after the statement or revised statement of estimated regulatory costs is available; amending s. 120.80, F.S.; exempting the adoption of certain amendments and the triennial updates to the Florida Building Code from required legislative ratification; exempting the adoption of certain amendments and the triennial updates to the Florida Fire Prevention Code from required legislative ratification; exempting the adoption of rules adjusting rates of certain transportation and expressway tolls from the preparation of a statement of estimated regulatory costs and from submission for legislative ratification; amending s. 120.81, F.S.; excluding the adoption of rules under chapter 2011-1, Laws of Florida, the Student Success Act, from the preparation of a statement of estimated regulatory costs and from submission for legislative ratification; providing an effective date.

—was taken up out of order and read the second time by title.

An amendment was considered and failed and amendments were considered and adopted to conform **CS for CS for SB 1382** to **CS for CS for CS for HB 993 and HB 7239**.

Pending further consideration of **CS for CS for SB 1382** as amended, on motion by Senator Bennett, by two-thirds vote **CS for CS for CS for HB 993 and HB 7239** was withdrawn from the Committees on Governmental Oversight and Accountability; and Budget.

On motion by Senator Bennett, the rules were waived and—

CS for CS for CS for HB 993 and HB 7239—A bill to be entitled An act relating to rulemaking; amending s. 120.54, F.S.; requiring that an agency include in its notice of intended rulemaking a statement as to whether the proposed rule will require legislative ratification; providing for withdrawal of an adopted rule that is not ratified by the Legislature; clarifying that certain proposed rules are effective only when ratified by the Legislature; amending s. 120.541, F.S.; reducing the time before an agency files a rule for adoption within which the agency must notify the person who submitted a lower cost alternative and the Administrative Procedures Committee; excluding rules adopting federal standards and emergency rulemaking from certain provisions; amending s. 120.56, F.S.; reducing the time in which a substantially affected person may seek an administrative determination of the invalidity of a rule after the statement or revised statement of estimated regulatory costs is available; amending s. 120.74, F.S.; providing for agency reporting of certain annual regulatory plans; providing for certain omissions and suspensions of reports; creating s. 120.745, F.S.; providing for legislative review of agency rules in effect on or before November 16, 2010; providing definitions; requiring that each agency complete an enhanced biennial review of its existing rules; requiring a report of the enhanced biennial

review; providing specifications for the report; providing for objections and the agency's response; requiring the performance of a compliance economic review and report under certain circumstances; providing specifications for the review; providing specifications for publishing the final report of the agency's review; requiring that an agency publish notices, determinations, and reports in a specified format; requiring the Department of State to publish certain notices in the Florida Administrative Weekly; providing specifications; providing for future review and repeal; providing for suspension of rulemaking authority for failure to comply with the certification requirements of the section; providing for an exemption from certain requirements; creating s. 120.7455, F.S.; providing that the Legislature may establish and maintain an Internet-based public survey of regulatory impacts; providing input details; providing that legislative leaders may certify in writing to certain individuals the establishment and identity of any such Internet-based survey; providing immunities from enforcement action or prosecution involving information solicited through the survey; providing protections from retaliatory enforcement actions; clarifying that the legal status of a rule that has been determined to be invalid is not changed by the amendment or creation of specified provisions by the act; amending s. 120.80, F.S.; exempting the adoption of certain amendments and the triennial updates to the Florida Building Code from required legislative ratification; exempting the adoption of certain amendments and the triennial updates to the Florida Fire Prevention Code from required legislative ratification; exempting the adoption of rules adjusting rates of certain transportation and expressway tolls from the preparation of a statement of estimated regulatory costs and from submission for legislative ratification; amending s. 120.81, F.S.; excluding the adoption of rules under chapter 2011-1, Laws of Florida, the Student Success Act, from the preparation of a statement of estimated regulatory costs and from submission for legislative ratification; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1382** as amended and read the second time by title.

MOTION

On motion by Senator Bennett, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Bennett moved the following amendments which were adopted:

Amendment 1 (116030) (with title amendment)—Between lines 837 and 838 insert:

Section 10. Paragraph (p) is added to subsection (2) of section 120.569, Florida Statutes, to read:

120.569 Decisions which affect substantial interests.—

(2)

(p) *For any proceeding arising under chapter 373, chapter 378, or chapter 403, if a nonapplicant petitions as a third party to challenge an agency's issuance of a license, permit, or conceptual approval, the order of presentation in the proceeding is for the permit applicant to present a prima facie case demonstrating entitlement to the license, permit, or conceptual approval, followed by the agency. This demonstration may be made by entering into evidence the application and relevant material submitted to the agency in support of the application, and the agency's staff report or notice of intent to approve the permit, license, or conceptual approval. Subsequent to the presentation of the applicant's prima facie case and any direct evidence submitted by the agency, the petitioner initiating the action challenging the issuance of the license, permit, or conceptual approval has the burden of ultimate persuasion and has the burden of going forward to prove the case in opposition to the license, permit, or conceptual approval through the presentation of competent and substantial evidence. The permit applicant and agency may on rebuttal present any evidence relevant to demonstrating that the application meets the conditions for issuance. Notwithstanding subsection (1), this paragraph applies to proceedings under s. 120.574.*

And the title is amended as follows:

Delete line 66 and insert: ratification; amending s. 120.569, F.S.; providing that a nonapplicant who petitions to challenge an agency's issuance of a license, permit, or conceptual approval in certain circum-

stances has the burden of ultimate persuasion and the burden of going forward with evidence; providing an effective date.

Amendment 2 (163806)—Delete line 426 and insert: *economic review in paragraph (g), divided into two approximately*

Amendment 3 (163738)—Delete line 795 and insert: *Florida Statutes, by this act do not change the legal status*

On motion by Senator Bennett, by two-thirds vote **CS for CS for CS for HB 993 and HB 7239** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Fasano	Oelrich
Alexander	Flores	Richter
Altman	Gaetz	Ring
Benacquisto	Garcia	Sachs
Bennett	Gardiner	Simmons
Bogdanoff	Hays	Siplin
Braynon	Jones	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Norman	

Nays—3

Hill	Joyner	Rich
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Vote after roll call:

Yea—Negron

Yea to Nay—Dockery, Storms

On motion by Senator Bogdanoff, the Senate resumed consideration of—

HB 7101—A bill to be entitled An act relating to judicial nominating commissions; repealing s. 43.291, F.S., relating to judicial nominating commissions; creating s. 43.292, F.S.; providing for judicial nominating commissions; specifying membership and composition; providing for appointment of members by the Governor; providing for terms; requiring the Governor to consider racial, ethnic, gender, and geographic diversity in making appointments; providing for suspension of a member of a judicial nominating commission; establishing a quorum; providing for administrative support; abolishing prior offices; permitting reappointment of former officeholders; providing an effective date.

—which was previously considered this day.

MOTION

On motion by Senator Bogdanoff, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bogdanoff moved the following amendment which was adopted:

Amendment 1 (866924) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (3) of section 43.291, Florida Statutes, is amended to read:

43.291 Judicial nominating commissions.—

(3) ~~Notwithstanding any other provision of this section, each current member of a judicial nominating commission appointed directly by the Board of Governors of The Florida Bar shall serve the remainder of his or her term, unless removed for cause.~~ The terms of all ~~current other~~ members of a judicial nominating commission are hereby terminated,

and the Governor shall appoint new members to each judicial nominating commission in the following manner:

- (a) Two appointments for terms ending July 1, 2012 ~~2002~~, one of which shall be an appointment selected from nominations submitted by the Board of Governors of The Florida Bar pursuant to paragraph (1)(a);
- (b) Two appointments for terms ending July 1, 2013 ~~2003~~; and
- (c) Two appointments for terms ending July 1, 2014 ~~2004~~.

Every subsequent appointment, except an appointment to fill a vacant, unexpired term, shall be for 4 years. Each expired term or vacancy shall be filled by appointment in the same manner as the member whose position is being filled.

Section 2. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to judicial nominating commissions; amending s. 43.291, F.S.; providing for termination of the terms of all current members of judicial nominating commissions; providing for staggered terms of newly appointed members; providing an effective date.

Pursuant to Rule 4.19, **HB 7101** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano, by unanimous consent—

CS for CS for SB 488—A bill to be entitled An act relating to sexual offenses; providing a short title; amending s. 90.404, F.S.; revising offenses that are considered “child molestation” for purposes of admitting evidence of other crimes, wrongs, or acts in a criminal case involving child molestation; providing for admission of evidence of other crimes, wrongs, or acts in cases involving a sexual offense; defining the term “sexual offense”; requiring certain property or material that is used in a criminal proceeding to remain in the care, custody, and control of the law enforcement agency, the state attorney, or the court; prohibiting the reproduction of such property or material by the defendant when specified criteria are met by the state attorney; permitting access to the materials by the defendant; amending s. 395.1021, F.S.; requiring a licensed facility that provides emergency room services to arrange for the gathering of forensic medical evidence required for investigation and prosecution from a victim who has reported a sexual battery to a law enforcement agency or who requests that such evidence be gathered for a possible future report; amending s. 775.15, F.S.; providing that a prosecution for video voyeurism in violation of specified provisions may, in addition to existing time periods, be commenced within 1 year after the victim of video voyeurism obtains actual knowledge of the existence of such a recording or the recording is confiscated by a law enforcement agency, whichever occurs first; providing that dissemination of a recording before such knowledge or confiscation does not affect such a time period; amending s. 794.052, F.S.; requiring a law enforcement officer to provide or arrange for transportation of a victim of sexual battery to an appropriate facility for medical treatment or forensic examination; providing for a review of a police officer’s final report by a victim and an opportunity for a statement by a victim; amending ss. 794.056 and 938.085, F.S.; requiring that an additional court cost or surcharge be assessed against a defendant who pleads guilty or nolo contendere to, or is found guilty of, regardless of adjudication, certain criminal offenses; providing for proceeds of the additional court cost or surcharge to be deposited into the Rape Crisis Program Trust Fund; reenacting s. 20.435(21)(a), F.S., relating to the Rape Crisis Program Trust Fund, to incorporate the amendment made to s. 794.056, F.S., in a reference thereto; reenacting s. 794.055(3)(b), F.S., relating to access to services for victims of sexual battery, to incorporate the amendment made to s. 938.085, F.S., in a reference thereto; amending s. 960.003, F.S.; providing for hepatitis testing of persons charged with certain offenses; amending s. 960.198, F.S.; authorizing relocation assistance awards to certain victims of sexual violence; amending s. 1003.42, F.S.; requiring that public schools provide comprehensive health education that addresses concepts of Internet safety; amending s. 92.55, F.S.; authorizing a court to use registered service or therapy animals to aid children in giving testimony in judicial or other proceedings involving a sexual offense when appropriate; requiring the court to consider certain factors

before permitting such testimony; requiring that such registered service or therapy animals be evaluated and registered according to national standards; providing an effective date.

—was taken up out of order and read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 488** to **CS for CS for CS for HB 251**.

Pending further consideration of **CS for CS for SB 488** as amended, on motion by Senator Fasano, by two-thirds vote **CS for CS for CS for HB 251** was withdrawn from the Committees on Criminal Justice; Judiciary; and Budget.

On motion by Senator Fasano—

CS for CS for CS for HB 251—A bill to be entitled An act relating to sexual offenses; providing a short title; amending s. 90.404, F.S.; revising offenses that are considered “child molestation” for purposes of admitting evidence of other crimes, wrongs, or acts in a criminal case involving child molestation; providing for admission of evidence of other crimes, wrongs, or acts in cases involving a sexual offense; defining the term “sexual offense”; amending s. 92.55, F.S.; authorizing the use of service or therapy animals in courts hearing sexual offense cases under certain circumstances; requiring certain property or material that is used in a criminal proceeding to remain in the care, custody, and control of the law enforcement agency, the state attorney, or the court; prohibiting the reproduction of such property or material by the defendant when specified criteria are met by the state attorney; permitting access to the materials by the defendant; amending s. 395.1021, F.S.; requiring a licensed facility that provides emergency room services to arrange for the gathering of forensic medical evidence required for investigation and prosecution from a victim who has reported a sexual battery to a law enforcement agency or who requests that such evidence be gathered for a possible future report; amending s. 775.15, F.S.; providing that a prosecution for video voyeurism in violation of specified provisions may, in addition to existing time periods, be commenced within 1 year after the victim of video voyeurism obtains actual knowledge of the existence of such a recording or the recording is confiscated by a law enforcement agency, whichever occurs first; providing that dissemination of a recording before such knowledge or confiscation does not affect such a time period; amending s. 794.052, F.S.; requiring a law enforcement officer to provide or arrange for transportation of a victim of sexual battery to an appropriate facility for medical treatment or forensic examination; providing for a review of a police officer’s final report by a victim and an opportunity for a statement by a victim; amending ss. 794.056 and 938.085, F.S.; requiring that an additional court cost or surcharge be assessed against a defendant who pleads guilty or nolo contendere to, or is found guilty of, regardless of adjudication, certain criminal offenses; providing for proceeds of the additional court cost or surcharge to be deposited into the Rape Crisis Program Trust Fund; reenacting s. 20.435(21)(a), F.S., relating to the Rape Crisis Program Trust Fund, to incorporate the amendment made to s. 794.056, F.S., in a reference thereto; reenacting s. 794.055(3)(b), F.S., relating to access to services for victims of sexual battery, to incorporate the amendment made to s. 938.085, F.S., in a reference thereto; amending s. 960.003, F.S.; providing for hepatitis testing of persons charged with certain offenses; amending s. 1003.42, F.S.; requiring that public schools provide comprehensive health education that addresses concepts of Internet safety; amending s. 827.071, F.S.; defining the term “intentionally view”; prohibiting controlling or intentionally viewing any photograph, motion picture, exhibition, show, image, data, computer depiction, representation, or other presentation that includes sexual conduct by a child; providing an exception; providing penalties; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart of the Criminal Punishment Code to changes made to s. 827.071, F.S., by the act; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 488** as amended and read the second time by title.

MOTION

On motion by Senator Fasano, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Fasano moved the following amendment which was adopted:

Amendment 1 (492020) (with title amendment)—Between lines 444 and 445 insert:

Section 13. Section 960.198, Florida Statutes, is amended to read:

960.198 Relocation assistance for victims of domestic violence or sexual violence.—

(1) Notwithstanding the criteria set forth in s. 960.13 for crime victim compensation awards, the department may award a one-time payment of up to \$1,500 on any one claim and a lifetime maximum of \$3,000 to a victim of domestic violence who needs immediate assistance to escape from a domestic violence environment or to a victim of sexual violence who reasonably fears for her or his safety.

(2) In order for an award to be granted to a victim for relocation assistance:

(a) There must be proof that a domestic violence or sexual violence offense was committed;

(b) The domestic violence or sexual violence offense must be reported to the proper authorities;

(c) The victim's need for assistance must be certified by a certified domestic violence center or a certified rape crisis center in this state; and

(d) The center certification must assert that the victim is cooperating with law enforcement officials, if applicable, and must include documentation that the victim has developed a safety plan.

And the title is amended as follows:

Delete line 54 and insert: offenses; amending s. 960.198, F.S.; authorizing relocation assistance awards to certain victims of sexual violence; amending s. 1003.42, F.S.; requiring that public

On motion by Senator Fasano, by two-thirds vote **CS for CS for CS for HB 251** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

On motion by Senator Norman, by unanimous consent—

CS for SB 1246—A bill to be entitled An act relating to farms; prohibiting a person from entering onto a farm and making any audio record, photograph, or video record at the farm without the owner's written consent; providing exceptions; providing definitions; providing penalties; providing an effective date.

—was taken up out of order and read the second time by title.

MOTION

On motion by Senator Norman, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Norman moved the following amendment which was adopted:

Amendment 1 (925436)—Delete lines 13 and 14 and insert: *pursuant to s. 570.15, Florida Statutes; a law enforcement officer conducting a lawful inspection or investigation; the Department of Business and Professional Regulation, pursuant to chapter 450, Florida Statutes; engineers and their agents and employees acting pursuant to s. 471.027, Florida Statutes; surveyors and mappers, acting pursuant to s. 472.029, Florida Statutes; or persons acting on behalf of insurers for inspection, underwriting, or claims purposes, who*

MOTION

On motion by Senator Bogdanoff, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bogdanoff moved the following amendment which was adopted:

Amendment 2 (814334)—Delete lines 28-30 and insert:

(b) *“Farm” means any tract of land cultivated for the purpose of raising crops or farming livestock, as defined in s. 585.01, or poultry, as defined in s. 583.01.*

Pursuant to Rule 4.19, **CS for SB 1246** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Detert, by unanimous consent—

CS for CS for SB 1316—A bill to be entitled An act relating to loan processing; amending s. 494.001, F.S.; creating and revising definitions; deleting a redundant definition; amending s. 494.0011, F.S.; specifying rulemaking powers of the Financial Services Commission; amending s. 494.00255, F.S.; including in-house loan processors in disciplinary provisions; amending s. 494.00331, F.S.; providing that specified provisions do not apply to a licensed contract loan processor who has on file with the office a declaration of intent to act solely as a contract loan processor; deleting a definition; providing restrictions on employment of persons licensed as in-house loan processors; amending s. 494.0035, F.S.; clarifying provisions concerning the operation of mortgage brokers; amending s. 494.0038, F.S.; revising provisions relating to disclosure of settlement charges and loan terms; amending s. 494.00421, F.S.; revising an agency reference in the mortgage broker agreement; providing that a borrower may contact the Office of Financial Regulation rather than the Department of Financial Services regarding any complaints against a loan originator; amending s. 494.00612, F.S.; requiring that in order to renew a mortgage lender license a mortgage lender must authorize the Nationwide Mortgage Licensing System and Registry to obtain an independent credit report on each of the mortgage lender's control persons; amending s. 494.0067, F.S.; requiring each mortgage lender to submit certain reports to the registry as may be required; providing an effective date.

—was taken up out of order and read the second time by title.

Senator Detert moved the following amendments which were adopted:

Amendment 1 (431722) (with title amendment)—Between lines 151 and 152 insert:

Section 3. Paragraph (f) is added to subsection (1) of section 494.00115, Florida Statutes, to read:

494.00115 Exemptions.—

(1) The following are exempt from regulation under this part and parts II and III of this chapter.

(f) *A person who performs only real estate brokerage activities and is licensed or registered in this state under part I of chapter 475, unless the person is compensated by a lender, a mortgage broker, or other loan originator or by an agent of such lender, mortgage broker, or other loan originator. The term “real estate brokerage activity” has the same meaning as in the Federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008.*

And the title is amended as follows:

Delete line 6 and insert: Services Commission; amending s. 494.00115, F.S.; providing an exemption from regulation under ch. 494, F.S., for certain persons regulated under ch. 475, F.S.; amending s. 494.00255, F.S.;

Amendment 2 (560290)—Delete line 237 and insert: violating the restriction in s. 494.0025(7) requiring fees or

On motion by Senator Detert, by two-thirds vote **CS for CS for SB 1316** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

On motion by Senator Benacquisto, by unanimous consent—

CS for CS for SB 1318—A bill to be entitled An act relating to the tax refund program for qualified target industry businesses; amending s. 288.106, F.S.; revising the criteria for the determination of target industry businesses by the Office of Tourism, Trade, and Economic Development; providing for notification by the local governing body recommending the project of the private-sector wage calculation; providing an effective date.

—was taken up out of order and read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 1318** to **CS for CS for HB 879**.

Pending further consideration of **CS for CS for SB 1318** as amended, on motion by Senator Benacquisto, by two-thirds vote **CS for CS for HB 879** was withdrawn from the Committees on Commerce and Tourism; Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Budget.

On motion by Senator Benacquisto, the rules were waived and—

CS for CS for HB 879—A bill to be entitled An act relating to targeted economic development; amending s. 220.191, F.S.; providing that a capital investment tax credit may be carried forward for use against the corporate income tax in specified years after the commencement of operations of a project; amending s. 288.106, F.S.; redefining the term “target industry business” to revise the eligibility criteria for the tax refund program for target industry businesses; requiring certain local governing boards to notify the Office of Tourism, Trade, and Economic Development and Enterprise Florida, Inc., of the average private-sector wage calculation to be used for purposes of a business’s wage commitment under the tax refund program; authorizing a reduction in the local financial support requirements for qualified target industry businesses located in specified counties under certain circumstances; providing for future expiration; amending s. 377.809, F.S.; deleting an obsolete provision; revising the date by which the Department of Community Affairs must submit a report to the Governor and Legislature which evaluates the success of the Energy Economic Zone Pilot Program; requiring that all incentives and benefits provided for enterprise zones be made available to energy economic zones by a specified date; assigning duties for the administration of energy economic zones to the local governing bodies that have jurisdiction over such zones; providing for boundaries of

the zones, eligibility criteria for the incentives, and benefits provided in the zones; specifying the incentives and benefits available in the zones; requiring that the applicable requirements for employee residency for higher refund or credit thresholds be based on employee residency in the energy economic zone or an enterprise zone; establishing priorities for funding certain projects; limiting the annual amount of such incentives; authorizing the carryforward of any unused amount of incentives for a specified period; providing for the issuance of certificates to eligible businesses; requiring the local governing body to certify to the Department of Revenue or the Office of Tourism, Trade, and Economic Development which businesses or properties are eligible for the incentives; requiring the Department of Revenue to send written instructions to eligible businesses on claiming the credit on a sales and use tax return initiated through an electronic data interchange; authorizing the Office of Tourism, Trade, and Economic Development and the Department of Revenue to adopt emergency rules; providing for renewal of the rules; amending s. 380.06, F.S.; exempting certain developments in an energy economic zone from review as a development of regional impact; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1318** as amended and read the second time by title.

On motion by Senator Benacquisto, by two-thirds vote **CS for CS for HB 879** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

On motion by Senator Siplin, by unanimous consent—

CS for CS for SB 1174—A bill to be entitled An act relating to agricultural-related exemptions to water management requirements; amending s. 373.406, F.S.; revising an exemption for agricultural-related activities to include certain impacts to surface waters and wetlands; providing that the exemption applies to certain agricultural lands and certain activities requiring an environmental resource permit and does not apply to specified permitted activities; amending s. 373.407, F.S.; providing exclusive authority to the Department of Agriculture and Consumer Services to determine whether certain activities qualify for an agricultural-related exemption under specified conditions; requiring a specified memorandum of agreement between the department and each water management district; authorizing the department to adopt rules; amending s. 403.927, F.S.; providing an exemption from mitigation requirements for converted agricultural lands under certain conditions; revising the definition of the term “agricultural activities” to include cultivating, fallowing, and leveling and to provide for certain impacts to surface waters and wetlands; providing an effective date.

—was taken up out of order and read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 1174** to **CS for CS for HB 421**.

Pending further consideration of **CS for CS for SB 1174** as amended, on motion by Senator Siplin, by two-thirds vote **CS for CS for HB 421**

was withdrawn from the Committees on Agriculture; Environmental Preservation and Conservation; and Budget.

On motion by Senator Siplin—

CS for CS for HB 421—A bill to be entitled An act relating to agricultural-related exemptions to water management requirements; amending s. 373.406, F.S.; revising an exemption for agricultural-related activities to include certain impacts to surface waters and wetlands; clarifying the purposes of such activities; limiting applicability of the exemption; providing for retroactive application of the exemption; amending s. 373.407, F.S.; providing exclusive authority to the Department of Agriculture and Consumer Services to determine whether certain activities qualify for an agricultural-related exemption under specified conditions; requiring a specified memorandum of agreement between the department and each water management district; authorizing the department to adopt rules; amending s. 403.927, F.S.; providing an exemption from mitigation requirements for converted agricultural lands under certain conditions; revising the definition of the term “agricultural activities” to include cultivating, fallowing, leveling, and implementation of specified practices and standards and to provide for certain impacts to surface waters and wetlands; providing an effective date.

—a companion measure, was substituted for CS for CS for SB 1174 as amended and read the second time by title.

On motion by Senator Siplin, by two-thirds vote CS for CS for HB 421 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hays	Simmons
Bogdanoff	Hill	Siplin
Braynon	Jones	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—2

Joyner	Rich
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On motion by Senator Flores, by unanimous consent—

CS for SB 584—A bill to be entitled An act relating to massage therapy; amending s. 480.041, F.S.; requiring applicants to apply for a temporary permit upon forms prepared and furnished by the Department of Health in accordance with the Board of Massage Therapy’s rules; authorizing the Board of Massage Therapy to issue temporary permits to applicants who meet certain qualifications to practice massage therapy; providing for the expiration of temporary permits; providing limitations; amending s. 480.044, F.S.; providing for a temporary permit fee; providing an effective date.

—was taken up out of order and read the second time by title.

MOTION

On motion by Senator Jones, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Jones moved the following amendments which failed:

Amendment 1 (887754)—Delete lines 58-60 and insert:

1. Graduates from a massage therapy school that is accredited by an accrediting agency recognized by the United States Department of Education and that maintains an exam passage rate of 70 percent or higher.

The vote was:

Yeas—18

Altman	Hill	Oelrich
Bennett	Jones	Rich
Dean	Joyner	Sachs
Detert	Lynn	Smith
Dockery	Margolis	Sobel
Hays	Montford	Wise

Nays—18

Mr. President	Evers	Negron
Alexander	Flores	Richter
Benacquisto	Gaetz	Simmons
Bogdanoff	Garcia	Siplin
Braynon	Gardiner	Storms
Diaz de la Portilla	Latvala	Thrasher

SENATOR BENNETT PRESIDING

THE PRESIDENT PRESIDING

Amendment 2 (807680) (with title amendment)—Between lines 78 and 79 insert:

(e) The practice of massage therapy under a licensed massage therapist may not be counted as gainful employment under the federal guidelines of the Higher Education Opportunity Act.

And the title is amended as follows:

Delete line 10 and insert: temporary permits; providing limitations; providing that the practice of massage therapy may not be counted as gainful employment under the federal guidelines of the Higher Education Opportunity Act; amending s.

The vote was:

Yeas—18

Altman	Hill	Oelrich
Bennett	Jones	Rich
Dean	Joyner	Sachs
Detert	Lynn	Smith
Dockery	Margolis	Sobel
Hays	Montford	Wise

Nays—18

Mr. President	Evers	Negron
Alexander	Flores	Norman
Benacquisto	Gaetz	Richter
Bogdanoff	Garcia	Simmons
Braynon	Gardiner	Storms
Diaz de la Portilla	Latvala	Thrasher

Pursuant to Rule 4.19, CS for SB 584 was placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator Flores, the House was requested to return SM 954.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 146, with amendment(s), and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for SB 146—A bill to be entitled An act relating to criminal justice; providing a short title; providing legislative intent; requiring state agencies and regulatory boards to prepare reports that identify and evaluate restrictions on licensing and employment for ex-offenders; amending s. 112.011, F.S.; prohibiting state agencies from denying an application for a license, permit, certificate, or employment based on a person's lack of civil rights; providing an exception; amending s. 768.096, F.S.; revising the presumption against negligent hiring of an employee in circumstances in which a background investigation of a prospective employee revealed that the employee was unsuitable for the context of the employment in general; providing an effective date.

House Amendment 1 (558007) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. This act may be cited as the "Jim King Keep Florida Working Act."

Section 2. Restrictions on the employment of ex-offenders; legislative intent; state agency reporting requirements.—

(1) The Legislature declares that a goal of this state is to clearly identify the occupations from which ex-offenders are disqualified based on the nature of their offenses. The Legislature seeks to make employment opportunities available to ex-offenders in a manner that serves to preserve and protect the health, safety, and welfare of the general public, yet encourages them to become productive members of society. To this end, state agencies that exercise regulatory authority are in the best position to identify all restrictions on employment imposed by the agencies or by boards that regulate professions and occupations and are obligated to protect the health, safety, and welfare of the general public by clearly setting forth those restrictions in keeping with standards and protections determined by the agencies to be in the least restrictive manner.

(2) Each state agency, including, but not limited to, those state agencies responsible for professional and occupational regulatory boards, shall ensure the appropriate restrictions necessary to protect the overall health, safety, and welfare of the general public are in place, and by December 31, 2011, and every 4 years thereafter, submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report that includes:

(a) A list of all agency or board statutes or rules that disqualify from employment or licensure persons who have been convicted of a crime and have completed any incarceration and restitution to which they have been sentenced for such crime.

(b) A determination of whether the disqualifying statutes or rules are readily available to prospective employers and licensees.

(c) The identification and evaluation of alternatives to the disqualifying statutes or rules which protect the health, safety, and welfare of the general public without impeding the gainful employment of ex-offenders.

Section 3. Effective January 1, 2012, section 112.011, Florida Statutes, is amended to read:

112.011 Disqualification from licensing and public employment based on criminal conviction Felons; removal of disqualifications for employment, exceptions.—

(1)(a) Except as provided in s. 775.16, a person may shall not be disqualified from employment by the state, any of its agencies or political subdivisions, or any municipality solely because of a prior conviction for a crime. However, a person may be denied employment by the state, any of its agencies or political subdivisions, or any municipality by reason of

the prior conviction for a crime if the crime was a felony or first degree misdemeanor and directly related to the position of employment sought.

(b) Except as provided in s. 775.16, a person whose civil rights have been restored shall not be disqualified to practice, pursue, or engage in any occupation, trade, vocation, profession, or business for which a license, permit, or certificate is required to be issued by the state, any of its agencies or political subdivisions, or any municipality solely because of a prior conviction for a crime. However, a person whose civil rights have been restored may be denied a license, permit, or certification to pursue, practice, or engage in an occupation, trade, vocation, profession, or business by reason of the prior conviction for a crime if the crime was a felony or first-degree first-degree misdemeanor that is and directly related to the standards determined by the regulatory authority to be necessary and reasonably related to the protection of the public health, safety, and welfare for the specific occupation, trade, vocation, profession, or business for which the license, permit, or certificate is sought.

(c) Notwithstanding any law to the contrary, a state agency may not deny an application for a license, permit, certificate, or employment based solely on the applicant's lack of civil rights. However, this paragraph does not apply to applications for a license to carry a concealed weapon or firearm under chapter 790.

(2)(a) This section does shall not apply be applicable to any law enforcement or correctional agency.

(b) This section does shall not apply be applicable to the employment practices of any fire department relating to the hiring of firefighters. An applicant for employment with any fire department who has with a prior felony conviction shall be excluded from employment for a period of 4 years after expiration of sentence or final release by the Parole Commission unless the applicant, before prior to the expiration of the 4-year period, has received a full pardon or has had his or her civil rights restored.

(c) This section does shall not apply be applicable to the employment practices of any county or municipality relating to the hiring of personnel for positions deemed to be critical to security or public safety pursuant to ss. 125.5801 and 166.0442.

(3) Any complaint concerning the violation of this section shall be adjudicated in accordance with the procedures set forth in chapter 120 for administrative and judicial review.

Section 4. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to criminal justice; providing a short title; providing legislative intent; requiring state agencies to prepare reports that identify and evaluate restrictions on licensing and employment for ex-offenders; amending s. 112.011, F.S.; prohibiting state agencies from denying an application for a license, permit, certificate, or employment based solely on a person's lack of civil rights; providing an exception; providing effective dates.

On motion by Senator Smith, the Senate concurred in the House amendment.

CS for SB 146 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Mr. President, Diaz de la Portilla, Hill, Alexander, Dockery, Jones, Altman, Evers, Joyner, Benacquisto, Fasano, Latvala, Bennett, Flores, Lynn, Bogdanoff, Gaetz, Margolis, Braynon, Garcia, Montford, Dean, Gardiner, Negron, Detert, Hays, Norman

Oelrich	Sachs	Sobel
Rich	Simmons	Storms
Richter	Siplin	Thrasher
Ring	Smith	Wise

Nays—None

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed SB 410, with amendment(s), by the required constitutional two-thirds vote of the membership.

Robert L. "Bob" Ward, Clerk

SB 410—A bill to be entitled An act relating to impact fees; reenacting s. 163.31801(5), F.S., relating to the burden of proof required by the government in an action challenging an impact fee; providing for retroactive operation of the act; providing for an exception under specified circumstances; providing an effective date.

House Amendment 1 (842921) (with title amendment)—Between lines 29 and 30, insert:

Section 2. *The Legislature finds that this act fulfills an important state interest.*

And the title is amended as follows:

Remove line 5 and insert: impact fee; providing a legislative finding of important state interest; providing for retroactive operation of the

On motion by Senator Bennett, the Senate concurred in the House amendment.

SB 410 passed as amended by the required constitutional two-thirds vote of the members present, and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for CS for SB 1546, with amendment(s), and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for CS for CS for SB 1546—A bill to be entitled An act relating to charter schools; amending ss. 163.3180 and 1002.32, F.S.; conforming cross-references; amending s. 1002.33, F.S.; requiring that the Department of Education provide or arrange for training and technical assistance for charter schools; authorizing a sponsor to require certain governing board members to reside in the school district; providing for the designation of charter schools as high-performing if certain requirements are met; providing definitions relating to the high-performing charter school system; revising provisions to conform to changes made by

the act; amending ss. 1002.34, 1011.68, 1012.32, and 1013.62, F.S.; conforming cross-references; requiring that the Office of Program Policy Analysis and Government Accountability conduct a study comparing the funding of charter schools to the funding of public schools; providing requirements for the study; requiring that the office submit its recommendations and findings to the Governor and Legislature by a specified date; providing for severability; providing an effective date.

House Amendment 1 (828835) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 1002.331, Florida Statutes, is created to read:

1002.331 *High-performing charter schools.*—

(1) *A charter school is a high-performing charter school if it:*

(a) *Received at least two school grades of "A" and no school grade below "B," pursuant to s. 1008.34, during each of the previous 3 school years.*

(b) *Received an unqualified opinion on each annual financial audit required under s. 218.39 in the most recent 3 fiscal years for which such audits are available.*

(c) *Did not receive a financial audit that revealed one or more of the financial emergency conditions set forth in s. 218.503(1) in the most recent 3 fiscal years for which such audits are available. However, this requirement is deemed met for a charter school-in-the-workplace if there is a finding in an audit that the school has the monetary resources available to cover any reported deficiency or that the deficiency does not result in a deteriorating financial condition pursuant to s. 1002.345(1)(a)3.*

A virtual charter school established under s. 1002.33 is not eligible for designation as a high-performing charter school.

(2) *A high-performing charter school is authorized to:*

(a) *Increase its student enrollment once per school year by up to 15 percent more than the capacity identified in the charter.*

(b) *Expand grade levels within kindergarten through grade 12 to add grade levels not already served if any annual enrollment increase resulting from grade level expansion is within the limit established in paragraph (a).*

(c) *Submit a quarterly, rather than a monthly, financial statement to the sponsor pursuant to s. 1002.33(9)(g).*

(d) *Consolidate under a single charter the charters of multiple high-performing charter schools operated in the same school district by the charter schools' governing board regardless of the renewal cycle.*

(e) *Receive a modification of its charter to a term of 15 years or a 15-year charter renewal. The charter may be modified or renewed for a shorter term at the option of the high-performing charter school. The charter must be consistent with s. 1002.33(7)(a)19. and (10)(h) and (i), is subject to annual review by the sponsor, and may be terminated during its term pursuant to s. 1002.33(8).*

A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable.

(3)(a) *A high-performing charter school may submit an application pursuant to s. 1002.33(6) in any school district in the state to establish and operate a new charter school that will substantially replicate its educational program. An application submitted by a high-performing charter school must state that the application is being submitted pursuant to this paragraph and must include the verification letter provided by the Commissioner of Education pursuant to subsection (5). If the sponsor fails to act on the application within 60 days after receipt, the application is deemed approved and the procedure in s. 1002.33(6)(h) applies. If the sponsor denies the application, the high-performing charter school may appeal pursuant to s. 1002.33(6).*

(b) *A high-performing charter school may not establish more than one charter school within the state under paragraph (a) in any year. A sub-*

sequent application to establish a charter school under paragraph (a) may not be submitted unless each charter school established in this manner achieves high-performing charter school status.

(4) A high-performing charter school may not increase enrollment or expand grade levels following any school year in which it receives a school grade of "C" or below. If the charter school receives a school grade of "C" or below in any 2 years during the term of the charter awarded under subsection (2), the term of the charter may be modified by the sponsor and the charter school loses its high-performing charter school status until it regains that status under subsection (1).

(5) The Commissioner of Education, upon request by a charter school, shall verify that the charter school meets the criteria in subsection (1) and provide a letter to the charter school and the sponsor stating that the charter school is a high-performing charter school pursuant to this section.

(6) A high-performing charter school replicated under this section may not be replicated as a virtual charter school.

Section 2. Section 1002.332, Florida Statutes, is created to read:

1002.332 High-performing charter school system.—

(1) For purposes of this section, the term:

(a) "Entity" means a municipality or other public entity that is authorized by law to operate a charter school; a private, nonprofit corporation with tax-exempt status under s. 501(c)(3) of the Internal Revenue Code; or a private, for-profit education management corporation.

(b) "High-performing charter school system" means an entity that:

1. Operates at least three high-performing charter schools in the state;
2. Operates a system of charter schools in which at least 50 percent of the charter schools are high-performing charter schools pursuant to s. 1002.331 and no charter school received a school grade of "D" or "F" pursuant to s. 1008.34, except that:

a. If the entity has assumed operation of a public school pursuant to s. 1008.33(5)(a)3. with a school grade of "D" or "F," that school's grade shall not be considered in determining high-performing charter school system status for a period of 3 years.

b. If the entity establishes a new charter school that serves a student population the majority of which resides in a school zone served by a public school that is identified as lowest performing under s. 1008.33(4)(b), that charter school's grade shall not be considered in determining high-performing charter school system status if it attains and maintains a school grade that is higher than that of the public school serving that school zone within 3 years after establishment; and

3. Has not received a financial audit that revealed one or more of the financial emergency conditions set forth in s. 218.503(1) for any charter school assumed or established by the entity.

(2)(a) The Commissioner of Education, upon request by an entity, shall verify that the entity meets the criteria in subsection (1) for the prior school year and provide a letter to the entity stating that it is a high-performing charter school system.

(b) A high-performing charter school system may replicate its high-performing charter schools pursuant to s. 1002.331(3).

Section 3. Paragraphs (b), (c), (e), and (f) of subsection (6), subsection (7), paragraphs (b), (c), and (d) of subsection (8), paragraph (g) of subsection (9), paragraphs (d) and (h) of subsection (10), paragraph (a) of subsection (18), subsections (19) and (22), and paragraph (b) of subsection (25) of section 1002.33, Florida Statutes, are amended, paragraph (i) is added to subsection (10), subsection (26) is renumbered as subsection (27), and a new subsection (26) is added to that section, to read:

1002.33 Charter schools.—

(6) APPLICATION PROCESS AND REVIEW.—Charter school applications are subject to the following requirements:

(b) A sponsor shall receive and review all applications for a charter school using an evaluation instrument developed by the Department of Education. ~~Beginning with the 2007-2008 school year,~~ A sponsor shall receive and consider charter school applications received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district's next school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may receive applications later than this date if it chooses. A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of an application upon the promise of future payment of any kind. *Before approving or denying any application, the sponsor shall allow the applicant, upon receipt of written notification, at least 7 calendar days to make technical or nonsubstantive corrections and clarifications, including, but not limited to, corrections of grammatical, typographical, and like errors or missing signatures, if such errors are identified by the sponsor as cause to deny the application.*

1. In order to facilitate an accurate budget projection process, a sponsor shall be held harmless for FTE students who are not included in the FTE projection due to approval of charter school applications after the FTE projection deadline. In a further effort to facilitate an accurate budget projection, within 15 calendar days after receipt of a charter school application, a sponsor shall report to the Department of Education the name of the applicant entity, the proposed charter school location, and its projected FTE.

2. In order to ensure fiscal responsibility, an application for a charter school shall include a full accounting of expected assets, a projection of expected sources and amounts of income, including income derived from projected student enrollments and from community support, and an expense projection that includes full accounting of the costs of operation, including start-up costs.

3.a. A sponsor shall by a majority vote approve or deny an application no later than 60 calendar days after the application is received, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date, at which time the sponsor shall by a majority vote approve or deny the application. If the sponsor fails to act on the application, an applicant may appeal to the State Board of Education as provided in paragraph (c). If an application is denied, the sponsor shall, within 10 calendar days after such denial, articulate in writing the specific reasons, based upon good cause, supporting its denial of the charter application and shall provide the letter of denial and supporting documentation to the applicant and to the Department of Education ~~supporting those reasons.~~

b. An application submitted by a high-performing charter school identified pursuant to s. 1002.331 may be denied by the sponsor only if the sponsor demonstrates by clear and convincing evidence that:

(I) The application does not materially comply with the requirements in paragraph (a);

(II) The charter school proposed in the application does not materially comply with the requirements in paragraphs (9)(a)-(f);

(III) The proposed charter school's educational program does not substantially replicate that of the applicant or one of the applicant's high-performing charter schools;

(IV) The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or

(V) The proposed charter school's educational program and financial management practices do not materially comply with the requirements of this section.

Material noncompliance is a failure to follow requirements or a violation of prohibitions applicable to charter school applications, which failure is quantitatively or qualitatively significant either individually or when aggregated with other noncompliance. An applicant is considered to be replicating a high-performing charter school if the proposed school is substantially similar to at least one of the applicant's high-performing charter schools and the organization or individuals involved in the establishment and operation of the proposed school are significantly involved in the operation of replicated schools.

c. If the sponsor denies an application submitted by a high-performing charter school, the sponsor must, within 10 calendar days after such denial, state in writing the specific reasons, based upon the criteria in sub-subparagraph b., supporting its denial of the application and must provide the letter of denial and supporting documentation to the applicant and to the Department of Education. The applicant may appeal the sponsor's denial of the application directly to the State Board of Education pursuant to sub-subparagraph (c)3.b.

4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of a charter application within 10 calendar days after such approval or denial. In the event of approval, the report to the Department of Education shall include the final projected FTE for the approved charter school.

5. Upon approval of a charter application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted unless the sponsor allows a waiver of this subparagraph for good cause.

(c)1. An applicant may appeal any denial of that applicant's application or failure to act on an application to the State Board of Education no later than 30 calendar days after receipt of the sponsor's decision or failure to act and shall notify the sponsor of its appeal. Any response of the sponsor shall be submitted to the State Board of Education within 30 calendar days after notification of the appeal. Upon receipt of notification from the State Board of Education that a charter school applicant is filing an appeal, the Commissioner of Education shall convene a meeting of the Charter School Appeal Commission to study and make recommendations to the State Board of Education regarding its pending decision about the appeal. The commission shall forward its recommendation to the state board no later than 7 calendar days prior to the date on which the appeal is to be heard.

2. ~~The Charter School Appeal Commission may reject an appeal submission for failure to comply with procedural rules governing the appeals process. The rejection shall describe the submission errors. The appellant shall have 15 calendar days after notice of rejection in which to resubmit an appeal that meets the requirements set forth in State Board of Education rule. An appeal submitted subsequent to such rejection is considered timely if the original appeal was filed within 30 calendar days after receipt of notice of the specific reasons for the sponsor's denial of the charter application.~~

3.a. ~~The State Board of Education shall by majority vote accept or reject the decision of the sponsor no later than 90 calendar days after an appeal is filed in accordance with State Board of Education rule. The Charter School Appeal Commission may reject an appeal submission for failure to comply with procedural rules governing the appeals process. The rejection shall describe the submission errors. The appellant may have up to 15 calendar days from notice of rejection to resubmit an appeal that meets requirements of State Board of Education rule. An application for appeal submitted subsequent to such rejection shall be considered timely if the original appeal was filed within 30 calendar days after receipt of notice of the specific reasons for the sponsor's denial of the charter application. The State Board of Education shall remand the application to the sponsor with its written decision that the sponsor approve or deny the application. The sponsor shall implement the decision of the State Board of Education. The decision of the State Board of Education is not subject to the provisions of the Administrative Procedure Act, chapter 120.~~

b. ~~If an appeal concerns an application submitted by a high-performing charter school identified pursuant to s. 1002.331, the State Board of Education shall determine whether the sponsor has shown, by clear and convincing evidence, that:~~

(I) ~~The application does not materially comply with the requirements in paragraph (a);~~

(II) ~~The charter school proposed in the application does not materially comply with the requirements in paragraphs (9)(a)-(f);~~

(III) ~~The proposed charter school's educational program does not substantially replicate that of the applicant or one of the applicant's high-performing charter schools;~~

(IV) ~~The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or~~

(V) ~~The proposed charter school's educational program and financial management practices do not materially comply with the requirements of this section.~~

~~The State Board of Education shall approve or reject the sponsor's denial of an application no later than 90 calendar days after an appeal is filed in accordance with State Board of Education rule. The State Board of Education shall remand the application to the sponsor with its written decision that the sponsor approve or deny the application. The sponsor shall implement the decision of the State Board of Education. The decision of the State Board of Education is not subject to the Administrative Procedure Act, chapter 120.~~

(e)1. A Charter School Appeal Commission is established to assist the commissioner and the State Board of Education with a fair and impartial review of appeals by applicants whose charter applications have been denied, whose charter contracts have not been renewed, or whose charter contracts have been terminated by their sponsors.

2. The Charter School Appeal Commission may receive copies of the appeal documents forwarded to the State Board of Education, review the documents, gather other applicable information regarding the appeal, and make a written recommendation to the commissioner. The recommendation must state whether the appeal should be upheld or denied and include the reasons for the recommendation being offered. The commissioner shall forward the recommendation to the State Board of Education no later than 7 calendar days prior to the date on which the appeal is to be heard. The state board must consider the commission's recommendation in making its decision, but is not bound by the recommendation. The decision of the Charter School Appeal Commission is not subject to the provisions of the Administrative Procedure Act, chapter 120.

3. The commissioner shall appoint a number of the members to of the Charter School Appeal Commission sufficient to ensure that no potential conflict of interest exists for any commission appeal decision. Members shall serve without compensation but may be reimbursed for travel and per diem expenses in conjunction with their service. ~~Of the members hearing the appeal, one-half of the members must represent currently operating charter schools; and one-half of the members must represent sponsors. The commissioner or a named designee shall chair the Charter School Appeal Commission.~~

4. The chair shall convene meetings of the commission and shall ensure that the written recommendations are completed and forwarded in a timely manner. In cases where the commission cannot reach a decision, the chair shall make the written recommendation with justification, noting that the decision was rendered by the chair.

5. Commission members shall thoroughly review the materials presented to them from the appellant and the sponsor. The commission may request information to clarify the documentation presented to it. In the course of its review, the commission may facilitate the postponement of an appeal in those cases where additional time and communication may negate the need for a formal appeal and both parties agree, in writing, to postpone the appeal to the State Board of Education. A new date certain for the appeal shall then be set based upon the rules and procedures of the State Board of Education. Commission members shall provide a written recommendation to the state board as to whether the appeal should be upheld or denied. A fact-based justification for the recommendation must be included. The chair must ensure that the written recommendation is submitted to the State Board of Education members no later than 7 calendar days prior to the date on which the appeal is to be heard. Both parties in the case shall also be provided a copy of the recommendation.

(f)1. ~~The Department of Education shall provide offer or arrange for training and technical assistance to charter schools school applicants in developing and adjusting business plans and accounting for estimating costs and income. Training and technical This assistance shall also address, at a minimum, state and federal grant and student performance accountability reporting requirements and provide assistance in estimating startup costs, projecting enrollment, and identifying and applying for the types and amounts of state and federal financial assistance~~

the charter school may be eligible to receive. The department may provide other technical assistance to an applicant upon written request.

2. A charter school applicant must participate in the training provided by the Department of Education *after approval of an application but at least 30 calendar days before the first day of classes at the charter school before filing an application*. However, a sponsor may require the charter school applicant to attend training provided by the sponsor in lieu of the department's training if the sponsor's training standards meet or exceed the standards developed by the department of Education. *In such case, the sponsor may not require the charter school applicant to attend the training within 30 calendar days before the first day of classes at the charter school. The training must shall include instruction in accurate financial planning and good business practices. If the applicant is a management company or a other nonprofit organization, the charter school principal and the chief financial officer or his or her equivalent must also participate in the training. A sponsor may not require a high-performing charter school or high-performing charter school system applicant to participate in the training described in this subparagraph more than once.*

(7) CHARTER.—The major issues involving the operation of a charter school shall be considered in advance and written into the charter. The charter shall be signed by the governing *board body* of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the Sunshine State Standards and grounded in scientifically based reading research.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description of:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. The methods shall provide a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the state-wide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1003.428, s. 1003.429, or s. 1003.43.

6. A method for resolving conflicts between the governing *board body* of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct.

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and shall be compared with information provided in the annual report of the charter school.

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 4 or 5 years. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school that is being converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person

employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term “relative” means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. *Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable.*

(b)1. A charter may be renewed provided that a program review demonstrates that the criteria in paragraph (a) have been successfully accomplished and that none of the grounds for nonrenewal established by paragraph (8)(a) has been documented. In order to facilitate long-term financing for charter school construction, charter schools operating for a minimum of 3 years and demonstrating exemplary academic programming and fiscal management are eligible for a 15-year charter renewal. Such long-term charter is subject to annual review and may be terminated during the term of the charter.

2. The 15-year charter renewal that may be granted pursuant to subparagraph 1. shall be granted to a charter school that has received a school grade of “A” or “B” pursuant to s. 1008.34 in 3 of the past 4 years and is not in a state of financial emergency or deficit position as defined by this section. Such long-term charter is subject to annual review and may be terminated during the term of the charter pursuant to subsection (8).

(c) A charter may be modified during its initial term or any renewal term upon the recommendation of the sponsor or the charter school’s governing board and the approval of both parties to the agreement.

(d)1. *Each charter school’s governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. The representative must reside in the school district in which the charter school is located and may be a governing board member, charter school employee, or individual contracted to represent the governing board. If the governing board oversees multiple charter schools in the same school district, the governing board must appoint a separate individual representative for each charter school in the district. The representative’s contact information must be provided annually in writing to parents and posted prominently on the charter school’s website if a website is maintained by the school. The sponsor may not require that governing board members reside in the school district in which the charter school is located if the charter school complies with this paragraph.*

2. *Each charter school’s governing board must hold at least two public meetings per school year in the school district. The meetings must be noticed, open, and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school’s operations. The appointed representative and charter school principal or director, or his or her equivalent, must be physically present at each meeting.*

(8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

(b) At least 90 days prior to renewing or terminating a charter, the sponsor shall notify the governing board ~~body~~ of the school of the proposed action in writing. The notice shall state in reasonable detail the grounds for the proposed action and stipulate that the school’s governing board ~~body~~ may, within 14 calendar days after receiving the notice, request a ~~an informal~~ hearing. *The hearing shall be conducted at the sponsor’s election in accordance with one of the following procedures:*

1. *A direct hearing conducted by the sponsor within 60 days after receipt of the request for a hearing. The hearing shall be conducted in accordance with ss. 120.569 and 120.57. The sponsor shall decide upon*

nonrenewal or termination by a majority vote. The sponsor’s decision shall be a final order; or

2. *A hearing conducted by an administrative law judge assigned by the Division of Administrative Hearings. The hearing shall be conducted within 60 days after receipt of the request for a hearing and in accordance with chapter 120. The administrative law judge’s recommended order shall be submitted to the sponsor. A majority vote by the sponsor shall be required to adopt or modify the administrative law judge’s recommended order. The sponsor shall issue a final order ~~before the sponsor. The sponsor shall conduct the informal hearing within 30 calendar days after receiving a written request.~~*

(c) *The final order shall state the specific reasons for the sponsor’s decision. The sponsor shall provide its final order to the charter school’s governing board and the Department of Education no later than 10 calendar days after its issuance. ~~If a charter is not renewed or is terminated pursuant to paragraph (b), the sponsor shall, within 10 calendar days, articulate in writing the specific reasons for its nonrenewal or termination of the charter and must provide the letter of nonrenewal or termination and documentation supporting the reasons to the charter school governing body, the charter school principal, and the Department of Education. The charter school’s governing board may, within 30 calendar days after receiving the sponsor’s final order ~~written decision to refuse to renew or to terminate the charter, appeal the decision pursuant to s. 120.68 the procedure established in subsection (6).~~~~*

(d) *A charter may be terminated immediately if the sponsor ~~sets forth in writing the particular facts and circumstances indicating that an immediate and serious danger to~~ determines that good cause has been shown or if the health, safety, or welfare of the charter school’s students exists is threatened. The sponsor’s determination is not subject to the procedures set forth in paragraphs ~~an informal hearing under paragraph (b) and (c), except that the hearing may take place after the charter has been terminated or pursuant to chapter 120.~~ The sponsor shall notify in writing the charter school’s governing board ~~body~~, the charter school principal, and the department if a charter is ~~immediately~~ terminated immediately. The sponsor shall clearly identify the specific issues that resulted in the immediate termination and provide evidence of prior notification of issues resulting in the immediate termination when appropriate. Upon receiving written notice from the sponsor, the charter school’s governing board has 10 calendar days to request a hearing. A requested hearing must be expedited and the final order must be issued within 60 days after the date of request. The sponsor shall assume operation of the charter school throughout the pendency of the hearing under paragraphs (b) and (c) unless the continued operation of the charter school would materially threaten the health, safety, or welfare of the students. Failure by the sponsor to assume and continue operation of the charter school shall result in the awarding of reasonable costs and attorney’s fees to the charter school if the charter school prevails on appeal. ~~The school district in which the charter school is located shall assume operation of the school under these circumstances. The charter school’s governing board may, within 30 days after receiving the sponsor’s decision to terminate the charter, appeal the decision pursuant to the procedure established in subsection (6).~~*

(9) CHARTER SCHOOL REQUIREMENTS.—

(g) In order to provide financial information that is comparable to that reported for other public schools, charter schools are to maintain all financial records that constitute their accounting system:

1. In accordance with the accounts and codes prescribed in the most recent issuance of the publication titled “Financial and Program Cost Accounting and Reporting for Florida Schools”; or

2. At the discretion of the charter school’s ~~school~~ governing board, a charter school may elect to follow generally accepted accounting standards for not-for-profit organizations, but must reformat this information for reporting according to this paragraph.

Charter schools shall provide annual financial report and program cost report information in the state-required formats for inclusion in district reporting in compliance with s. 1011.60(1). Charter schools that are operated by a municipality or are a component unit of a parent nonprofit organization may use the accounting system of the municipality or the parent but must reformat this information for reporting according to this paragraph. A charter school shall provide a monthly financial statement

to the sponsor *unless the charter school is designated as a high-performing charter school pursuant to s. 1002.331, in which case the high-performing charter school may provide a quarterly financial statement.* The ~~monthly~~ financial statement required under this paragraph shall be in a form prescribed by the Department of Education.

(10) ELIGIBLE STUDENTS.—

(d) A charter school may give enrollment preference to the following student populations:

1. Students who are siblings of a student enrolled in the charter school.

2. Students who are the children of a member of the governing board of the charter school.

3. Students who are the children of an employee of the charter school.

4. *Students who are the children of:*

a. *An employee of the business partner of a charter school-in-the-workplace established under paragraph (15)(b) or a resident of the municipality in which such charter school is located; or*

b. *A resident of a municipality that operates a charter school-in-a-municipality pursuant to paragraph (15)(c).*

5. *Students who have successfully completed a voluntary pre-kindergarten education program under ss. 1002.51-1002.79 provided by the charter school or the charter school's governing board during the previous year.*

6. *Students who are the children of an active-duty member of any branch of the United States Armed Forces.*

(h) The capacity of the charter school shall be determined annually by the governing board, in conjunction with the sponsor, of the charter school in consideration of the factors identified in this subsection *unless the charter school is designated as a high-performing charter school pursuant to s. 1002.331. A sponsor may not require a charter school to waive the provisions of s. 1002.331 or require a student enrollment cap that prohibits a high-performing charter school from increasing enrollment in accordance with s. 1002.331(2) as a condition of approval or renewal of a charter.*

(i) *The capacity of a high-performing charter school identified pursuant to s. 1002.331 shall be determined annually by the governing board of the charter school. The governing board shall notify the sponsor of any increase in enrollment by March 1 of the school year preceding the increase.*

(18) FACILITIES.—

(a) A startup charter school shall utilize facilities which comply with the Florida Building Code pursuant to chapter 553 except for the State Requirements for Educational Facilities. Conversion charter schools shall utilize facilities that comply with the State Requirements for Educational Facilities provided that the school district and the charter school have entered into a mutual management plan for the reasonable maintenance of such facilities. The mutual management plan shall contain a provision by which the district school board agrees to maintain charter school facilities in the same manner as its other public schools within the district. Charter schools, with the exception of conversion charter schools, are not required to comply, but may choose to comply, with the State Requirements for Educational Facilities of the Florida Building Code adopted pursuant to s. 1013.37. The local governing authority shall not adopt or impose any local building requirements or site-development restrictions, such as parking and site-size criteria, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. *Beginning July 1, 2011, a local governing authority must treat charter schools equitably in comparison to similar requirements, restrictions, and processes imposed upon public schools that are not charter schools.* The agency having jurisdiction for inspection of a facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the county governing authority.

(19) CAPITAL OUTLAY FUNDING.—Charter schools are eligible for capital outlay funds pursuant to s. 1013.62. Capital outlay funds authorized in ss. s. 1011.71(2) and 1013.62 that have been shared with a charter school-in-the-workplace prior to July 1, 2010, are deemed to have met the authorized expenditure requirements for such funds.

(22) ~~FACILITIES SHARED BY CHARTER SCHOOLS CHARTER SCHOOL REVIEW PANEL AND LEGISLATIVE REVIEW.—~~

(a) *If a charter school moves out of a facility that is shared with another charter school having a separate Master School Identification Number, the charter school must provide for an audit of all equipment, educational materials and supplies, curriculum materials, and other items purchased or developed with federal charter school program grant funds, and such items must be transferred to the charter school's new location. The audit report must be submitted to the Department of Education within 60 days after completion.*

(b) *A charter school may not transfer an enrolled student to another charter school having a separate Master School Identification Number without first obtaining the written approval of the student's parent.*

~~(a) The Department of Education shall staff and regularly convene a Charter School Review Panel in order to review issues, practices, and policies regarding charter schools. The composition of the review panel shall include individuals with experience in finance, administration, law, education, and school governance, and individuals familiar with charter school construction and operation. The panel shall include two appointees each from the Commissioner of Education, the President of the Senate, and the Speaker of the House of Representatives. The Governor shall appoint three members of the panel and shall designate the chair. Each member of the panel shall serve a 1-year term, unless renewed by the office making the appointment. The panel shall make recommendations to the Legislature, to the Department of Education, to charter schools, and to school districts for improving charter school operations and oversight and for ensuring best business practices at and fair business relationships with charter schools.~~

~~(b) The Legislature shall review the operation of charter schools during the 2010 Regular Session of the Legislature.~~

(25) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

(b) A member of a governing board of a charter school operated by a municipality or other public entity is subject to s. 112.3145 ~~112.3144~~, which relates to the disclosure of financial interests.

(26) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER SCHOOL SYSTEMS.—*A charter school system shall be designated a local educational agency solely for the purpose of receiving federal funds, in the same manner as if the charter school system were a school district, if the governing board of the charter school system has adopted and filed a resolution with its sponsoring district school board and the Department of Education in which the governing board accepts full responsibility for all local educational agency requirements and if the charter school system meets all of the following:*

(a) *Includes both conversion charter schools and nonconversion charter schools;*

(b) *Has all schools located in the same county;*

(c) *Has a total enrollment exceeding the total enrollment of at least one school district in the state;*

(d) *Has the same governing board; and*

(e) *Does not contract with a for-profit service provider for management of school operations.*

Such designation does not apply to other provisions of law unless specifically provided by law.

Section 4. (1) *For the 2011-2012 fiscal year, the Department of Education shall:*

(a) *Identify the school districts that distribute funds or provide facilities, renovation, or new construction with funds generated by the capital*

improvement millage authorized under s. 1011.71(2), Florida Statutes, to charter schools and the use of such funds by the charter schools.

(b) Examine the costs associated with supervising charter schools and determine whether the 5-percent administrative fee for administrative and educational services for charter schools covers the costs associated with the provision of the services.

(c) Examine the distribution of federal education funding to eligible students who are enrolled in charter schools, including, without limitation, funding provided under Title I of the Elementary and Secondary Education Act and the Individuals with Disabilities Education Act.

(d) Examine the impacts of removing the discretion given to school districts regarding the distribution of capital improvement millage authorized under s. 1011.71(2), Florida Statutes, to charter schools-in-a-municipality as set forth in s. 1002.33(15)(c), Florida Statutes.

(2) The Department of Education shall report its findings to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 1, 2012.

Section 5. Section 1002.33(7)(d), Florida Statutes, as created by this act, controls over s. 1002.33(7)(d), Florida Statutes, as created by CS for CS/HB 7197, if both acts are adopted in the same legislative session or an extension thereof and become law.

Section 6. This act shall take effect July 1, 2011.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to school choice; creating s. 1002.331, F.S.; establishing criteria for high-performing charter schools; authorizing a high-performing charter school to increase enrollment, expand grade levels served, submit a quarterly financial statement, consolidate the charters of certain charter schools, and receive certain modification or renewal of its charter; authorizing a high-performing charter school to apply to establish a charter school that replicates its educational program; providing application requirements; limiting the number of charter schools that may be established; requiring eligibility verification by the Commissioner of Education; creating s. 1002.332, F.S.; providing definitions; establishing criteria for high-performing charter school systems; providing for eligibility verification by the Commissioner of Education; authorizing a high-performing charter school system to replicate its high-performing charter schools; amending s. 1002.33, F.S.; requiring a charter school sponsor to allow a charter school applicant to correct technical deficiencies in its application before approval or denial; establishing standards for sponsor review of a charter school application submitted by a high-performing charter school; authorizing direct appeal to the State Board of Education of a denial of an application; establishing standards for reviewing such an appeal; revising applicant training requirements; requiring inclusion in the charter of procedures relating to high-performing charter schools; requiring charter school governing boards to appoint representatives; providing meeting requirements; revising the procedure for nonrenewal or termination of a charter; authorizing a charter school's governing board to request a hearing regarding charter nonrenewal or termination, including immediate termination; authorizing the sponsor to choose to provide a direct hearing or a hearing before an administrative law judge; authorizing the award of costs and attorney's fees to a charter school if certain criteria are met; authorizing quarterly financial reporting for certain charter schools; establishing additional student enrollment preferences; prohibiting a sponsor from limiting or requiring waiver of certain high-performing charter school benefits as a condition of charter approval or renewal; providing that student capacity of a high-performing charter school shall be determined annually by the governing board; requiring the governing board to provide notice of enrollment increases to the sponsor; revising requirements relating to the imposition of requirements and restrictions on charter school facilities; revising provisions relating to charter school capital outlay funding; providing requirements for charter schools using shared facilities; deleting provisions relating to the Charter School Review Panel; correcting a cross-reference relating to the disclosure of financial interests; authorizing certain charter school systems to be the local educational agency for administering federal funding received by the system's schools; requiring the Department of Education to examine certain charter school funding and costs and report its findings to the Governor and the Legislature; providing that certain provisions control

with respect to other legislation adopted in the same legislative session or an extension thereof; providing an effective date.

On motion by Senator Thrasher, the Senate concurred in the House amendment.

CS for CS for CS for SB 1546 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—33

Mr. President	Evers	Negron
Alexander	Fasano	Norman
Altman	Flores	Oelrich
Benacquisto	Gaetz	Richter
Bennett	Garcia	Ring
Bogdanoff	Gardiner	Simmons
Braynon	Hays	Siplin
Dean	Jones	Sobel
Detert	Latvala	Storms
Diaz de la Portilla	Lynn	Thrasher
Dockery	Margolis	Wise

Nays—6

Hill	Montford	Sachs
Joyner	Rich	Smith

Vote after roll call:

Yea to Nay—Sobel

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1884, with amendment(s), and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for SB 1884—A bill to be entitled An act relating to consumer protection; providing definitions; prohibiting a post-transaction third-party seller from charging a consumer for a good or service sold over the Internet unless certain disclosures are made and the seller receives the informed consent of the consumer; requiring a post-transaction third-party seller to provide a simple mechanism for a consumer to cancel a purchase of a good or service and stop any recurring charges; prohibiting an initial merchant from disclosing certain account numbers of a consumer to a post-transaction third-party seller under certain circumstances; providing that a person who violates the act commits an unfair and deceptive trade practice under the Florida Deceptive and Unfair Trade Practices Act; providing an effective date.

House Amendment 1 (826643) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Part XII of chapter 559, Florida Statutes, consisting of section 559.951, is created to read:

PART XII

MISCELLANEOUS PROVISIONS

559.951 *Internet sales; prohibited practices.*—

(1) *As used in this section, the term:*

(a) *"Initial merchant" means a person who obtains a consumer's billing information directly from the consumer through an Internet transaction initiated by the consumer.*

(b) *"Posttransaction third-party seller" means a person who:*

1. *Sells or offers for sale any good or service over the Internet; and*

2. *Solicits the purchase of such good or service over the Internet through an initial merchant after the consumer has initiated a transaction with the initial merchant.*

The term does not include the initial merchant, a subsidiary or corporate affiliate of the initial merchant, or a successor of the initial merchant.

(2) *A posttransaction third-party seller may not charge or attempt to charge a consumer's credit card, debit card, bank account, or other account for any good or service sold in a transaction conducted over the Internet, unless:*

(a) *Before obtaining the consumer's billing information, the post-transaction third-party seller clearly and conspicuously discloses to the consumer all material terms of the transaction, including:*

1. *A description of the goods or services being offered.*
2. *A statement that the posttransaction third-party seller is not affiliated with the initial merchant. Such statement must include the disclosure of the posttransaction third-party seller's name in a manner that clearly differentiates the posttransaction third-party seller from the initial merchant.*
3. *The cost of such goods or services.*
4. *How and when the charges will be processed by the posttransaction third-party seller.*

(b) *The posttransaction third-party seller receives the express informed consent for the charge from the consumer whose credit card, debit card, bank account, or other account will be charged by:*

1. *Obtaining from the consumer:*
 - a. *The full account number of the account to be charged or other account information necessary to complete the transaction.*
 - b. *The consumer's name and address.*
 - c. *A means to contact the consumer.*

2. *Requiring the consumer to perform an additional affirmative action, such as selecting a confirmation button or checking a box, which clearly and conspicuously indicates the consumer's consent to be charged the amount disclosed.*

(c) *Before processing the consumer's credit card or otherwise charging the consumer or soon thereafter, the posttransaction third-party seller sends written notice confirming the transaction to the consumer by first class United States mail or e-mail. Such notice must clearly and conspicuously disclose the following:*

1. *The good or service purchased.*
2. *The amount that the consumer will be charged.*
3. *The timing and frequency of charges.*
4. *A short and plain statement disclosing the posttransaction third-party seller's cancellation and refund policy.*
5. *A telephone number, mailing address, Internet website address, and e-mail address where the posttransaction third-party seller may be contacted.*
6. *The name of the initial merchant or fictitious name under which the initial merchant is doing business, if known.*
7. *The name of the posttransaction third-party seller or fictitious name under which the posttransaction third-party seller is doing business.*
8. *A statement that the posttransaction third-party seller is an unaffiliated and separate entity from the initial merchant.*
9. *A statement that the consumer is being charged by the post-transaction third-party seller for a transaction that is separate from the consumer's transaction with the initial merchant.*

If the posttransaction third-party seller sends the notice required under this paragraph by e-mail, the only words appearing in the e-mail's subject line shall be "Notice that (...name or fictitious name of the posttransaction third-party seller...) is charging your (...type of account...) account."

(3) *An initial merchant may not disclose a consumer's credit card number, debit card number, bank account number, or other account number, or disclose other consumer billing information, to a post-transaction third-party seller.*

(4) *A posttransaction third-party seller may not:*

(a) *Charge a consumer without providing a simple mechanism for the consumer to cancel the good or service and stop charges within a reasonable time after delivery of the written notice confirming the transaction; or*

(b) *Change its vendor code, or otherwise materially change the way the posttransaction third-party seller is identified on the consumer's account, more than once per year, unless the posttransaction third-party seller provides the consumer with written notice of the change.*

(5) *A violation of this section is deemed an unfair or deceptive trade practice within the meaning of part II of chapter 501. A person who violates this section is subject to the penalties and remedies provided therein.*

Section 2. This act shall take effect October 1, 2011.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to consumer protection; creating part XII of chapter 559, F.S.; prohibiting certain third-party sellers from engaging in certain transactions over the Internet with consumers engaged in transactions with certain merchants except under certain circumstances; requiring certain disclosures to consumers; requiring a consumer's express informed consent for charges; authorizing consumers to cancel goods and services and avoid charges; providing that violations are unfair or deceptive trade practices; providing penalties and remedies for violations; providing an effective date.

On motion by Senator Gaetz, the Senate concurred in the House amendment.

CS for SB 1884 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 2, concurred in the same as amended, refused to concur in Senate Amendment 1, and requests the Senate to recede, and passed CS for HB 1125 as further amended, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for HB 1125—A bill to be entitled An act relating to Florida Health Choices Program; amending s. 408.910, F.S.; providing and revising definitions; revising eligibility requirements for participation in the Florida Health Choices Program; providing that statutory rural hospitals are eligible as employers rather than participants under the program; permitting specified eligible vendors to sell health maintenance contracts; requiring certain risk-bearing products offered by insurers to be approved by the Office of Insurance Regulation; providing requirements for product certification; providing duties of the Florida Health Choices, Inc., including maintenance of a toll-free telephone hotline to respond to requests for assistance; providing for enrollment periods; providing for certain risk pooling data used by the corporation to be reported annually; amending s. 409.821, F.S.; authorizing personal identifying information of a Florida Kidcare program applicant to be disclosed to the Florida Health Choices, Inc., to administer the program; providing an effective date.

House Amendment 1 (832493) to Senate Amendment 2 (213174) (with title amendment)—Between lines 32 and 33, insert:

Section 2. Paragraph (a) of subsection (5) of section 408.909, Florida Statutes, is amended to read:

408.909 Health flex plans.—

(5) **ELIGIBILITY.**—Eligibility to enroll in an approved health flex plan is limited to residents of this state who:

- (a)1. ~~Are 64 years of age or younger;~~
2. Have a family income equal to or less than 300 percent of the federal poverty level;
- 2.3. Are not covered by a private insurance policy and are not eligible for coverage through a public health insurance program, such as Medicare or Medicaid, or another public health care program, such as Kidcare, and have not been covered at any time during the past 6 months, except that:

a. A person who was covered under an individual health maintenance contract issued by a health maintenance organization licensed under part I of chapter 641 which was also an approved health flex plan on October 1, 2008, may apply for coverage in the same health maintenance organization's health flex plan without a lapse in coverage if all other eligibility requirements are met; or

b. A person who was covered under Medicaid or Kidcare and lost eligibility for the Medicaid or Kidcare subsidy due to income restrictions within 90 days prior to applying for health care coverage through an approved health flex plan may apply for coverage in a health flex plan without a lapse in coverage if all other eligibility requirements are met; and

3.4. Have applied for health care coverage as an individual through an approved health flex plan and have agreed to make any payments required for participation, including periodic payments or payments due at the time health care services are provided; or

And the title is amended as follows:

Remove line 43 and insert: under certain circumstances; amending s. 408.909, F.S.; removing a limitation on eligibility for enrollment in an approved health flex plan; amending s.

House Amendment 2 (233315) to Senate Amendment 2 (213174) (with title amendment)—Between lines 32 and 33, insert:

Section 2. Subsection (4) of section 766.202, Florida Statutes, is amended to read:

766.202 Definitions; ss. 766.201-766.212.—As used in ss. 766.201-766.212, the term:

(4) "Health care provider" means any hospital, ambulatory surgical center, or mobile surgical facility as defined and licensed under chapter 395; a birth center licensed under chapter 383; any person licensed under chapter 458, chapter 459, chapter 460, chapter 461, chapter 462, chapter 463, part I of chapter 464, chapter 466, chapter 467, part XIV of chapter 468, or chapter 486; a clinical lab licensed under chapter 483; a

health maintenance organization certificated under part I of chapter 641; a blood bank; a plasma center; an industrial clinic; a renal dialysis facility; or a professional association partnership, corporation, joint venture, or other association for professional activity by health care providers.

And the title is amended as follows:

Remove line 43 and insert: under certain circumstances; amending s. 766.202, F.S.; revising the definition of the term "health care provider" to include orthotists, orthotic fitters, orthotic fitter assistants, pedorthists, and prosthetists; amending s.

On motion by Senator Garcia, the Senate receded from Senate Amendment 1 and concurred in the House amendments to the Senate amendment.

CS for HB 1125 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Fasano	Norman
Alexander	Flores	Oelrich
Altman	Gaetz	Rich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Dean	Latvala	Smith
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	

Nays—4

Hill	Joyner	Sachs
Sobel		

MOTIONS

On motion by Senator Thrasher, by two-thirds vote **SB 1052** was placed on the Special Order Calendar.

SPECIAL ORDER CALENDAR

On motion by Senator Altman, by unanimous consent—

SB 1052—A bill to be entitled An act relating to crisis stabilization units; amending s. 394.875, F.S.; increasing the number of client beds a crisis stabilization unit is authorized to provide; providing an effective date.

—was taken up out of order and read the second time by title.

Senator Altman moved the following amendment which was adopted:

Amendment 1 (236534) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (d) is added to subsection (1) of section 394.875, Florida Statutes, to read:

394.875 Crisis stabilization units, residential treatment facilities, and residential treatment centers for children and adolescents; authorized services; license required.—

(1)

(d) *The department is directed to implement a demonstration project in circuit 18 to test the impact of expanding beds authorized in crisis stabilization units from 30 to 50 beds. Specifically, the department is directed to authorize existing public or private crisis stabilization units in circuit 18 to expand bed capacity to a maximum of 50 beds and to assess*

the impact such expansion would have on the availability of crisis stabilization services to clients.

Section 2. This act shall take effect July 1, 2011.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to crisis stabilization units; amending s. 394.875, F.S.; directing the Department of Children and Family Services to implement a demonstration project in circuit 18 to test the impact of expanding the maximum number of crisis stabilization unit beds; providing an effective date.

On motion by Senator Altman, by two-thirds vote SB 1052 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Table listing names of senators: Mr. President, Alexander, Altman, Benacquisto, Bennett, Bogdanoff, Braynon, Dean, Detert, Diaz de la Portilla, Dockery, Evers, Fasano, Flores, Gaetz, Garcia, Gardiner, Hays, Hill, Jones, Joyner, Latvala, Lynn, Margolis, Montford, Negrón, Norman, Oelrich, Rich, Richter, Ring, Sachs, Simmons, Smith, Sobel, Storms, Thrasher, Wise.

Nays—None

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote CS for CS for SB 1916 was withdrawn from the Committee on Rules.

MOTIONS

On motion by Senator Thrasher, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Thursday, May 5.

On motion by Senator Thrasher, a deadline of 8:00 a.m., Thursday, May 5, was set for filing amendments to Bills on Third Reading and the bills added to the Special Order Calendar to be considered that day.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

Office and Appointment

Board of Trustees of Daytona State College
Appointee: Frederick-Recascino, Christina, Ormond Beach 05/31/2014

For Term Ending

Referred to the Rules Subcommittee on Ethics and Elections.

COMMUNICATION

May 3, 2011

The Honorable Mike Haridopolos
President, The Florida Senate

Dear Mr. President:

In compliance with Article III, Section 19(d), State Constitution, and Joint Rule 2, the Budget Conference Committee Report on SB 2000 has been furnished electronically to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet.

The Conference Committee Report on SB 2000 was made available May 3, 2011 at 10:16 p.m., EDT.

Respectfully Submitted,
R. Philip Twogood
Secretary of the Senate

cc: Speaker of the House
Clerk of the House

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 185, CS for CS for HB 287, CS for HB 1331, HB 7253; has passed as amended CS for CS for HB 7215 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Representative(s) Mayfield—

HB 185—A bill to be entitled An act for the relief of Angela Isham by the City of Ft. Lauderdale; providing for an appropriation to compensate Angela Isham, individually, and as co-personal representative of the Estate of David Isham, deceased, for the death of Mr. Isham, which was due to the negligence of employees of the City of Ft. Lauderdale; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claim Bills; and the Committee on Rules.

By Economic Affairs Committee, Finance & Tax Committee and Representative(s) Eisnaugle—

CS for CS for HB 287—A bill to be entitled An act relating to economic development; amending s. 196.012, F.S.; revising the definitions of the terms "new business" and "expansion of an existing business"; providing for an average wage of a new job; providing eligibility for target industry businesses; amending s. 196.1995, F.S.; authorizing the board of county commissioners of a charter county to call and hold a referendum to determine whether to grant economic development ad valorem tax exemptions if in receipt of a petition or initiative signed by a percentage of electors as required by the county charter; revising the language of ballot questions relating to the authority to grant economic development tax exemptions; specifying additional information that must be included in a written application requesting adoption of an ordinance granting an economic development ad valorem tax exemption; specifying factors for a board of county commissioners or governing authority of a municipality to consider when deciding whether to approve or reject applications for economic development tax exemptions; limiting the allowable duration of an economic development tax exemption granted by a county or municipal ordinance; authorizing written tax exemption agreements consistent with this act upon approval of a tax exemption application; specifying that the written tax agreement must require the applicant to report certain information at a specific time

before expiration of the exemption; authorizing the board of county commissioners or the governing authority of the municipality to revoke, in whole or in part, the exemption under certain circumstances; limiting application of the act to certain ad valorem tax exemptions granted pursuant to referenda held on or after the act's effective date; providing an effective date.

—was referred to the Committees on Community Affairs; and Commerce and Tourism.

By PreK-12 Appropriations Subcommittee and Representative(s) Bileca, Adkins, Artiles, Corcoran, McKeel, Stargel—

CS for HB 1331—A bill to be entitled An act relating to school choice; amending s. 1002.38, F.S.; revising legislative intent and eligibility requirements for participation in the Opportunity Scholarship Program; deleting provisions that authorize an opportunity scholarship for attendance at a private school; requiring that an opportunity scholarship remain in force until the student graduates from high school; revising school district obligations and deleting provisions relating to private schools to conform to changes made by the act; amending ss. 1001.42 and 1002.20, F.S.; conforming provisions to changes made by the act; deleting an obsolete provision relating to the John M. McKay Scholarships for Students with Disabilities Program; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Rules & Calendar Committee and Representative(s) Dorworth—

HB 7253—A bill to be entitled An act relating to ratification of rules pertaining to Land Planning Regulations for the Florida Keys Area of Critical State Concern; ratifying specified rules for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule meeting any of specified thresholds for likely adverse impact or increase in regulatory costs; providing an effective date.

—was referred to the Committee on Rules.

By Economic Affairs Committee, Appropriations Committee, Agriculture & Natural Resources Subcommittee and Representative(s) Crisafulli—

CS for CS for HB 7215—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 20.14, F.S.; deleting a provision establishing the Division of Dairy within the department; amending s. 193.461, F.S.; redefining the term "agricultural purposes" as it relates to the assessment of land classified as agricultural by the property appraiser; amending s. 215.981, F.S.; exempting certain direct-support organizations and citizen support organizations for the department from obtaining an independent audit; requiring the department to establish accounting and financial management guidelines for such organizations and annually review the operations and finances of a selected number of such organizations; amending s. 253.02, F.S.; providing for the grantee of easements for electrical transmission to pay the lead manager of the state-owned lands or, when there is no lead manager, the Department of Environmental Protection if suitable replacement uplands cannot be identified; amending s. 261.04, F.S.; deleting provisions requiring the reimbursement of members of the Off-Highway Vehicle Recreation Advisory Committee for per diem and travel expenses; amending s. 381.0014, F.S., to conform to changes made by the act; amending s. 482.051, F.S.; providing additional methods for pest control licensees to give certain emergency notice to the Department of Agriculture and Consumer Services before performing general fumigation; amending s. 482.071, F.S.; revising the minimum bodily injury and property damage insurance coverage required for pest control businesses; creating s. 482.072, F.S.; providing for licensure by the department of pest control customer contact centers; providing application requirements; providing for fees, licensure renewal, licensure expiration, transfer of licenses, and penalties; creating s. 482.157, F.S.; providing for limited certification of commercial wildlife trappers; providing requirements for certification, examination, and fees; limiting the scope of work permitted by certificateholders; amending s. 482.183, F.S.; providing that licensees and certificateholders who practice accepted pest control

methods are immune from liability for violating laws prohibiting cruelty to animals; providing for applicability; amending s. 482.226, F.S.; revising the minimum financial responsibility requirements for licensees that perform wood-destroying organism inspections; amending s. 482.243, F.S.; deleting provisions relating to the reimbursement of members of the Pest Control Enforcement Advisory Council for expenses; amending s. 487.041, F.S.; providing that registration, supplemental, and late fees related to the registration of pesticide brands with the department are nonrefundable; providing requirements for label revisions of pesticide brands; providing requirements for label revisions that must be reviewed by the United States Environmental Protection Agency; requiring payments of pesticide registration fees to be submitted electronically by a date certain; amending s. 487.0615, F.S.; deleting provisions requiring the reimbursement of members of the Pesticide Review Council for per diem and travel expenses; amending s. 500.70, F.S.; requiring certain persons who produce, harvest, pack, or repack tomatoes to register each location of a tomato farm, tomato greenhouse, tomato packinghouse, or tomato repacker by a specified date; authorizing the department to set a registration fee; requiring that funds collected be deposited into the General Inspection Trust Fund; revising the title of chapter 502, F.S.; amending s. 502.012, F.S.; defining terms related to the department's regulation of frozen desserts; amending s. 502.013, F.S.; revising legislative purpose and intent, to conform; amending s. 502.014, F.S.; revising the department's powers and duties; authorizing the department to administer and enforce regulations of frozen desserts and frozen dessert mix; revising the federal publication upon which certain milk sanitation ratings are based; authorizing the department to adopt rules; repealing s. 502.032, F.S., relating to milkfat tester's permits and permit fees; amending s. 502.053, F.S.; providing permitting and licensing requirements and imposing permit and license fees for frozen dessert plants and milkfat testers; providing certain reporting requirements for frozen dessert plant permit holders; providing certain recordkeeping requirements for licensed milkfat testers; providing an exemption; amending s. 502.054, F.S.; requiring the department to inspect certain frozen desserts and frozen dessert plants; amending s. 502.091, F.S.; authorizing sales of certain ice cream and frozen desserts; amending s. 502.121, F.S.; restricting the construction or extensive alteration of frozen dessert plants; amending ss. 502.181 and 502.231, F.S.; prohibiting certain acts related to the regulation of frozen desserts; providing penalties; amending s. 502.232, F.S.; preempting to the state the local regulation of frozen desserts at wholesale; repealing chapter 503, F.S., relating to the state's regulation of frozen desserts, enforcement and penalties for violations of such regulations, licensure of frozen dessert plants, and preemption of municipal and county regulations of frozen desserts; amending ss. 527.22 and 559.9221, F.S.; deleting provisions authorizing the reimbursement of members of the Florida Propane Gas Education, Safety, and Research Council and the Motor Vehicle Repair Advisory Council for per diem and travel expenses; amending ss. 570.07 and 576.181, F.S.; requiring the department to regulate the sale, composition, packaging, labeling, wholesale and retail distribution, and formulation of fertilizer; preempting such regulation of fertilizer to the state; exempting certain ordinances adopted before a specified date from such preemption; authorizing county and municipal governments to enforce such ordinances exempt from preemption; revising the department's powers and duties relating to pollution control and the prevention of wildfires; conforming provisions; amending s. 570.0705, F.S.; deleting provisions requiring the reimbursement for per diem and travel expenses of members of certain ad hoc advisory committees appointed by the Commissioner of Agriculture; amending s. 570.074, F.S.; renaming the Office of Water Coordination and revising its policy jurisdiction; amending s. 570.18, F.S., to conform; amending s. 570.23, F.S.; deleting provisions requiring the reimbursement of members of the State Agricultural Advisory Council for per diem and travel expenses; amending s. 570.29, F.S.; deleting a provision establishing the Division of Dairy Industry within the department; amending ss. 570.38 and 570.382, F.S.; deleting provisions requiring the reimbursement of members of the Animal Industry Technical Council and the Arabian Horse Council for per diem and travel expenses; repealing ss. 570.40 and 570.41, F.S., relating to the powers and duties of the Division of Dairy within the department and the qualifications and duties of the division's director; amending s. 570.42, F.S.; deleting provisions requiring the reimbursement of members of the Dairy Industry Technical Council for per diem and travel expenses; amending s. 570.50, F.S.; conforming provisions; requiring the Division of Food Safety within the department to inspect certain dairy farms and plants, perform certain analyses and tests, and enforce certain rules and provisions of law; amending s. 570.51, F.S., to conform; amending s.

570.543, F.S.; deleting provisions requiring the reimbursement of members of the Florida Consumers' Council for per diem and travel expenses; amending s. 570.954, F.S.; removing the requirement that the department coordinate with and solicit the expertise of the state energy office when developing the farm-to-fuel initiative; amending ss. 571.28, 573.112, 576.091, 580.151, 581.186, and 586.161, F.S.; deleting provisions requiring the reimbursement of members of the Florida Agricultural Promotional Campaign Advisory Council, certain ad hoc advisory councils appointed to advise the department concerning the issuance of marketing orders, the Fertilizer Technical Council, the Commercial Feed Technical Council, the Endangered Plant Advisory Council, and the Honeybee Technical Council for per diem and travel expenses; amending s. 582.30, F.S.; authorizing the Commissioner of Agriculture to certify the dissolution or discontinuance of a soil and water conservation district without the review or recommendation of the Soil and Water Conservation Council under certain circumstances; amending s. 590.015, F.S.; revising and providing definitions for purposes of forest protection; amending s. 590.02, F.S.; authorizing forest operations administrators to be certified as forestry firefighters; granting the department certain exclusive authority over the Florida Building Code; authorizing the department to retain, transfer, warehouse, bid, destroy, scrap, or dispose of certain surplus equipment and vehicles; authorizing the department to retain any moneys received from the disposition of certain state-owned equipment and vehicles; providing that moneys received may be used for the acquisition of certain exchange and surplus equipment and all necessary operating expenditures related to the equipment; requiring the department to maintain records of the accounts into which the money is deposited; granting the department exclusive authority to require and issue authorizations for broadcast burning, agricultural pile burning, and silvicultural pile burning; preempting other governmental entities from adopting laws, regulations, rules, or policies pertaining to broadcast burning, agricultural pile burning, or silvicultural pile burning unless an emergency order has been declared; authorizing the department to delegate its authority to a county or municipality to issue authorizations for the burning of yard trash and debris from land-clearing operations; amending s. 590.125, F.S.; revising and providing definitions relating to open burning authorizations; specifying purposes of certified prescribed burning; requiring the division's authorization for certified pile burning; providing pile burning requirements; limiting the liability of property owners or agents engaged in pile burning; providing for the certification of pile burners; providing penalties for violations by certified pile burners; requiring the division to adopt rules to regulate certified pile burning; revising notice requirements for wildfire hazard reduction treatments; requiring division approval of local government open burning authorization programs; providing program requirements; authorizing the division to resume administration of a local government's program under certain circumstances; providing penalties for violations of local government open burning requirements; amending s. 590.14, F.S.; authorizing a division employee to issue a notice of violation for any division rule; authorizing the division to impose an administrative fine for a violation of any division rule; providing penalties for certain violations; providing legislative intent; amending ss. 597.005 and 599.002, F.S.; deleting provisions requiring the reimbursement of members of the Aquaculture Review Council and the Viticulture Advisory Council for per diem and travel expenses; amending s. 616.17, F.S.; providing certain authorities or fair associations with immunity from liability for damages resulting from exhibits and concessions at public fairs; providing exceptions; amending s. 616.252, F.S.; providing for the appointment and term of a nonvoting youth member of the Florida State Fair Authority; deleting provisions requiring staggered terms; prohibiting the reimbursement of members of the Florida State Fair Authority for per diem and travel expenses; excluding the youth member from compensation for special or full-time service performed on behalf of the authority; amending s. 812.014, F.S.; providing penalties for the theft of bee colonies of registered beekeepers; amending s. 812.015, F.S.; redefining the term "farmer" to include a person who grows or produces honey; redefining the term "farm theft" to include the unlawful taking possession of equipment and associated materials used to grow or pro-

duce certain farm products; renaming the department's Division of Forestry as the Florida Forest Service; providing for conforming legislation; providing for assistance to certain legislative substantive committees by the Division of Statutory Revision of the Office of Legislative Services for certain purposes; amending ss. 20.14, 261.03, 570.29, 570.548, 570.549, 570.903, and 590.015, F.S., to conform; providing an appropriation; providing an effective date.

—was referred to the Committees on Agriculture; Budget Subcommittee on General Government Appropriations; and Budget.

RETURNING MESSAGES — FINAL ACTION

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 84, CS for SB 142, CS for CS for SB 170, SB 228, CS for CS for SB 234, SB 240, SB 298, SB 330, SB 344, CS for SB 444, CS for CS for SB 450, SB 462, CS for SB 478, CS for SB 504, CS for CS for SB 512, CS for SB 618, CS for SB 650, SB 652, CS for SB 664, CS for SB 670, SB 722, CS for SB 844, SB 898, CS for SB 926, CS for SB 960, CS for CS for SB 1128, SB 1142, CS for CS for SB 1196, CS for CS for SB 1312, CS for CS for SB 1346, CS for CS for SB 1366, CS for CS for SB 1430, CS for SB 1676, CS for CS for CS for SB 1816 and CS for SB 1992; passed CS for SB 224 by the required constitutional two-thirds vote of the membership of the House; passed CS for SJR 2, CS for SJR 592 and CS for SJR 958 by the required constitutional three-fifths vote of the membership of the House.

Robert L. "Bob" Ward, Clerk

The bills contained in the foregoing messages were ordered enrolled.

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 and passed CS for HB 95 as amended; concurred in Senate Amendment 1 and passed CS for HB 97 as amended; concurred in Senate Amendment 1 and passed CS for CS for CS for HB 283 as amended; and concurred in Senate Amendments 1, 2, 3, 4, and 5 and passed CS for CS for CS for HB 479 as amended; concurred in Senate Amendment 1 and passed CS for CS for HB 935 as amended; concurred in Senate Amendment 2 and passed HB 1165 as amended; concurred in Senate Amendment 1 and passed HB 4159 as amended; and concurred in Senate Amendment 1 and passed CS for HJR 1179 as amended by the required constitutional three-fifths vote of the membership of the House.

Robert L. "Bob" Ward, Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 3 was corrected and approved.

CO-INTRODUCERS

Senators Benacquisto—CS for SB 378; Bennett—CS for CS for SB 1366; Oelrich—CS for SB 1744

RECESS

On motion by Senator Thrasher, the Senate recessed at 5:50 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, May 5 or upon call of the President.

JOURNAL OF THE SENATE
REGULAR SESSION

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JOURNAL OF THE SENATE

**SENATE BILLS, RESOLUTIONS AND MEMORIALS BY NUMBER
WITH SUBJECT, INTRODUCER AND DISPOSITION**

**REGULAR SESSION
March 8 through May 7, 2011**

(To Obtain the Number of a Bill, see Subject Index)

Abbreviations

BA — Bill Action
Ch. — Chapter Number, Bill Passed
CO — Co-Introducers
CR — Committee Report
CS — Committee Substitute
FR — First Reading
MO — Motion
RC — Reference Change
Boldfaced Page Numbers — Passage of Bill

Types of Bills

SB/HB — Senate/House Bill
SCR/HCR — Senate/House Concurrent Resolution
SJR/HJR — Senate/House Joint Resolution
SM/HM — Senate/House Memorial
SR — Senate Resolution

Final Disposition

Adopted
CSP — Companion or Similar Bill Passed
DCC — Died in Conference Committee
DCH — Died on House Calendar
DCS — Died on Senate Calendar
DHC — Died in House Committee
DM — Died in Messages
DNI — Died, Not Introduced
DSC — Died in Senate Committee
FPH — Failed to Pass House
FPS — Failed to Pass Senate
LTH — Laid on Table in House
LTS — Laid on Table in Senate
Passed
UHC — Unfavorable Report, House Committee
USC — Unfavorable Report, Senate Committee
Vetoed
WNI — Withdrawn, Not Introduced
WS — Withdrawn from the Senate

SJR	2	Health Care Services (Budget and others) (BA)12, (FR)15, (CS)109, (CR)116, (CR)117, (CR)119, (BA)158, 159 , 851	Passed	SB	44	Relief/Victims Florida Reform School for Boys/DJJ (Fasano) (FR)17	DSC
SCR	4	Balanced Federal Budget (Budget and others) (CR)471, (FR)472, (CS)473, (BA)558, (CO) 559 , (CR)568, (CO)580	DM		46	Relief/William Dillon/State of Florida (Rules and Haridopolos) (FR)17, (CR)236, (RC)253, (CR)324, (CS)338, (MO)830, (BA) 833 , (CS)1849	DM
SB	6	Not Used			48	Relief/Laura D. Strazza/DOACS (Joyner) (FR)17	DSC
	8	Not Used			50	Relief/Wohlgemuth/Pasco County Sheriff's Office (Smith) (FR)17	DSC
	10	Not Used			52	WNI	
	12	Relief/Pandrea/North Broward Hospital District (Bogdanoff) (FR)15	DSC		54	Relief/Melvin and Alma Colindres/City of Miami (Rules and Storms) (FR)17, (CR)469, (RC)472, (CR)568, (CS)570, (BA)968, (BA)974, 975	DCH
	14	Relief/Darling and Smith/State of Florida (Joyner) (FR)16	DSC		56	Relief/Dennis Gay/Department of Transportation (Storms) (FR)17	DSC
	16	Relief/Harris & Williams/N. Broward Hospital Dist. (Ring) (FR)16, (CR)236, (RC)253, (CR)308, (MO)1092, (BA)1118	LTS/CSP-HB 609		58	WNI	
	18	Relief/Estrada/USF Board of Trustees (Jones) (FR)16, (CR)471, (RC)472, (CR)541	DCS		60	Relief/Acosta/Miami-Dade County (Bogdanoff) (FR)17	DSC
	20	Relief/Estate of Dr. Sherrill Lynn Aversa/DOT (Hill) (FR)16	DSC		62	WNI	
	22	Relief/Estate of Cesar Solomon/JTA (Hill) (FR)16, (CR)236, (RC)253, (CR)308, (BA)1012, (MO)1012	LTS/CSP-HB 629		64	Relief/Ronald Miller/City of Hollywood (Siplin) (FR)17, (CR)471, (RC)472	DSC
	24	Relief/Kamel & Dimitri/Palm Beach Co. School Board (Ring) (FR)16	DSC		66	Relief/Timothy Kulik and Theresa Ann Kulik/HSMV (Siplin) (FR)18	DSC
	26	Relief/Femminella/Palm Beach Co. Sheriff's Office (Rich) (FR)16, (MO)269	WS		68	Relief/Hoffman and Weiss/City of Tallahassee (Fasano) (FR)18	DSC
	28	Relief/L.T., a Minor/DCFS (Ring) (FR)16	DSC		70	Relief/Carl Abbott/Palm Beach County School Board (Rules and Negron) (FR)18, (CR)236, (RC)253, (CR)324, (CS)338	DCS
	30	Relief/Stephenson/Department of Transportation (Fasano) (FR)16	DSC		72	Relief/Karen W. Stripling/Department of Education (Wise) (FR)18	DSC
	32	Relief/Yvonne Morton/Department of Health (Dean) (FR)16	DSC		74	WNI	
	34	Relief/Angela Isham/City of Ft. Lauderdale (Rules and Dean) (FR)16, (CR)236, (RC)253, (CR)324, (CS)338, (MO)830, (BA)832	LTS/CSP-HB 185		76	Relief/Marissa Amora/DCFS (Siplin) (FR)18	DSC
	36	WNI			78	Environmental Surcharge On Bottled Water (Lynn) (FR)18	DSC
	38	Relief/Marcus Button/Pasco County School Board (Fasano) (FR)17	DSC		80	State Uniform Traffic Control (Lynn and Margolis) (FR)18	DSC
	40	WNI			82	Onsite Sewage Treatment and Disposal Systems (Lynn and Dean) (FR)18	DSC
	42	Relief/Eric Brody/Broward County Sheriff's Office (Rules and Benacquisto) (FR)17, (CR)461, (RC)461, (CR)568, (CS)570, (BA)968, (BA)972, 974 , 1849	DCH		84	Community Colleges (Higher Education and others) (FR)18, (CR)108, (CS)109, (CR)118, (CR)204, (CR)232, (BA)267, (CR)269, (BA) 284 , (CO)580, 851	Ch. 2011-102
					86	Voting Conflicts (Governmental Oversight and Accountability and others) (FR)18, (CO)234, (CO)262, (CR)324, (CS)338, (CO)357	DSC

- SB
88 Public Employee Compensation (Governmental Oversight and Accountability and others) (FR)18, (CS)109, (CR)118, (CO)203, (CR)323, (CS/CS)338, (CR)471, (CS/CS/CS)473, (BA)584, (BA)585, (BA)**590**, (CR)615, 970, **972**, (BA)1114, **1114** Ch. 2011-143
- 90 Local Government (Education Pre-K - 12 and Gaetz) (FR)19, (CS)109, (CR)117, (CR)118, (CR)286, (CR)468, (CR)472, (MO)541, (BA)**728**, (CR)778 DM
- 92 Group Insurance for Public Employees (Gaetz) (FR)19 DSC
- 94 Blood Establishments (Health Regulation and Gaetz) (FR)19, (CS)109, (CR)117, (CR)118, (CR)200, (CR)232, (CR)236, (BA)297, (CR)299, (BA)**306** DM
- 96 Mammogram Reports (Ring) (FR)19 DSC
- 98 WNI
- 100 Autism (Banking and Insurance and Ring) (FR)19, (CR)269, (CR)308, (CS)312 DSC
- 102 Agency for Enterprise Information Technology (Governmental Oversight and Accountability and Ring) (FR)19, (CR)461, (CS)461 DSC/CSP-SB 2098
- 104 Misdemeanor Pretrial Substance Abuse Programs (Ring) (FR)19, (CR)185, (CR)299 DSC
- 106 Public Records (Governmental Oversight and Accountability and Ring) (FR)19, (CR)117, (CR)185, (CR)461, (CS)462, (RC)466, (BA)627, (BA)**633**, (CR)712 DM
- 108 Public K-12 Health Education (Ring) (FR)20 DSC
- SR
110 Delta Sigma Theta Sorority, Inc. (Bullard) (FR)**264** Adopted
- 112 DNI
- 114 DNI
- SB
116 Debtors and Creditors (Bullard) (FR)20 DSC
- 118 Bicycle Safety (Bullard and Latvala) (FR)20, (CR)117, (CR)226, (CO)321, (CR)469, (BA)728, **729**, (CR)778 DM
- 120 Consumer Protection (Bullard) (FR)20 DSC
- 122 Sudden Unexpected Infant Death (Bullard and Latvala) (FR)20, (CO)321 DSC
- 124 Probation and Community Control (Bullard) (FR)20 DSC
- 126 Private Correctional Facilities (Bullard) (FR)20 DSC
- 128 Public Printing (Bullard) (FR)20 DSC
- 130 Onsite Sewage Treatment and Disposal Systems (Dean and others) (FR)20, (CO)229 DSC
- 132 Contamination Notification (Joyner and others) (FR)21, (CR)117, (CO)262 DSC
- 134 Sealing Criminal History Records (Joyner and Dockery) (FR)21 DSC/CSP-CS/SB 146
- 136 Enforcement of Immigration Laws (Bennett and others) (FR)21, (MO)225 WS
- 138 Military Veterans Convicted of Criminal Offenses (Criminal Justice and others) (FR)21, (CR)186, (CS)200, (CR)226, (CO)262, (MO)308, (CR)323, (BA)**360**, (CR)407 DM
- SJR
140 Circuit and County Court Judges/Qualifications (Budget and others) (FR)21, (CS)109, (CR)118, (CR)541, (CS/CS)541 DCS
- SB
142 Negligence (Commerce and Tourism and others) (FR)21, (CS)109, (CR)117, (CR)118, (BA)185, (CR)185, (MO)185, (CO)216, (BA)223, (BA)**231**, 851 Ch. 2011-215
- 144 Elderly Inmates (Smith) (FR)21 DSC
- 146 Criminal Justice (Criminal Justice and others) (FR)22, (CR)117, (CR)186, (CS)201, (CR)226, (CO)229, (BA)269, (CR)269, (BA)**285**, (BA)**839** Ch. 2011-207
- 148 Criminal Prosecution of Juveniles (Smith) (FR)22 DSC
- 150 Career and Education Planning (Commerce and Tourism and Smith) (FR)22, (CR)117, (CR)470, (CS)473 DSC
- 152 Congenital Craniofacial Anomalies (Bullard) (FR)22 DSC
- 154 Juvenile Justice Education Programs (Bullard) (FR)22 DSC
- 156 Renewable Energy (Detert) (FR)22 DSC
- 158 Use of Wireless Communications Devices/Driving (Detert and others) (FR)22 DSC
- 160 Parole for Juvenile Offenders (Joyner) (FR)22 DSC
- 162 Tanning Facilities (Sobel) (FR)22, (CR)469, (MO)725 DSC
- 164 Public Broadcasting Program System (Sobel and Ring) (FR)23, (CO)203 DSC
- SB
166 Forensic Services (Hill) (FR)23 DSC
- 168 Onsite Sewage Treatment and Disposal Systems (Evers and Gaetz) (FR)23, (CR)117 DSC
- 170 Electronic Filing & Receipt/Court & Legal Document (Budget Subcommittee on Criminal and Civil Justice Appropriations and others) (FR)23, (CS)109, (CR)118, (CR)210, (CR)236, (CS/CS)254, (RC)293, (BA)362, (BA)365, **368**, (CR)407, 851 Ch. 2011-208
- 172 Security Cameras (Bennett) (FR)23, (CR)117, (CR)232, (BA)268, (CR)269, (BA)298, (CR)299 LTS/CSP-HB 93
- 174 Growth Management (Bennett and Gaetz) (FR)23, (CR)117, (CR)232, (BA)268, (CR)269, (BA)298, (CR)299 LTS/CSP-HB 7001
- 176 Affordable Housing (Bennett and Gaetz) (FR)23, (CR)117, (CR)232, (BA)298, (BA)299, (CR)299 LTS/CSP-HB 7003
- 178 Commercial Insurance Rates (Commerce and Tourism and others) (FR)24, (CS)110, (CR)118, (CR)236, (CS/CS)254, (CR)469, (BA)585, (BA)603, (BA)604, (CR)615 LTS/CSP-CS/CS/HB 99
- 180 Health Insurance (Sobel) (FR)24 DSC
- 182 Primary Sponsors of Legislation (Sobel) (FR)24, (CR)469 DSC
- SR
184 Fibromyalgia Awareness Day (Hill) (FR)624, **625** Adopted
- 186 Power to End Stroke Campaign (Hill) (FR)**625** Adopted
- 188 Prostate Cancer Awareness Month (Hill and Gaetz) (FR)547, **548** Adopted
- 190 Workers' Memorial Day (Hill) (FR)**548** Adopted
- 192 Donation of Surplus Fire Equipment and Materials (Sobel and Gaetz) (FR)**4** Adopted
- 194 Broward College Celebrates 50 Years (Rich and Gaetz) (FR)358, **359** Adopted
- SB
196 Choose Life License Plates (Budget and others) (FR)24, (CO)182, (CR)235, (CR)323, (CS)338, (CR)471, (CS/CS)473, (BA)968, (BA)1119 LTS/CSP-HB 501
- 198 Placement Agents (Fasano) (FR)24 DSC
- 200 Nuclear and Integrated Gasification Power Plants (Fasano) (FR)24 DSC
- 202 Ice Skating Rinks (Fasano and Sobel) (FR)24, (CR)116 DSC
- 204 Controlled Substances (Health Regulation and others) (FR)24, (CS)110, (CR)118, (CR)232, (CS/CS)232, (CR)468, (MO)541, (BA)627, (CR)712 LTS/CSP-CS/CS/HB 39
- 206 Domestic Violence Against Family Pets (Fasano and others) (FR)24 DSC
- 208 Persons With Disabilities (Fasano and Gaetz) (FR)25 DSC
- SJR
210 Homestead Property Assessed Value (Fasano and Gaetz) (FR)25, (CR)117, (MO)712 DSC/CSP-CS/CS/CS/CS/HJR 381
- SB
212 Public Service Commission (Fasano and others) (FR)25, (CR)323 DSC
- SM
214 Deepwater Horizon Oil Spill/Tax Relief (Community Affairs and others) (FR)25, (CR)108, (CS)110, (CR)117, (CR)118, (CR)204, (BA)223, **224**, (CR)226 DM
- 216 Deepwater Horizon Oil Disaster/Federal Income Tax (Gaetz and Latvala) (FR)25, (CR)108, (CR)117, (CR)204, (BA)**224**, (CR)226 DM
- 218 Deepwater Horizon Oil Disaster/Penalties (Gaetz and others) (FR)25, (CR)108, (CR)117, (CR)204, (BA)224, **225**, (CR)226, (CO)262 Adopted
- 220 Unemployment Assistance/Oil Spill (Gaetz) (FR)25, (CR)108, (CR)117, (CR)204, (BA)**225**, (CR)226 DM
- SB
222 Game Promotions (Fasano) (FR)25 DSC
- 224 Local Government Accountability (Governmental Oversight and Accountability and others) (FR)26, (CR)117, (CR)469, (CR)470, (CS)473, (BA)**628**, (BA)641, (BA)642, (BA)644, **645**, (CR)712, (CO)723, 851 Ch. 2011-144
- 226 Human Services (Children, Families, and Elder Affairs and others) (FR)26, (CR)270, (CS)274 DSC
- 228 Code of Student Conduct (Siplin) (FR)26, (CR)117, (CR)185, (CR)232, (BA)268, (CR)269, (BA)**285**, 851 Ch. 2011-103
- 230 Enforcement of Immigration Laws (Detert and Dockery) (FR)27 DSC

- SB
 232 Century Commission for a Sustainable Florida (Bennett) (FR) 27, (CR)117 DSC/CSP-HB 7207
 234 Firearms (Rules and others) (FR)27, (CO)182, (CR)227, (CS) 227, (CO)467, (CR)469, (CR)471, (CS/CS)474, (BA)512, (BA) 539, (CR)541, (BA)548, 851 Ch. 2011-145
 236 State Parks (Budget Subcommittee on General Government Appropriations and others) (FR)27, (CR)204, (CO)279, (CR) 300, (CS)300, (CO)467, (CR)470, (CR)473, (CS/CS)474, (MO) 541, (CO)623, (BA)628, (BA)647, (CR)712, (CO)723 LTS/CSP- CS/CS/HB 95, HB 7207
 238 Child Safety Devices in Motor Vehicles (Altman and others) (FR)27, (CR)117, (CR)232, (BA)729, (CR)778 DM
 240 Violations of Injunctions for Protection (Joyner) (FR)27, (CR) 226, (CR)270, (MO)308, (CR)323, (BA)360, (BA)365, (CR)407, 851 Ch. 2011-146
 242 Voter Information Cards (Rules and Joyner) (FR)28, (CR)117, (CR)309, (CS)312, (CR)468, (MO)614, (BA)742, (CR)778 DM/ CSP-CS/CS/HB 1355
 244 Motor Vehicles/Highway Safety Act (Health Regulation and others) (FR)28, (CS)110, (CS/CS)110, (CR)118, (MO)308, (CR) 323, (BA)360, (CR)407 DM
 246 Human Trafficking (Health Regulation and others) (FR)28, (CS)110, (CR)118, (CR)226, (CO)303, (MO)308, (CR)323, (BA) 364, (CR)407 DM
 248 Economic Recovery/Deepwater Horizon Disaster (Budget and others) (FR)28, (CR)108, (CS)110, (CS/CS)111, (CR)118, (CR) 205, (CS/CS/CS)210, (BA)225, (CR)226, (BA)231, (MO)454 DM/CSP-SB 2156
 250 Compensation for Wrongful Incarceration (Joyner and Dock- erty) (FR)28 DSC
 252 WNI
 254 Educational Plant Surveys (Sobel) (FR)29 DSC
 256 Legislative Travel Reimbursement (Bullard) (FR)29 DSC
 258 Student Assessment in Public Schools (Bullard) (FR)29 DSC
 260 Nonpublic Postsecondary Educational Institutions (Higher Education and Ring) (FR)29, (CR)408, (CS)409 DSC
 262 Intimidation of a Judge (Ring and Dockery) (FR)29, (CR)227 USC/LTS
 264 WNI
 266 Employment of the Homeless (Ring) (FR)29 DSC
 268 Super Enterprise Zones (Bullard) (FR)29 DSC
 270 Property Tax Discounts for Early Payment (Bennett) (FR)30 DSC
 272 Cadmium in Children's Products (Joyner) (FR)30 DSC
 274 Road and Bridge Designations (Budget and others) (FR)30, (CR)323, (CS)339, (MO)461, (CR)469, (CR)471, (CS/CS)474, (BA)585, (BA)604, (CR)615 LTS
 276 Procurement (Governmental Oversight and Accountability and others) (FR)30, (CS)111, (CR)118 DSC
 278 Employment of Children/Entertainment Industry (Joyner) (FR)30 DSC
 280 Relief/Thomas and Karen Brandi/City of Haines City (Norman) (FR)30 DSC
 282 Renewable Energy (Bennett and Margolis) (FR)30 DSC
 284 Sustainable & Renewable Energy Policy Trust Fund (Bennett and Margolis) (FR)30 DSC
 SCR
 286 Equal Rights for Men and Women (Rich and others) (FR)30, (CO)229, (CO)262, (CO)507 DSC
 SB
 288 Design Professionals (Negron) (FR)31, (CR)186 USC/LTS
 290 Retirement for Elected Officials (Fasano and others) (FR)31 DSC
 292 Mobile Home and Recreational Vehicle Parks (Community Affairs and Dean) (FR)31, (CR)117, (CR)299, (CR)470, (CS) 474 DSC
 SR
 294 Ronald Reagan Day (Fasano) (FR)4, 5 Adopted
 SB
 296 Household Moving Services (Community Affairs and others) (FR)31, (CR)309, (CS)312, (CR)469, (CR)470, (CS/CS)475, (BA) 585, (CR)615 LTS/CSP-CS/HB 901
 298 Municipal Governing Body Meetings (Alexander) (FR)31, (CR) 108, (CR)117, (CR)204, (BA)223, (CR)226, (BA)232, 851 Ch. 2011-147
 SJR
 300 Term Limits (Bennett) (FR)31 DSC
 SB
 302 Drug Testing/Unemployment Compensation (Bennett and others) (FR)31, (CO)203, (CO)216 DSC
 304 Illegal or Undocumented Aliens (Bennett and Dockery) (FR) 31 DSC
 306 Relief/Brown/North Broward Hospital District (Rich) (FR)32, (CR)236, (RC)253, (CR)308, (BA)585, (CR)615, (MO)615 DCS
 308 Relief/Eddie Weekley/Charlotte Williams/APD (Montford) (FR) 32 DSC
 310 Public Meetings (Negron and others) (FR)32 DSC
 312 Practice of Dentistry (Health Regulation and others) (FR)32, (CS)111, (CR)118, (CR)286, (MO)308, (CR)323, (BA)363, (CR) 407 DM
 314 Public Records/Dental Workforce Surveys (Health Regulation and others) (FR)32, (CS)111, (CR)118, (CR)286, (CR)468, (CR) 472, (MO)541 DSC
 316 Juvenile Fleeing Law Enforcement Officer (Hays) (FR)32 DSC
 318 Postsecondary Student Fees (Judiciary and Siplin) (FR)32, (CR)324, (CS)339 DSC
 SR
 320 DNI
 SB
 322 Relief/Edwards & Roden/Lee County (Flores) (FR)32, (CR)469, (RC)472, (CR)541, (BA)585, (CR)615, (MO)615 DCS
 324 Relief/James D. Feurtado, III/Miami-Dade County (Rules and Flores) (FR)33, (CR)236, (RC)253, (CR)324, (CS)339 DCS
 326 Relief/Kirby/University of South Florida (Norman) (FR)33, (CR)235, (RC)253 DSC
 328 Service of Process (Judiciary and Margolis) (FR)33, (CR)286, (CS)289, (CR)322, (CR)468, (MO)614, (BA)743, (CR)778 LTS/ CSP-CS/HB 59
 330 Violations of the Florida Election Code (Gaetz and others) (FR) 33, (CR)117, (CR)204, (CR)286, (MO)308, (CR)323, (CO)357, (BA)361, (BA)362, (CR)407, (CO)580, 851 Ch. 2011-148
 332 Sovereignty Submerged Lands (Environmental Preservation and Conservation and others) (FR)33, (CR)470, (CS)475, (MO) 561, (MO)712 DSC
 334 Controlled Substances (Fasano and Dockery) (FR)33 DSC
 336 Controlled Substances (Criminal Justice and others) (FR)33, (CR)271, (CS)274, (CO)303 DSC
 338 Relief/Angela Sozzani/DCFS (Flores) (FR)33 DSC
 340 Relief/Carter/Palm Beach County School Board (Bogdanoff) (FR)33 DSC
 342 Relief/Maricelly Lopez/City of North Miami (Evers) (FR)33, (CR)236, (RC)253 DSC
 344 Animal Cruelty (Rich) (FR)33, (CR)116, (CR)117, (CR)226, (BA)268, (BA)269, (CR)269, (BA)285, 851 Ch. 2011-42
 346 Prohibited Discrimination (Rich and others) (FR)34, (CO)303, (CO)304, (CO)321, (CO)507 DSC
 348 Domestic Partnerships (Sobel) (FR)34 DSC
 350 Insurance Coverage for Colorectal Cancer Screening (Sobel) (FR)34 DSC
 352 Civil Citations/Minors (Joyner) (FR)34, (MO)407 DSC
 354 Gifts/Governmental Entity/Charitable Organizations (Bullard) (FR)35 DSC
 356 Practice of Optometry (Bullard) (FR)35 DSC
 SM
 358 Exercise of Federal Power (Evers and Oelrich) (FR)35, (CR) 117, (CR)226, (MO)269, (BA)297, (CR)299, (CO)580 DM
 SB
 360 Insurance Coverage for Cardiovascular Screening (Fasano) (FR)35 DSC
 362 Patrol Officers/Highway Safety and Motor Vehicles (Latvala) (FR)35 DSC
 364 Child Care Facilities (Commerce and Tourism and others) (FR) 35, (CR)186, (CS)201, (CR)309, (CS/CS)313, (CR)468, (MO)614, (BA)743, (BA)744, (CR)778 LTS/CSP-CS/CS/HB 139
 366 Public Lodging/Public Food Service Establishments (Com- merce and Tourism and Altman) (FR)35, (CR)117, (CR)186, (CS)201 DSC/CSP-CS/CS/CS/HB 883
 368 Driver's License Fees for Disabled Veterans (Military Affairs, Space, and Domestic Security and others) (FR)35, (CR)205, (CS)211, (CO)357, (CR)468 DSC

- SB
370 Vessel Safety (Rich) (FR)35 DSC
372 Pretrial Programs (Bogdanoff) (FR)35 DSC
374 Health and Human Services Contracts (Governmental Oversight and Accountability and Bogdanoff) (FR)36, (CR)461, (CS)462 DSC
376 Tax on Sales, Use, and Other Transactions (Budget Subcommittee on Finance and Tax and others) (FR)36, (CR)117, (CR)338, (CR)461, (CS)462, (CO)580, (CO)623, (MO)968, (MO)969 DCS
378 Federal Write-in Absentee Ballot (Rules Subcommittee on Ethics and Elections and others) (FR)36, (CR)108, (CS)111, (CR)118, (CR)408, (CR)469, (BA)585, (CR)615, (CO)851 LTS/CSP-CS/HB 227
380 Training/Certification/Child Welfare Personnel (Children, Families, and Elder Affairs and Wise) (FR)36, (CS)112, (CR)118, (CR)286, (CR)469, (BA)586, (CR)615, (BA)646 LTS/CSP-CS/HB 279
382 Property Taxation (Budget Subcommittee on Finance and Tax and Bogdanoff) (FR)36, (CR)109, (CR)117, (CR)204, (CR)210, (CS)211, (MO)308, (CR)323, (RC)355, (BA)362, (CR)407 DM/CSP-CS/SB 478
384 Tangible Personal Property Taxation (Community Affairs and Bogdanoff) (FR)36, (CR)236, (CS)254, (MO)712 DSC
386 Procurement/Preference to Florida Businesses (Community Affairs and others) (FR)36, (CR)286, (CS)289, (CR)470, (CS/CS)475 DSC/CSP-SB 2152
388 Children of Incarcerated Parents (Joyner) (FR)36 DSC
SJR
390 Homestead Property Assessed Value (Flores and Fasano) (FR)37, (CR)117, (CO)262 DSC/CSP-CS/CS/CS/CS/HJR 381
SB
392 Commercial Parasailing (Environmental Preservation and Conservation and others) (FR)37, (CR)204, (CS)211, (CO)216 DSC
394 Department of Health (Jones) (MO)13, (FR)37 WS
396 Building Construction and Inspection (Regulated Industries and others) (FR)37, (CR)164, (CS)181, (CR)236, (CS/CS)254, (CR)469, (BA)586, (BA)589, (CR)615, (BA)626, (BA)702, (BA)703 LTS/CSP-CS/CS/CS/HB 849, CS/SB 960
398 Chiropractic Medicine (Budget Subcommittee on Health and Human Services Appropriations and others) (FR)37, (CR)186, (CS)201, (CR)470, (CR)472, (CS/CS)475 DSC
400 Treatment-based Drug Court Programs (Criminal Justice and others) (FR)37, (CS)112, (CR)118, (CR)226, (CO)229, (MO)308, (CR)323, (BA)360, (BA)364, (CR)407, 546, 623, 1017 Ch. 2011-33
402 Regulation of Firearms and Ammunition (Rules and others) (FR)37, (CS)112, (CR)118, (CR)236, (CS/CS)254, (CR)323, (CR)471, (CS/CS/CS)475, (BA)512, (BA)539, (BA)540, (CR)541 LTS/CSP-CS/CS/HB 45
404 Transition-to-adulthood Services (Wise) (FR)38, (CR)308, (CR)468, (CO)507, (MO)725, (BA)968, (BA)1279, (BA)1283, 1287, 1849 Ch. 2011-236
406 Florida Kidcare Program (Health Regulation and others) (FR)38, (CS)112, (CR)118 DSC
408 Property and Casualty Insurance (Rules and others) (FR)38, (CR)109, (CS)112, (CR)118, (CR)204, (CS/CS)211, (CR)236, (CR)461, (CS/CS/CS)462, (BA)516, (BA)518, (BA)519, (BA)521, (CR)541, (BA)552, (BA)559, 561, 976, 1002, 1833 Ch. 2011-39 CSP-CS/HB 1007, HB 4081, SB 2156
410 Impact Fees (Bennett) (FR)39, (CR)117, (CR)185, (CR)232, (BA)299, (CR)299, (BA)307, 308, 840 Ch. 2011-149
412 WNI
414 Prostate Cancer Awareness Program (Health Regulation and Oelrich) (FR)39, (CR)108, (CS)113, (CR)118, (CR)204, (CR)469, (MO)712, (BA)968, (BA)1120 LTS/CSP-CS/CS/HB 137
416 Public Records (Judiciary and others) (FR)39, (CR)300, (CS)301, (CR)470, (CS/CS)476, (RC)502, (CR)541, (BA)589, (BA)590, (CR)615 LTS/CSP-CS/HB 411
418 State Lotteries (Flores and Diaz de la Portilla) (FR)39, (CR)117, (CR)185, (CR)232, (CO)580, (BA)743, (CR)778 DM
420 OGSR/Florida Center for Brain Tumor Research (Health Regulation) (FR)39, (CR)117, (CR)286, (MO)461, (BA)590, (BA)591, (CR)615 LTS/CSP-HB 7079
422 WNI
424 Physical Education In Public Schools (Sobel) (FR)39 DSC
SB
426 Service of Process (Judiciary and others) (FR)40, (CS)113, (CR)118, (CR)300, (CO)357 DSC
428 Retired Justices and Judges (Dean) (FR)40 DSC
430 Veterans' Affairs (Budget Subcommittee on Higher Education Appropriations and others) (FR)40, (CR)204, (CR)408, (CS)409, (CR)470, (CR)473, (CS/CS)476 DSC
432 Privacy of Firearm Owners (Judiciary and others) (FR)40, (CS)113, (CR)118, (CR)309, (CS/CS)313, (CR)469, (CR)470, (CS/CS/CS)476, (BA)512, (BA)540, (CR)541 LTS/CSP-CS/CS/HB 155
434 Assessment of Residential Real Property (Community Affairs and others) (FR)40, (CS)114, (CR)118 DSC
436 Seaport Security (Hill and others) (FR)40 DSC/CSP-CS/CS/CS/HB 283
438 Injunctions for Protection Against Violence (Criminal Justice and Hill) (FR)40, (CR)227, (CS)227, (CR)299, (CR)469, (BA)591, (CR)615 LTS/CSP-CS/CS/HB 563
440 Presidential Elections (Hill) (FR)40 DSC
442 Florida Retirement System (Hill) (FR)40 DSC/CSP-SB 2100
444 Scrutinized Companies (Community Affairs and others) (FR)40, (CS)114, (CR)117, (CR)118, (CR)232, (BA)268, (CR)269, (BA)284, 285, 851 Ch. 2011-104
446 Dentistry and Dental Hygiene (Hays and others) (FR)41, (CR)226, (CR)468, (CR)472, (MO)541, (MO)712 DCS/CSP-CS/CS/CS/HB 1319
448 Bullying of School Children (Bogdanoff and Sachs) (FR)41 DSC
450 Emergency Management (Judiciary and others) (FR)41, (CR)205, (CS)212, (CR)309, (CS/CS)313, (CO)357, (CR)541, (BA)729, (CR)778, 851 Ch. 2011-43
452 Police Dogs (Fasano) (FR)41 DSC
454 Health Care (Hill) (FR)41 DSC
456 Working Waterfront Property (Diaz de la Portilla) (FR)41, (MO)541 WS
458 Administrative Expunction of Arrest Records (Hill) (FR)42, (CR)300 DSC
460 Resisting Officer or Other Person Without Violence (Hill) (FR)42 DSC
462 Beverage Law (Latvala and Jones) (FR)42, (CR)117, (CR)185, (CR)232, (CO)262, (BA)362, (CR)407, 851 Ch. 2011-150
464 Assault or Battery of a Law Enforcement Officer (Latvala) (FR)42, (CR)186, (CR)235, (MO)308, (CR)323, (BA)360, (CR)407, (BA)743, (BA)744, (CR)778 LTS/CSP-CS/HB 3
466 Tourist Development Tax (Commerce and Tourism and Braynon) (FR)42, (CO)216, (CR)270, (CS)274 DSC
468 Community Redevelopment (Bullard and Latvala) (FR)42, (CR)235, (CO)321, (CR)322, (CR)338, (CR)468 DSC
470 Culpable Negligence (Bullard) (FR)42 DSC
472 Prepaid Limited Health Service Organizations/Taxes (Evers and others) (FR)42, (CO)216, (CO)234, (CR)468 DSC/CSP-SB 2144
474 Sales Representative Contracts (Evers) (FR)42, (CR)323, (CR)469, (CR)541, (BA)628, (BA)629, (CR)712 LTS/CSP-HB 4023
476 Public Lodging Establishments (Judiciary and others) (FR)42, (CR)271, (CR)275, (CR)541, (CS/CS)541, (MO)778, (BA)968, (BA)969 LTS/CSP-CS/CS/CS/HB 883
478 Property Taxation (Budget Subcommittee on Finance and Tax and Thrasher) (FR)43, (CR)109, (CR)117, (CR)204, (CR)210, (CS)212, (CR)232, (BA)268, (CR)269, (BA)284, 851 Ch. 2011-151
480 Florida Endowment for Vocational Rehabilitation (Community Affairs and Wise) (FR)43, (CS)114, (CR)118, (CR)185, (CR)286, (CR)468, (CR)473, (MO)541, (BA)729, (CR)778 LTS/CSP-CS/HB 811
482 Supervised Visitation and Exchange Monitoring (Wise) (FR)43 DSC
SM
484 Discriminatory Taxes/Reinsurance (Hays and Oelrich) (FR)43, (CR)109, (CR)116, (CR)204, (CR)232, (BA)267, 268, (CR)269, 546, (CO)623 Adopted
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486 Water Management District Governing Boards (Hays) (FR)43 DSC

- SB
488 Sexual Offenses (Judiciary and others) (FR)44, (CR)309, (CS)313, (CR)470, (CS/CS)476, (RC)502, (CO)580, (MO)672, (MO)778, (BA)835, (CO)1019 LTS/CSP-CS/CS/CS/HB 251
- 490 Medical Expense/Pretrial Detainee/Sentenced Inmate (Budget Subcommittee on Criminal and Civil Justice Appropriations and others) (FR)44, (CR)117, (CR)186, (CS)201, (CR)469, (CR)472, (CS/CS)476, (MO)614, (RC)615, (BA)744, (BA)745, (CR)778 DM
- 492 Road and Bridge Designations (Wise) (FR)44 DSC
- 494 Sexual Offenders and Predators (Fasano) (FR)44, (CR)300, (MO)605 DSC
- 496 Ocean Lifeguards (Margolis) (FR)44, (CR)185 DSC
- 498 WNI
- 500 State University Fee Exemptions (Oelrich) (FR)44 DSC
- 502 State Symbols (Oelrich) (FR)44, (CR)235, (CR)461, (CR)541, (BA)591, (CR)615 DM
- 504 Child Visitation (Children, Families, and Elder Affairs and Bogdanoff) (FR)45, (CR)271, (CS)275, (CR)468, (CR)469, (BA)591, (CR)615, (BA)700, 851 Ch. 2011-209
- 506 Economic Development (Community Affairs and Bogdanoff) (FR)45, (CS)114, (CR)118, (CR)468, (MO)778, (MO)830, (BA)970, (BA)974 LTS/CSP-CS/CS/HB 287
- 508 Tax on Sales, Use, and Other Transactions (Education Pre-K - 12 and others) (FR)45, (CO)229, (CR)470, (CS)477 DSC/CSP-CS/HB 143
- 510 Hurricane Loss Mitigation Program (Latvala) (FR)45, (CR)226, (MO)461, (CR)468, (CR)473 DSC/CSP-SB 2156
- 512 Vessels (Budget and others) (FR)45, (CR)323, (CS)339, (MO)461, (CR)469, (CR)471, (CS/CS)477, (BA)591, 592, (CR)615, 851 Ch. 2011-152
- 514 Vehicle Crashes Involving Death (Garcia and Diaz de la Portilla) (FR)45, (CR)185, (CR)270, (MO)308, (CR)323, (CO)580, (BA)592, (CR)615 LTS/CSP-HB 347
- 516 Autism (Governmental Oversight and Accountability and others) (FR)45, (CR)226, (CS)227, (CR)323, (CS/CS)339 DSC
- 518 Verification of Employment Eligibility (Hays and Gaetz) (FR)45 DSC
- 520 State Memorials (Governmental Oversight and Accountability and others) (FR)46, (CO)203, (CR)236, (CS)255, (CO)262, (CO)357, (CR)461, (CS/CS)463, (CO)467, (CR)469, (BA)744, (CR)778 LTS/CSP-CS/HB 465
- 522 Cardrooms (Diaz de la Portilla) (FR)46, (CR)468 DSC
- 524 Seaports (Transportation and others) (FR)46, (CO)203, (CR)204, (CR)236, (CS)255, (CO)303, (CO)357, (CO)417, (CR)468, (CR)472, (MO)568, (BA)629, (BA)630, (BA)693, (BA)698, (CR)712, (CO)723 LTS/CSP-CS/CS/CS/HB 283, SB 2104
- 526 Beach Waters (Sobel) (FR)46 DSC
- 528 Creation of Dept. of Health and Human Services (Oelrich) (FR)46 DSC
- 530 Condominium/Cooperative/Homeowners' Associations (Budget and others) (FR)47, (CR)236, (CS)255, (CR)300, (CS/CS)301, (CO)467, (CR)468, (CR)568, (CS/CS/CS)570, (BA)745, (BA)756, (BA)757, (CR)778 LTS/CSP-CS/CS/CS/HB 1195
- 532 Public Corruption (Fasano) (FR)47, (CR)117, (CR)309 USC/LTS
- 534 Firesafety (Wise) (FR)47, (CR)163, (CR)235, (CR)322, (CR)468, (MO)541, (BA)630, (CR)712 LTS/CSP-HB 331
- 536 Regional Workforce Boards (Fasano) (FR)47 DSC
- SJR
538 Voting Rights of Felons (Joyner) (FR)47 DSC
- SR
540 Black History Month (Joyner) (FR)183, 184 Adopted
- SB
542 Nursing Home Diversion Program (Bennett and Smith) (FR)47 DSC/CSP-CS/HB 7109
- 544 Barbering (Joyner) (FR)48, (CR)185 DSC
- 546 Dentists (Health Regulation and others) (FR)48, (CR)163, (CO)203, (CR)308, (CS)313, (CR)468, (CR)473, (CO)723 DSC
- 548 Obsolete Health Care Provisions (Hays) (FR)48, (CR)185, (MO)605, (BA)730, (CR)778 LTS/CSP-HB 4027
- 550 Repealing Budget Provisions (Hays) (FR)48, (CR)117, (MO)461 DSC
- 552 Transportation Corporations (Hays) (FR)48, (CR)117, (CR)200 DSC
- 554 Community-based Juvenile Justice (Fasano and others) (FR)48 DSC
- SB
556 Temporary Assistance for Needy Families Program (Budget and others) (FR)48, (CO)203, (CO)216, (CR)270, (CS)275, (CR)468, (CR)471, (CR)472, (CS/CS)477, (CO)507, (BA)631, (CR)712, (BA)830, (BA)831 LTS/CSP-CS/CS/CS/CS/HB 353
- 558 School District Revenue Enhancement (Wise) (FR)48 DSC
- 560 Sale of Advertising (Transportation and Wise) (FR)49, (CR)323, (CS)339, (RC)355, (CR)469 DSC
- 562 Unemployment Compensation Benefits (Flores) (FR)49 DSC
- 564 Voluntary Prekindergarten Education Program (Rich) (FR)49 DSC
- 566 Special Health Care Needs/Adolescents/Young Adults (Wise) (FR)49 DSC
- 568 OGSR/Court Records/Court Monitors/Guardianship (Judiciary) (FR)49, (CR)117, (CR)286, (MO)461, (BA)592, (CR)615 LTS/CSP-HB 7085
- 570 OGSR/Interference With Custody (Judiciary) (FR)49, (CR)117, (CR)286, (MO)461, (BA)593, (CR)615 LTS/CSP-HB 7083
- 572 OGSR/Statewide Public Guardianship Office (Governmental Oversight and Accountability and Judiciary) (FR)49, (CR)117, (CR)286, (CS)289, (MO)461, (BA)593, (CR)615 LTS/CSP-HB 7081
- 574 Preference In Award of State Contracts (Wise) (FR)49 DSC
- 576 Gambling Devices (Oelrich) (FR)50 DSC
- 578 Disability Awareness (Education Pre-K - 12 and others) (FR)50, (CO)262, (CR)271, (CS)275, (CO)279, (CO)295, (CR)470, (CS/CS)477, (MO)605 DCS
- 580 Residential Building Permits (Community Affairs and Oelrich) (FR)50, (CR)324, (CS)339, (CR)468, (CR)469, (BA)631, (CR)712 LTS/CSP-CS/HB 407
- 582 Local Business Taxes (Budget Subcommittee on Finance and Tax and others) (FR)50, (CR)227, (CS)227, (CR)270, 338, (CR)461, (CS/CS)463, (MO)614, (RC)615, (BA)745, (CR)778 LTS/CSP-CS/CS/CS/HB 311
- 584 Massage Therapy (Health Regulation and Flores) (FR)50, (CR)186, (CS)202, (MO)461, (CR)468, (CR)472, (MO)672, (MO)778, (BA)838, (BA)854 DM
- 586 Alzheimer's Disease (Wise) (FR)50, (CR)226 DSC
- 588 Student Safety (Flores) (FR)51 DSC
- 590 Public Employment Practices (Wise and Joyner) (FR)51, (CO)303 DSC
- SJR
592 Veteran's Property Tax Discount (Budget and others) (FR)51, (CR)235, (CO)262, (CR)299, (CO)357, (CO)467, (CR)471, (CS)477, (CO)546, (MO)568, (BA)631, 632, (CR)712, 851 Passed
- SB
594 Sovereign Immunity (Community Affairs and others) (FR)51, (CR)204, (CS)212, (CR)322, (CR)471, (CS/CS)477, (BA)593, (CR)615 LTS/CSP-CS/CS/HB 277
- 596 WNI
- 598 WNI
- 600 OGSR/Records/DJJ Employees & Family Members (Governmental Oversight and Accountability and Criminal Justice) (FR)51, (CR)185, (CR)286, (CS)289, (MO)461, (BA)594, (CR)615 LTS/CSP-HB 7075
- 602 OGSR/Biometric Identification Information (Criminal Justice) (FR)51, (CR)185, (CR)286, (MO)461, (BA)594, (CR)615 LTS/CSP-HB 7077
- 604 OGSR/Concealed Weapons or Firearms (Criminal Justice) (FR)51, (CR)185, (CR)461, (MO)461, (BA)594, (CR)615 LTS/CSP-HB 7161
- 606 Fertilizer (Agriculture and Evers) (FR)51, (CR)232, (CS)232, (RC)261, (MO)614, (MO)725, (MO)778 DCS/CSP-CS/CS/HB 7215
- 608 Traffic Offenses (Evers) (FR)51, (CR)185, (CR)235, (CR)468, (CR)472 DSC
- 610 Sale of Event Tickets (Bennett) (FR)51 DSC
- 612 Regulation of Hoisting Equipment (Evers) (FR)52 DSC
- SM
614 United Recovery Plan/Northwest Florida Panhandle (Evers) (FR)52 DSC
- SJR
616 Ad Valorem Taxes/Maximum Amount (Evers) (FR)52 DSC

- SB
618 Juvenile Justice (Criminal Justice and Evers) (FR)52, (CR)186, (CS)202, (CR)210, (CR)235, (CR)236, (BA)299, (CR)299, (BA) **307**, 851 Ch. 2011-70
- 620 Enterprise Program Development Zones (Garcia) (FR)52 DSC
- 622 Secondhand Dealers and Secondary Metals Recyclers (Commerce and Tourism and Hays) (FR)52, (CR)470, (CS)477 DSC
- 624 WNI
- 626 Shands Teaching Hospital and Clinics, Inc. (Thrasher and others) (FR)52, (CR)226, (CO)229, (CR)270, (MO)308, (CR)323, (BA)516, (BA)522, (CR)541, (CO)580 LTS/CSP-CS/CS/HB 395
- 628 WNI
- 630 Use of Public Moneys and Property (Bennett and Garcia) (FR) 52, (CO)203 DSC
- 632 Postsecondary Education (Community Affairs and others) (FR) 53, (CR)270, (CS)275, (RC)293, (CR)469, (CR)470, (CS/CS)477, (BA)730, (CR)778, (BA)791 DCS/CSP-CS/HB 7151, SB 2150
- 634 Citizens Property Ins. Corp./Prohibited Activities (Simmons) (FR)53, (CR)117, (CR)226, (MO)308, (CR)323, (BA)361, (CR) 407 LTS/CSP-HB 4181
- 636 Repeal of Obsolete Insurance Provisions (Simmons) (FR)53, (CR)163, (CR)226, (MO)308, (CR)323, (BA)361, (CR)407 LTS/ CSP-HB 4081, CS/CS/CS/SB 408
- 638 Residential Property/Evaluation Grant Program (Simmons) (FR)53, (CR)117, (CR)226, (MO)308, (CR)323, (BA)361, (CR) 407 LTS/CSP-HB 4129
- 640 Fire-fighting Equipment (Bennett) (FR)53, (MO)225 WS
- 642 Public School Education (Bullard) (FR)53 DSC
- 644 Use of Cellular Telephones (Rich) (FR)53 DSC
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- 648 Estates (Banking and Insurance and Joyner) (FR)53, (CR)185, (CR)286, (CS)289, (CR)541, (BA)595, (CR)615 LTS/CSP-CS/ HB 325
- 650 Mobile Home Park Lot Tenancies (Regulated Industries and others) (FR)53, (CR)186, (CS)202, (CO)229, (CR)236, (CR)308, (BA)363, (CR)407, (BA)524, (BA)538, (BA)539, (CR)541, (BA) **555**, 851 Ch. 2011-105
- 652 Liability of Spaceflight Entities (Simmons and Altman) (FR) 54, (CR)204, (CR)236, (CO)262, (CR)469, (BA)524, (CR)541, (BA)**555**, 851 Ch. 2011-153
- 654 Student Fees (Higher Education and Oelrich) (FR)54, (CR)108, (CS)114, (CR)117, (CR)118, (CR)204 DSC/CSP-SB 2150
- 656 Florida Kidcare Program (Rich) (FR)54 DSC
- SJR
658 Homestead/Nonhomestead Property (Judiciary and others) (FR)54, (CR)227, (CS)227, (CR)470, (CS/CS)478, (MO)672, (MO)712, (CO)723, (BA)768, (BA)771 LTS/CSP-CS/CS/CS/ CS/CS/HJR 381, CS/CS/CS/HB 1163
- SR
660 Florida International University Golden Panthers (Flores and Diaz de la Portilla) (FR)157, **158** Adopted
- SB
662 Public Accountancy (Jones) (FR)54, (CR)308 DSC
- 664 Missing Person Investigations/Silver Alert (Judiciary and others) (FR)54, (CO)182, (CR)185, (CO)203, (CO)234, (CR)308, (CS)314, (CR)468, (CR)472, (MO)541, (BA)**632**, (CR)712, 851 Ch. 2011-218
- 666 Governmental Reorganization (Governmental Oversight and Accountability and others) (FR)55, (CR)186, (CS)202, (CR)323, (CS/CS)339, (CR)469, (CR)778 DCS
- 668 Florida Gaming Trust Fund/Dept. of Gaming Control (Gov- ernmental Oversight and Accountability and Ring) (FR)55, (CR)270, (CR)323, (CS)340 DSC
- 670 Powers of Attorney (Judiciary and Joyner) (FR)55, (CR)232, (CS)232, (CR)308, (CR)323, (BA)632, (BA)634, **635**, (CR)712, 851 Ch. 2011-210
- 672 Uniform Traffic Control (Garcia and others) (FR)56, (CO)303, (CR)308 DSC
- 674 Florida Center for Nursing (Rich) (FR)56 DSC
- 676 Animal Control or Cruelty Ordinances (Rich and Fasano) (FR) 56, (CO)467 DSC
- 678 Local Long-term Care Ombudsman Councils (Richter) (FR) 56 DSC
- SB
680 Nursing Home Quality and Licensure Status (Richter) (FR) 56 DSC
- 682 State Long-term Care Ombudsman Program (Richter) (FR) 56 DSC
- 684 Automated External Defibrillators (Richter) (FR)56 DSC
- 686 Assisted Living Facilities (Richter) (FR)56 DSC
- 688 Assisted Living Facilities (Richter) (FR)56, (CR)322, (CR)468, (MO)605, (MO)725, (CR)778 WS
- 690 Assisted Living Facilities (Richter) (FR)57, (CR)322, (CR)469, (MO)568, (MO)725, (CR)778 WS
- 692 Assisted Living Facilities (Rules and Richter) (FR)57, (CR)322, (CR)469, (CR)541, (CS)541, (BA)595, (BA)596, (CR)615 LTS
- 694 Assisted Living Facilities (Richter) (FR)57, (CR)471 USC/ LTS
- 696 Assisted Living Facilities (Richter) (FR)57 DSC
- 698 Assisted Living Facilities (Richter) (FR)57 DSC
- 700 Education (Siplin) (FR)57, (CR)469, (MO)725 DSC
- 702 Umbilical Cord Blood Banking (Flores) (FR)57, (CR)185, (CR) 235, (MO)308, (CR)323, (BA)**364**, (CR)407, 1002, (BA)**1003** Ch. 2011-154
- 704 Special Observances/Purple Heart Day (Sachs and others) (FR) 57, (CR)235, (CO)357, (CR)408, (CR)469, (BA)524, (CR)541, (BA)**556**, (CO)556, (CO)580 DM
- SJR
706 Voting Rights of Felons (Sobel) (FR)57 DSC
- SB
708 Lawyer-client Privilege (Thrasher) (FR)57 DSC/CSP-CS/HB 325
- 710 Conditions of Probation (Siplin) (FR)57 DSC
- 712 Condominiums (Margolis) (FR)57 DSC
- 714 Disabled Parking Permits (Margolis) (FR)57, (CR)185, (CR) 299, (CR)469, (BA)**596**, (CR)615 DM
- 716 Corporate License Plates (Fasano) (FR)58 DSC
- 718 Sexual Exploitation (Ring) (FR)58 DSC
- 720 Cancer Research and Control (Higher Education and Gaetz) (FR)58, (CR)300, (CR)408, (CS)409, (CR)469, (BA)**596**, (CR) 615 DM
- 722 Saving Dogs (Norman and others) (FR)58, (CR)117, (CO)203, (CR)469, (CR)541, (BA)**746**, (CR)778, 851 Ch. 2011-211
- 724 Cellular Telephone Use (Bullard) (FR)58 DSC
- 726 State Symbols/Official State Flagship (Bullard and others) (FR)59, (CR)322, (CR)323, (CR)541, (BA)**597**, (CO)597, (CR) 615, (CO)623 DM
- 728 Unemployment Compensation (Judiciary and others) (FR)59, (CS)114, (CR)118, (CR)204, (CS/CS)213, (MO)672, (MO)712, (BA)758 LTS/CSP-CS/CS/HB 7005, SB 2156
- 730 Youth and Student Athletes (Education Pre-K - 12 and others) (FR)59, (CO)182, (CO)234, (CR)236, (CS)255, (CR)323, (MO) 778, (BA)1117, (BA)1118 LTS
- 732 WNI
- 734 Assault or Battery on Utility Workers (Communications, En- ergy, and Public Utilities and Wise) (FR)59, (CS)114, (CR)118, (CR)299, (CR)468, (CR)472, (MO)541 DCS
- 736 Education Personnel (Budget and others) (FR)59, (CR)108, (CS)115, (CS/CS)115, (RC)116, (CR)117, (CR)118, (CR)119, (BA)161, (BA)162, (CR)163, (BA)184, **185**, (CO)203, (CO)216, 234, 262, 295 Ch. 2011-1
- 738 Rental Property Foreclosure (Sobel) (FR)60 DSC
- 740 Motor Vehicle Licenses (Transportation and Negron) (FR)60, (CR)186, (CS)202, (CR)235, (CR)469, (BA)597, (CR)615 LTS/ CSP-CS/HB 437
- 742 Surgical First Assistants (Sobel) (FR)60 DSC
- 744 Recreational Fishing Licenses (Negron and Flores) (FR)60 DSC
- 746 Open House Parties (Criminal Justice and Altman) (FR)60, (CR)185, (CR)323, (CS)340, (CR)469, (BA)730, (CR)778 LTS/ CSP-CS/HB 105
- 748 Youth Athletic Coaches (Ring) (FR)60 DSC
- 750 Health Benefit Plans (Hays) (FR)60 DSC
- 752 City of Tampa, Hillsborough County (Joyner) (FR)568 DSC/ CSP-HB 229
- 754 City Pension Fund/City of Tampa/Hillsborough Co. (Joyner) (FR)568 DSC/CSP-CS/HB 231
- 756 City of Tampa, Hillsborough County (Joyner) (FR)569 DSC/ CSP-HB 233

- SB
758 Driver Improvement Schools and Education Programs (Sobel) (FR)60, (CR)185 DSC
- 760 Public Food Service Establishments (Sobel) (FR)60 DSC
- 762 Florida Climate Protection Act (Hays and Oelrich) (FR)60, (CR)117, (CR)235, (CR)468, (CR)473, (MO)541, (CO)623, (BA)632, (CR)712, (BA)725 DM
- 764 Assault or Battery (Sobel) (FR)60 DSC
- 766 Public Records/Law Enforcement/Firefighters (Fasano) (FR)61 DSC
- 768 Seaports (Budget and others) (FR)61, (CR)237, (CS)256, (CR)323, (CS/CS)340, (CR)471, (CS/CS/CS)478, (BA)632, (BA)676, (BA)677, (CR)712 LTS/CSP-CS/CS/CS/HB 399
- 770 Unclaimed Deposits Held By Utilities (Environmental Preservation and Conservation and Siplin) (FR)61, (CR)226, (CR)470, (CS)478, (MO)725 DCS
- 772 Affordability Trust Fund/DCA (Siplin) (FR)61, (CR)226 DSC
- 774 Economic Development (Ring) (FR)61 DSC
- 776 Public School Class Size Maximums (Diaz de la Portilla and Bogdanoff) (FR)61, (MO)541 WS
- 778 District School Board Membership (Education Pre-K - 12 and Diaz de la Portilla) (FR)61, (CR)471, (CS)478, (MO)786 WS
- 780 Payment of Bar Dues (Jones) (FR)61 DSC
- 782 Fallen Officers Memorial/Road Designations (Transportation and others) (FR)62, (CS)115, (CR)118, (CR)200, (CR)235, (CR)236, (CO)303, (CR)308, (BA)360, (CR)407, 507, 623, 1017 Ch. 2011-237
- 784 Termination of Rental Agreements (Smith) (FR)62 DSC
- 786 Landlord and Tenant (Criminal Justice and others) (FR)62, (CR)270, (CS)275, (CO)357, (CR)471, (CS/CS)478, (CR)541, (BA)632, (BA)633, (CR)712 DM
- 788 Public School Educational Instruction (Diaz de la Portilla) (FR)62, (CR)468, (MO)605, (BA)730, (CR)778, (BA)786, (BA)853, (BA)1022 DCS
- 790 Tax Credits (Altman) (FR)62, (CR)468 DSC/CSP-CS/HB 143
- 792 Driving Without a Valid Driver's License (Criminal Justice and others) (FR)62, (CR)286, (CS)289, (RC)303, (CR)470, (CS/CS)478 DSC
- 794 Controlled Substances (Criminal Justice and Diaz de la Portilla) (FR)62, (CR)300, (CS)301, (CR)322 DSC
- 796 Domestic Wastewater Discharge/Ocean Outfalls (Community Affairs and others) (FR)62, (CO)203, (CO)216, (CR)236, (CS)256, (CR)470, (CS/CS)478 DSC
- 798 Issuance of Licenses/Certifications/Registrations (Altman) (FR)62, (CR)235 DSC
- 800 Education/Training Opportunities/Public Employees (Diaz de la Portilla) (FR)62, (MO)285 WS
- 802 Breast Cancer Detection/Treatment Referral Program (Sachs) (FR)63, (MO)226 WS
- SJR
804 Election of Public Service Commission Members (Fasano) (FR)63 DSC
- SB
806 Public Service Commission (Diaz de la Portilla) (FR)63, (MO)285 WS
- SJR
808 Homestead Exemption/Low-income Senior Citizens (Judiciary and Diaz de la Portilla) (FR)63, (CR)469, (CR)541, (CS)542 DSC
- SB
810 Pain-management Clinics (Fasano and Latvala) (FR)63 DSC/CSP-CS/CS/HB 7095
- 812 Internet Poker (Regulated Industries and Diaz de la Portilla) (FR)63, (CR)236, (CS)256 DSC
- 814 Ad Valorem Tax Exemptions (Richter) (FR)64, (CR)235 DSC
- 816 Enterprise Program Development Zones (Flores) (FR)64 DSC
- 818 Controlled Substances (Criminal Justice and others) (FR)64, (CR)232, (CS)233, (CR)270, (CS/CS)275, (RC)293, (CO)303, (MO)461, (CR)469, (BA)514, (BA)524, (BA)526, (CR)541, (BA)556, (BA)561, (BA)567, (BA)583, (BA)626, (BA)725, (BA)786, (BA)853, (BA)1022, (BA)1092, (BA)1094, (BA)1095, (CO)1833 LTS/CSP-CS/CS/HB 7095
- SR
820 Officers Castillo & Haworth/Miami-Dade Co. Police (Diaz de la Portilla) (FR)4 Adopted
- SB
822 Expert Testimony (Judiciary and Bogdanoff) (FR)65, (CR)204, (CR)210, (CS)213, (MO)461, (CR)473, (MO)568, (MO)778, (BA)789, (MO)968 DCS
- 824 Driving While License is Suspended or Revoked (Bogdanoff) (FR)65 DSC
- 826 Resident Status for Tuition Purposes (Fasano and others) (FR)66, (CR)235, (CO)262, (CO)357 DSC
- 828 Public Records/Local Government Inspector General (Community Affairs and Bogdanoff) (FR)66, (CR)236, (CS)257, (CR)469, (MO)568, (BA)632, (CR)712 LTS/CSP-CS/HB 667
- 830 Labor and Employment (Rules and others) (FR)66, (CR)226, (CS)227, (RC)261, (CR)469, (CR)471, (CS/CS)478, (BA)512, (CR)541, (BA)556 DCS
- 832 Mobile Home Park Lot Tenancies (Fasano and Latvala) (FR)66, (CO)229 DSC
- 834 Mentally Deficient and Mentally Ill Defendants (Wise) (FR)66 DSC
- 836 Education/Training Opportunities Public Employees (Margolis) (FR)66, (MO)285 WS
- 838 Electrical Contracting (Wise) (FR)66, (CR)322 DSC
- SR
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- SB
842 Tax Credits/Rehabilitation of Contaminated Sites (Latvala) (FR)66, (CR)269 DSC/CSP-CS/HB 143
- 844 Violations/Probation/Community Control/Widman Act (Budget and others) (FR)66, (CR)235, (CO)262, (CO)279, (CO)303, (CR)322, (CO)357, (CR)471, (CS)479, (CO)507, (BA)556, (CR)568, (BA)583, 851, 1019 Ch. 2011-38
- 846 Prevention of Child Exploitation (Judiciary and others) (FR)66, (CR)324, (CS)340, (CR)469, (CR)470, (CS/CS)479, (BA)597, (CR)615 DM/CSP-CS/CS/CS/HB 251
- 848 Early Voting (Rich) (FR)67 DSC
- 850 State Forests (Hays and others) (FR)67, (CR)286, (CR)322, (CO)467, (CR)468, (CR)473, (MO)605, (BA)746, (CR)778, (CO)1849 LTS/CSP-CS/HB 663
- SM
852 Supporting the Marketing of Florida Seafood (Hays and Gaetz) (FR)67, (CO)203, (CR)204, (CR)308, (CR)469, (BA)597, (BA)598, (CR)615 LTS/CSP-HM 9
- SB
854 Production and Shipment of Wine (Commerce and Tourism and Negron) (FR)67, (CR)308, (CR)470, (CS)479 DSC
- 856 Judicial Nominating Commissions (Joyner) (FR)67 DSC
- 858 Agriculture (Agriculture and Hays) (FR)67, (CS)115, (RC)116, (CR)118, (CR)235 DSC
- 860 Presidential Preference Primary (Joyner) (FR)67 DSC
- 862 Office of Minority Health (Joyner) (FR)67 DSC
- 864 Certificates of Need (Health Regulation) (FR)68, (CR)185 DSC
- 866 Judgment Interest (Governmental Oversight and Accountability and others) (FR)68, (CR)236, (CS)257, (CR)323, (CS/CS)340, (MO)830, (MO)968, (BA)1120 LTS/CSP-CS/HB 567
- 868 Eye Care Professionals (Sobel) (FR)68 DSC
- 870 Compensation of County Officials (Storms) (FR)68, (CR)117, (MO)605, (BA)730, (BA)731, (CR)778 LTS/CSP-HB 19
- 872 Enterprise Zones (Negron) (FR)68 DSC/CSP-CS/HB 143
- 874 Public Records/Emergency Notification Information (Hays and others) (FR)68, (CR)117, (CO)203, (CO)216, (CR)461, (CR)469, (BA)755, (CR)778 LTS/CSP-HB 597
- 876 Vessel Safety Regulations (Margolis) (FR)68 DSC
- 878 Child Welfare (Garcia) (FR)68 DSC
- 880 Value Adjustment Boards (Budget and Garcia) (FR)68, (CR)322, (CR)471, (CS)479, (BA)731, (CR)778 LTS/CSP-CS/CS/CS/HB 281
- 882 Water Management Districts (Governmental Oversight and Accountability and Detert) (FR)69, (CR)204, (CR)323, (CS)341 DSC
- 884 Taxi Operators (Latvala) (FR)69, (CR)300 DSC
- 886 Motor Vehicles (Transportation and Oelrich) (FR)69, (CR)186, (CS)203, (MO)461, (CR)469, (BA)731, (CR)778 FPS
- 888 Offense of Sexting (Communications, Energy, and Public Utilities and others) (FR)69, (CR)226, (CR)309, (CS)314, (CR)323,

- SB
(CS/CS)341, (CR)469, (BA)732, (CR)778 LTS/CSP-CS/CS/HB 75
- 890 Public Safety Telecommunicators (Criminal Justice and others) (FR)69, (CR)300, (CS)301, (CR)470, (CS/CS)479, (MO)605, (BA)746, (CR)778 DM
- 892 Pain-management Clinics (Dean) (FR)69 DSC
- 894 Postsecondary Education of Military Veterans (Bennett and others) (FR)69, (CR)235, (CO)262, (CO)357 DSC
- 896 Service Charges on State Trust Funds (Bennett) (FR)69 DSC
- 898 Executive Office of the Governor (Bennett) (FR)69, (CR)408, (CR)468, (MO)568, (BA)633, (CR)712, 851 Ch. 2011-155
- 900 Specialty License Plates (Transportation and Bennett) (FR)69, (CR)323, (CS)341, (CR)469, (BA)523, (BA)524, (CR)541, (BA)555 DM
- 902 Charitable Organizations (Bennett) (FR)69 DSC
- 904 Driver's Licenses and Identification Cards (Dean and others) (FR)70, (CR)286, (CR)322, (CO)357, (CR)469, (BA)746, (BA)747, (CR)778 LTS/CSP-HB 431
- 906 Background Screening Requirements/School Districts (Dean) (FR)70 DSC
- 908 Road Designations (Dean and Gaetz) (FR)70 DSC
- 910 Bedding Materials (Bennett) (FR)70 DSC
- 912 Affordable Housing (Bennett and Smith) (FR)70, (CR)117, (CR)226, (MO)672, (MO)712, (BA)776, (BA)777, (CO)783 LTS/CSP-HB 639, SB 2156
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- 920 Possession of Stolen Credit or Debit Cards (Criminal Justice and Ring) (FR)71, (CR)270, (CS)276, (CR)468, (MO)561, (BA)747, (CR)778 LTS/CSP-CS/CS/HB 339
- 922 Florida Education Finance Program (Flores) (FR)71, (CR)469 DSC
- 924 Florida Statutes (Thrasher) (FR)72, (CR)118, (BA)160, (CR)163, 234, 262, 303 Ch. 2011-3
- 926 Liability/Employers of Developmentally Disabled (Commerce and Tourism and Storms) (FR)72, (CR)236, (CS)257, (CR)270, (CR)469, (BA)599, (CR)615, 851 Ch. 2011-231
- SJR
928 Ban/Oil Exploration/Drilling/Extraction/Production (Joyner) (FR)72 DSC
- SB
930 Protection of Volunteers (Children, Families, and Elder Affairs and others) (FR)72, (CR)232, (CS)234, (CR)271, (CS/CS)276, (CO)321, (CR)408, (BA)599, (CR)615, (BA)701 LTS/CSP-CS/CS/HB 647
- 932 Seaport Security (Bennett) (FR)72 DSC/CSP-CS/CS/CS/CS/HB 283
- 934 Stormwater Management Permits (Community Affairs and others) (FR)72, (CR)236, (CS)257, (CR)323, (CS/CS)341, (MO)968 DCS
- 936 Motor Fuel Marketing Practices Act (Storms) (FR)72 DSC
- 938 Insurance (Storms) (FR)72 DSC
- 940 Taxpayer Rights (Storms) (FR)72 DSC
- 942 Tax Credits For Research and Development (Bogdanoff) (FR)73, (CR)322, (MO)461, (CR)473 DSC/CSP-CS/HB 143
- 944 Florida Statutes (Thrasher) (FR)73, (CR)118, (BA)160, (CR)163, 234, 262, 303 Ch. 2011-4
- 946 Florida Statutes (Thrasher) (FR)73, (CR)118, (BA)160, (CR)163, 234, 262, 303 Ch. 2011-5
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- 950 Water and Wastewater Utilities (Communications, Energy, and Public Utilities and others) (FR)73, (CR)300, (CS)301, (CR)470, (CS/CS)479 DSC
- 952 Uniform Prudent Management of Institutional Funds (Higher Education and others) (FR)73, (CR)271, (CS)276, (CR)408, (CS/CS)409, (CR)468, (MO)541, (BA)747, (CR)778 LTS/CSP-CS/CS/CS/HB 599
- SM
954 Parental Rights Amendment (Flores and others) (FR)74, (CR)226, (CR)270, (CR)323, (BA)360, (CR)407, (CO)467, (BA)556, 557, (CR)568, (CO)580, (MO)838, (BA)969, (BA)970 LTS/CSP-HM 557
- SB
956 Firearms Transactions (Criminal Justice and Hays) (FR)74, (CR)468, (CR)470, (CS)479 DSC/CSP-CS/CS/SB 243
- SJR
958 State Revenue Limitation (Budget Subcommittee on Finance and Tax and others) (FR)74, (CR)108, (CS)116, (CR)117, (CR)118, (BA)185, (CR)185, (CO)203, (CO)216, (BA)217, 219, 851 Passed
- SB
960 Liquefied Petroleum Gas (Environmental Preservation and Conservation and Bennett) (FR)74, (CR)204, (CS)213, (CR)269, (MO)308, (CR)323, (BA)363, (CR)407, 851 Ch. 2011-106 CSP-CS/CS/CS/HB 849
- 962 Marshal of the Supreme Court (Detert) (FR)74, (CR)270, (MO)614, (MO)725 DCS
- 964 Construction Liens and Bonds (Wise) (FR)74 DSC
- 966 Sovereign Immunity (Bennett) (FR)74 DSC
- 968 Boating Safety (Environmental Preservation and Conservation and Dean) (FR)74, (CR)204, (CS)213, (CR)235, (MO)308, (CR)323, (BA)363, (CR)407 DM/CSP-CS/CS/SB 512
- 970 Technology, Research, and Scholarship Enhancement (Oelrich) (FR)75 DSC
- 972 Public School Attendance (Wise) (FR)75 DSC
- 974 District Court Marshals (Detert) (FR)75, (CR)270, (MO)614, (MO)725 DCS
- 976 Capital Formation for Infrastructure Projects (Commerce and Tourism and Bogdanoff) (FR)75, (CR)408, (CS)409, (CR)473 DSC
- 978 Individual Retirement Accounts (Flores and Diaz de la Portilla) (FR)75, (CR)270, (CR)299, (CR)469, (CO)580, (BA)599, (BA)605, (CR)615 LTS/CSP-HB 469
- 980 Convention Development Taxes (Bennett and Garcia) (FR)75, (CO)262 DSC
- 982 Wage Protection for Employees (Norman) (FR)75, (CR)323, (MO)725 DCS
- 984 Local Government Code Enforcement Boards (Norman) (FR)75 DSC
- 986 DBPR/Alcoholic Beverages and Tobacco (Bennett) (FR)75 DSC
- 988 Public School Student Participation/Fine Arts (Detert) (FR)76 DSC
- 990 Motor Vehicle Title Loans (Bennett) (FR)76 DSC
- 992 Public School Funding (Dockery) (FR)76 DSC
- 994 Public Records/Public Airports (Commerce and Tourism and Latvala) (FR)76, (CR)226, (CR)408, (CS)410, (CR)469, (BA)633, (BA)634, (CR)712 LTS
- 996 Communications Among Branches of State Government (Simmons) (FR)76, (CR)270, (CR)408, (CR)469, (BA)599, (CR)615, (BA)701 DCS
- 998 Property Rights (Judiciary and others) (FR)76, (CR)117, (CO)182, (CO)203, (CO)262, (CR)308, (CS)314, (CR)469, (BA)514, (CR)541 LTS/CSP-CS/CS/HB 701
- 1000 Interscholastic and Intrасcholastic Sports (Wise) (FR)76, (CR)235, (CR)468, (CR)469, (BA)599, (CR)615 LTS/CSP-HB 797
- 1002 State Agency Business Cards (Montford) (FR)76 DSC
- 1004 WNI
- 1006 Estate, Inheritance, and Other Death Taxes (Altman) (FR)77 DSC
- 1008 Recovering, Towing, or Storing Vehicles or Vessels (Simmons) (FR)77 DSC
- 1010 Neighborhood Improvement Districts (Judiciary and Simmons) (FR)77, (CR)323, (CR)470, (CS)479 DSC
- 1012 State Attorneys Revenue Trust Fund/JAC (Budget Subcommittee on Criminal and Civil Justice Appropriations) (FR)77, (CR)204, (BA)220, (CR)226, 417, 507, 712 Ch. 2011-16
- 1014 Public Defenders Revenue Trust Fund/JAC (Budget Subcommittee on Criminal and Civil Justice Appropriations) (FR)77, (CR)204, (BA)220, (CR)226, 417, 507, 712 Ch. 2011-17
- 1016 Indigent Civil Defense Trust Fund/JAC (Budget Subcommittee on Criminal and Civil Justice Appropriations) (FR)77, (CR)204, (BA)220, (CR)226, 417, 507, 712 Ch. 2011-18
- 1018 State Courts Revenue Trust Fund (Budget Subcommittee on Criminal and Civil Justice Appropriations) (FR)77, (CR)204, (BA)221, (CR)226, 417, 507, 712 Ch. 2011-19
- 1020 Federal Grants Trust Fund/DLA (Budget Subcommittee on Criminal and Civil Justice Appropriations) (FR)77, (CR)204, (BA)221, (CR)226, 417, 507, 712 Ch. 2011-20

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1022 Operating Trust Fund/DLA (Budget Subcommittee on Criminal and Civil Justice Appropriations) (FR)78, (CR)204, (BA) **221**, (CR)226, 417, 507, 712 Ch. 2011-21
- 1024 Federal Grants Trust Fund/DJJ (Budget Subcommittee on Criminal and Civil Justice Appropriations) (FR)78, (CR)204, (BA)**221**, (CR)226, 417, 507, 712 Ch. 2011-22
- 1026 Operating Trust Fund/Department of Education (Budget Subcommittee on Education Pre-K - 12 Appropriations) (FR) 78, (CR)204, (BA)**221**, (CR)226, 417, 507, 712 Ch. 2011-23
- 1028 Administrative Trust Fund/Department of Education (Budget Subcommittee on Education Pre-K - 12 Appropriations) (FR) 78, (CR)204, (BA)**222**, (CR)226, 417, 507, 712 Ch. 2011-24
- 1030 Trust Funds/Department of Financial Services (Budget Subcommittee on General Government Appropriations) (FR)78, (CR)204, (BA)219, **220**, (CR)226, 417, 507, 712 Ch. 2011-25
- 1032 Federal Grants Trust Fund/DEP (Budget Subcommittee on General Government Appropriations) (FR)78, (CR)204, (BA) **222**, (CR)226, 417, 507, 712 Ch. 2011-26
- 1034 Federal Grants Trust Fund/Department of Revenue (Budget Subcommittee on General Government Appropriations) (FR) 78, (CR)204, (BA)**222**, (CR)226, 417, 507, 712 Ch. 2011-27
- 1036 Operations Trust Fund/Department of Revenue (Budget Subcommittee on General Government Appropriations) (FR)78, (CR)204, (BA)**222**, (CR)226, 417, 507, 712 Ch. 2011-28
- 1038 Federal Grants Trust Fund/DFS (Budget Subcommittee on General Government Appropriations) (FR)78, (CR)204, (BA) **219**, (CR)226, 417, 507, 712 Ch. 2011-29
- 1040 Florida Drug, Device, and Cosmetic Trust Fund/DBPR (Budget Subcommittee on General Government Appropriations) (FR) 78, (CR)204, (BA)**219**, (CR)226, 417, 507, 712 Ch. 2011-30
- 1042 Federal Grants Trust Fund/HSMV (Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations) (FR)78, (CR)204, (BA)**222**, (CR)226, 417, 507, 712 Ch. 2011-31
- 1044 International Registration Clearing TF/HSMV (Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations) (FR)78, (CR)204, (BA)**220**, (CR)226, 417, 507, 712 Ch. 2011-32
- 1046 Florida Forest Service/DOACS (Montford) (FR)79, (CR)117, (MO)561 DSC/CSP-CS/CS/HB 7215, SB 2122
- 1048 Public Utilities (Lynn) (FR)79 DSC
- 1050 Effects of Crimes (Fasano and Lynn) (FR)79 DSC
- 1052 Crisis Stabilization Units (Altman) (FR)79, (CR)270, (MO)778, (BA)848, (MO)848, **849** DM/CSP-CS/HB 1463
- 1054 Injunctions for Protection Against Violence (Hill) (FR)79 DSC
- 1056 Infant Eye Care (Sachs) (FR)79 DSC
- 1058 Unemployment Compensation (Hill) (FR)79 DSC
- 1060 Programs for Misdemeanor Offenders (Lynn) (FR)79, (CR) 235 DSC
- 1062 Veterans' Day (Hill and others) (FR)79, (CR)235, (CO)417, (CR) 468 DSC
- 1064 Practice of Surgical Technology (Lynn) (FR)79 DSC
- 1066 Sentencing in Capital Felonies (Altman) (FR)80 DSC
- 1068 Department of Financial Services (Hays) (FR)80 DSC/CSP-SB 2132
- 1070 Florida Clean Indoor Air Act (Hays) (FR)80 DSC
- 1072 Recording of Real Property Documents (Judiciary and Latvala) (FR)80, (CR)286, (CS)290, (RC)303, (CR)322, (CR)468, (CR) 473, (MO)568, (BA)634, (CR)712 LTS/CSP-HB 951
- SR
1074 Omega Psi Phi Fraternity, Inc. (Hill and Siplin) (FR)264, **265** Adopted
- 1076 Alvin George White, Ed.D. (Hill) (FR)785, **786** Adopted
- 1078 Adopt a Shelter Pet Month (Jones) (FR)**359** Adopted
- SB
1080 Exemptions/Tax on Sales, Use, & Other Transactions (Altman) (FR)80, (CR)468 DSC
- 1082 Medical Devices (Altman) (FR)80 DSC
- 1084 Enterprise Zones (Altman) (FR)80 DSC/CSP-CS/HB 143
- 1086 Restraint of Incarcerated Pregnant Women (Health Regulation and others) (FR)80, (CR)227, (CS)228, (CO)262, (CR)270, (CS/CS)277, (CR)322, (CR)469, (BA)599, **600**, (CR)615 DM
- 1088 Criminal Conduct (Children, Families, and Elder Affairs and others) (FR)81, (CO)216, (CR)270, (CS)277, (CR)469 DSC
- SB
1090 Numeric Nutrient Water Quality Criteria (Dean and Lynn) (FR)81 DSC
- 1092 State Attorneys (Judiciary and Wise) (FR)81, (CR)226, (CR) 470, (CS)480, (MO)605, (BA)748, (CR)778 LTS/CSP-HB 4159
- 1094 Offenses Against Unborn Children (Fasano) (FR)81 DSC
- 1096 Columbaria (Hays) (FR)81, (CR)309 USC/LTS
- 1098 Collective Bargaining For Certain Public Employees (Hays) (FR)81, (CR)235 DSC
- 1100 Residence of the Clerk of the Circuit Court (Detert) (FR)81, (CR)236, (BA)362, (CR)407 LTS/CSP-HB 4067
- 1102 Energy (Detert) (FR)81 DSC
- 1104 Intellectual Disabilities (Altman) (FR)82 DSC
- 1106 Exemption From Hunter Safety Course Requirements (Bennett) (FR)82 DSC
- 1108 Use of Cigarette Tax Proceeds (Storms and others) (FR)82, (CO)279, (CO)295, (CO)303, (CR)322 DSC
- 1110 40th Anniversary/U.S. End of Involvement/Vietnam (Military Affairs, Space, and Domestic Security and others) (FR)82, (CO) 229, (CR)300, (CS)301, (CO)357, (CR)468 DSC
- 1112 Homestead Exemption/Reporting of Violations (Detert) (FR) 82 DSC
- 1114 Verification of a Prisoner's Immigration Status (Detert) (FR) 83 DSC
- 1116 Debt Buyers (Storms) (FR)83 DSC
- 1118 Nursing Services (Bogdanoff) (FR)83 DSC
- 1120 Special Districts (Community Affairs and Norman) (FR)83, (CR)236, (CS)257 DSC
- 1122 Growth Management (Environmental Preservation and Conservation and others) (FR)83, (CR)309, (CS)314, (CR)470, (CS/CS)480, (MO)606, (MO)614, (BA)642, (BA)855, (BA)**915**, (BA) 916, (BA)1022, (BA)1026, (BA)1027, (BA)1028 LTS/CSP-HB 7207, CS/CS/HB 95, SB 410
- 1124 Public School Buses (Transportation and others) (FR)83, (CO) 262, (CR)286, (CS)290, (CR)470, (CS/CS)481 DSC
- 1126 Art in State Buildings (Margolis) (FR)84 DSC
- 1128 Public Retirement Plans (Budget and others) (FR)84, (CR)236, (CS)257, (CO)357, (CR)471, (CS/CS)481, (CO)507, (MO)614, (BA)646, (BA)651, **656**, 851 Ch. 2011-216
- 1130 Retirement (Governmental Oversight and Accountability and others) (FR)84, (CR)204, (CS)213, (CO)234 DSC/CSP-SB 2100
- 1132 Cooperatives (Margolis) (FR)85, (MO)285 WS
- SR
1134 Florida Guardian Ad Litem Program (Storms) (FR)**5** Adopted
- 1136 Brain Injury Awareness Month (Bennett) (FR)**158** Adopted
- SB
1138 Public High School Students (Garcia and others) (FR)85, (CO) 467 DSC
- 1140 Child Care Facilities (Children, Families, and Elder Affairs and others) (FR)85, (CR)227, (CS)228, (CO)279, (CR)308, (CR) 469, (CO)507, (BA)**600**, (CR)615 DM
- 1142 Adverse Possession (Dockery) (FR)85, (CR)185, (CR)235, (MO) 308, (CR)323, (BA)363, **364**, (CR)407, 851 Ch. 2011-107
- 1144 Local Government (Margolis) (FR)85, (CR)226, (CR)469, (MO) 568, (BA)634, (CR)712 LTS
- 1146 Drug-related Overdoses (Sachs) (FR)85, (CR)300, (CR)469, (MO)568 DSC
- 1148 Operating Grants For Public Libraries (Dean and Lynn) (FR) 86 DSC
- 1150 Department of Highway Safety and Motor Vehicles (Governmental Oversight and Accountability and others) (FR)86, (CR) 204, (CS)214, (CR)323, (CS/CS)341, (CR)469, (BA)523, (BA) 526, (BA)538, (CR)541, (CO)546, (BA)553, **554** DM/CSP-SB 2160
- 1152 Limited Liability Companies (Banking and Insurance and Simmons) (FR)87, (CR)235, (CR)299, (CR)471, (CS)481, (BA) 600, (CR)615 LTS/CSP-CS/HB 253
- 1154 Slot Machine Licensee Fees (Garcia) (FR)87 DSC
- 1156 Dextromethorphan (Garcia) (FR)87, (CR)299 DSC
- 1158 Teaching Agency for Home and Community-based Care (Children, Families, and Elder Affairs and others) (FR)87, (CR) 309, (CS)315, (CR)468, (CR)469, (CO)580, (BA)749, (CR)778 LTS/CSP-CS/HB 843
- 1160 Retirement (Gaetz) (FR)87 DSC

- SB
1162 Obscenity (Storms) (FR)87 DSC
1164 Radio Frequency Identification Tags (Storms) (FR)87, (CR)226 DSC
1166 High School Accountability (Detert and Lynn) (FR)87 DSC
1168 Public Records/Victim of a Sexual Offense (Criminal Justice and others) (FR)87, (CR)324, (CS)342, (CR)469, (MO)568, (BA)635, (CR)712 LTS/CSP-CS/HB 409
1170 Lewd or Lascivious Offenses (Oelrich) (FR)88 DSC
1172 Road and Bridge Designations (Oelrich) (FR)88 DSC
1174 Exemptions to Water Management Requirements (Environmental Preservation and Conservation and others) (FR)88, (CO)234, (CR)271, (CS)277, (CR)323, (CS/CS)343, (MO)778, (BA)837, (BA)838 LTS/CSP-CS/CS/HB 421
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- 1920 Random Drug Testing/State Financial Assistance (Garcia)
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- 5303 Biomedical Research (Health Care Appropriations Subcommittee and Hudson) (BA)**455**, (MO)460, 507, 546, 1516, **1517**, 1849 Ch. 2011-98 CSP-SB 2000
- 5305 Correctional Medical Authority (Health Care Appropriations Subcommittee and Hudson) (BA)**455**, (MO)460, 507, 546, 1543, **1545**, (BA)1828, **1828**, 1849 Vetoed CSP-SB 2000
- 5309 Domestic Violence (Health Care Appropriations Subcommittee and Hudson) (BA)**456**, (MO)460, 507, 546, 1849 DM/CSP-SB 2000
- 5401 Criminal Justice (Justice Appropriations Subcommittee and Glorioso) (BA)**460**, (MO)461, 507, 546, 1517, **1518**, 1849 Ch. 2011-132 CSP-SB 2000
- 5403 Department of Corrections (Appropriations Committee and others) (BA)454, (BA)**455**, (MO)460, 507, 546, 1849 DCC/CSP-SB 2000

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- 7095 Prescription Drugs (Appropriations Committee and others) (FR)544, (BA)1094, **1114**, (BA)1121, **1122**, 1833 Ch. 2011-141
- 7101 Judicial Nominating Commissions (Civil Justice Subcommittee and Gaetz) 571, (FR)578, (BA)833, (BA)834, (BA)835, (BA)854, (BA)855, (BA)915, (BA)1022 DCS
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- 7207 Growth Management (Select Committee on Government Reorganization and others) (BA)459, (MO)460, 507, 545, 1761, **1825**, 1849 Ch. 2011-139 CSP-CS/CS/HB 95, SB 1204
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